

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0577-IHW-E **TCEQ ID:** RN103037719 **CASE NO.:** 33227

RESPONDENT NAME: Ameriforge Corporation dba Forged Vessel Connections

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input checked="" type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Forge Vessel Connections, 2525 De Soto Street, Houston, Harris County</p> <p>TYPE OF OPERATION: Custom forging facility</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on March 17, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Dana Shuler, Enforcement Division, Enforcement Team 7, MC 128, (512) 239-2505; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Patrick Sullivan, Quality, Safety, and Environmental Manager, Ameriforge Corporation dba Forged Vessel Connections, P.O. Box 38421, Houston, Texas 77238-8421 Mr. James C. Fredler, VP & General Manager, Ameriforge Corporation dba Forged Vessel Connections, P.O. Box 38421, Houston, Texas 77238-8421 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: October 20, 2006</p> <p>Date of NOE Relating to this Case: November 29, /2006 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>WASTE</p> <p>1) Failure to dispose of Class 1 waste at an authorized facility. Specifically, on July 20, 2006, five cubic yards of Class 1 waste (used absorbent) was disposed in the McCarty Road Landfill in Harris County. McCarty Road Landfill is not authorized to accept Class 1 waste for disposal [30 TEX. ADMIN. CODE § 335.2(b)].</p> <p>2) Failure to use the correct manifest when shipping Class 1 waste for disposal. Specifically, on July 20, 2006, five cubic yards of Class 1 waste (used absorbent) was shipped for disposal using a Class 2 manifest [30 TEX. ADMIN. CODE § 335.10(a)(1)].</p> <p>3) Failure to update the Facility's Notice of Registration (NOR). Specifically, the Facility's NOR did not include one Container Storage Area, one Miscellaneous Storage Container, two wastewater tanks, three API Separators, and Safety-Kleen parts washers [30 TEX. ADMIN. CODE § 335.6(c)].</p> <p>4) Failure to provide the required waste stream documentation for one waste stream. Specifically, the Respondent was unable to provide waste classification documentation for waste stream 05572031 - mineral spirits from Safety-Kleen parts washers [30 TEX. ADMIN. CODE § 335.513].</p>	<p>Total Assessed: \$3,102</p> <p>Total Deferred: \$620 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$2,482</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:</p> <p>a) Submitted documentation on October 27, 2006 demonstrating that the Facility's NOR has been updated to include a Container Storage Area, a Miscellaneous Storage Container, two wastewater tanks, three API separators, and Safety-Kleen parts washers;</p> <p>b) Submitted documentation on October 27, 2006 demonstrating that the 11 manifests incorrectly listing incorrect Texas waste codes have been corrected and properly filed;</p> <p>c) Submitted documentation on October 27, 2006 demonstrating that the Facility's AWS has been corrected to name the receiver of waste stream 05572031 as Safety-Kleen;</p> <p>d) Submitted documentation on October 27, 2006 demonstrating that the required waste stream classification information for waste stream 05572031 has been placed in the Facility files; and</p> <p>e) On April 1, 2007, a lockout procedure for the roll-off boxes that contact Class 1 waste was put in place to prevent the roll-off boxes from being physically removed for disposal without first being unlocked by select employees. This procedure was implemented to ensure that manifest and wastes leaving the Facility for disposal correspond and the waste is ultimately disposed of at an authorized facility.</p>

<p>5) Failure to maintain a correct Annual Waste Summary (AWS). Specifically, the 2005 AWS incorrectly names the receiver of waste stream 05572031 as Pilgrim Laundry & Cleaner, however it lists the Solid Waste Registration number and EPA ID Number corresponding to Safety-Kleen [30 TEX. ADMIN. CODE § 335.9(a)(2)].</p> <p>6) Failure to list the correct Texas waste codes on Class 1 manifests. Specifically, 11 manifests were observed with incorrect Texas waste codes [30 TEX. ADMIN. CODE § 335.10(c)].</p>		
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Additional ID No(s): SWR No. 90266



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 6, 2007

DATES	Assigned	4-Dec-2006	Screening	13-Apr-2006	EPA Due	
	PCW	5-Dec-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Ameriforge Corporation dba Forged Vessel Connections
Reg. Ent. Ref. No.	RN103037719
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	33227	No. of Violations	6
Docket No.	2007-0577-IHW-E	Order Type	1660
Media Program(s)	Industrial and Hazardous Waste	Enf. Coordinator	Dana Shuler
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$3,300
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	4% Enhancement	Subtotals 2, 3, & 7	\$132
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Notes: Enhancement due to two NOV's for other violations at this Facility within the past five years.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply	10% Reduction	Subtotal 5	\$330
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	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes: The Respondent came into compliance on April 1, 2007.

Total EB Amounts	\$101	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$2,465	*Capped at the Total EB \$ Amount		

SUM OF SUBTOTALS 1-7	Final Subtotal	\$3,102
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount \$3,102

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$3,102
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DEFERRAL	20% Reduction	Adjustment	-\$620
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral offered for expedited settlement.

PAYABLE PENALTY	\$2,482
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Screening Date 13-Apr-2006

Docket No. 2007-0577-IHW-E

PCW

Respondent Ameriforge Corporation dba Forged Vessel Connections

Policy Revision 2 (September 2002)

Case ID No. 33227

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN103037719

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Dana Shuler

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 4%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement due to two NOVs for other violations at this Facility within the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 4%

Screening Date 13-Apr-2006	Docket No. 2007-0577-IHW-E	PCW
Respondent Ameriforge Corporation dba Forged Vessel Connections	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 33227	<small>PCW Revision November 6, 2007</small>	
Reg. Ent. Reference No. RN103037719		
Media [Statute] Industrial and Hazardous Waste		
Enf. Coordinator Dana Shuler		
Violation Number	1	
Rule Cite(s)	30 Tex. Admin. Code § 335.2(b)	
Violation Description	Failed to dispose of Class 1 waste at an authorized facility. Specifically, on July 20, 2006, five cubic yards of Class 1 waste (used absorbent) was disposed in the McCarty Road Landfill in Harris County. McCarty Road Landfill is not authorized to accept Class 1 waste for disposal.	
	Base Penalty	\$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	x
				Percent <input type="text" value="5%"/>

>> Programmatic Matrix

	Falsification			
	Major	Moderate	Minor	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				Percent <input type="text" value="0%"/>
Matrix Notes	Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed protective levels.			

Adjustment

Violation Events

Number of Violation Events Number of violation days

<small>mark only one with an x</small>	daily	<input type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	x

Violation Base Penalty

One single event is recommended.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$65"/>	Violation Final Penalty Total <input type="text" value="\$470"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$470"/>	

Economic Benefit Worksheet

Respondent: Ameriforge Corporation dba Forged Vessel Connections

Case ID No.: 33227

Reg. Ent. Reference No.: RN103037719

Media: Industrial and Hazardous Waste

Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$65	20-Jul-2006	20-Jul-2006	0.0	\$0	\$65	\$65
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated cost to dispose of five cubic yards of Class 1 waste at an authorized facility.

Approx. Cost of Compliance

\$65

TOTAL

\$65

Screening Date 13-Apr-2006	Docket No. 2007-0577-IHW-E	PCW		
Respondent Ameriforge Corporation dba Forged Vessel Connections	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 33227	<small>PCW Revision November 6, 2007</small>			
Reg. Ent. Reference No. RN103037719				
Media [Statute] Industrial and Hazardous Waste				
Enf. Coordinator Dana Shuler				
Violation Number <input type="text" value="2"/>				
Rule Cite(s)	30 Tex. Admin. Code § 335.10(a)(1)			
Violation Description	Failed to use the correct manifest when shipping Class 1 waste for disposal. Specifically, on July 20, 2006, five cubic yards of Class 1 waste (used absorbent) was shipped for disposal using a Class 2 manifest.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Percent				<input type="text" value="0%"/>
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	x	<input type="text"/>	<input type="text"/>
Percent				<input type="text" value="10%"/>
Matrix Notes	100% of the rule requirement was not met.			
Adjustment			<input type="text" value="\$9,000"/>	
			<input type="text" value="\$1,000"/>	
Violation Events				
Number of Violation Events		<input type="text" value="1"/>	Number of violation days	
		<input type="text" value="1"/>		
<small>mark only one with an x</small>	daily	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	x		
Violation Base Penalty			<input type="text" value="\$1,000"/>	
One single event is recommended.				
Economic Benefit (EB) for this violation			Statutory Limit Test	
Estimated EB Amount		<input type="text" value="\$35"/>	Violation Final Penalty Total	
			<input type="text" value="\$940"/>	
This violation Final Assessed Penalty (adjusted for limits)			<input type="text" value="\$940"/>	

Economic Benefit Worksheet

Respondent: Ameriforge Corporation dba Forged Vessel Connections
Case ID No.: 33227
Reg. Ent. Reference No.: RN103037719
Media: Industrial and Hazardous Waste
Violation No.: 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$1,000	20-Jul-2006	1-Apr-2007	0.7	\$35	n/a	\$35
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to provide training to employees to ensure that the correct manifest accompanies each waste shipment calculated from the date of the incorrect shipment to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$35

Screening Date 13-Apr-2006	Docket No. 2007-0577-IHW-E	PCW
Respondent Ameriforge Corporation dba Forged Vessel Connections	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 33227	<i>PCW Revision November 6, 2007</i>	
Reg. Ent. Reference No. RN103037719		
Media [Statute] Industrial and Hazardous Waste		
Enf. Coordinator Dana Shuler		
Violation Number 3		
Rule Cite(s)	30 Tex. Admin. Code § 335.6(c)	
Violation Description	Failed to update the Facility's Notice of Registration (NOR). Specifically, the Facility's NOR did not include one Container Storage Area, one Miscellaneous Storage Container, two wastewater tanks, three API Separators, and Safety-Kleen parts washers.	
Base Penalty		\$10,000

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate		Minor
	Actual	<input type="text"/>	<input type="text"/>		<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>	

>> Programmatic Matrix

	Falsification				
		Major	Moderate		Minor
	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>		<input type="text"/>
				Percent <input type="text" value="5%"/>	
Matrix Notes	30 to 70% of the rule requirement was not met.				

Adjustment

Violation Events

Number of Violation Events <input type="text" value="1"/>	<input type="text" value="7"/>	Number of violation days												
<i>mark only one with an x</i> <table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>daily</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>monthly</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>quarterly</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>semiannual</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>annual</td><td style="text-align: center;"><input type="text"/></td></tr> <tr><td>single event</td><td style="text-align: center;"><input checked="" type="checkbox"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input checked="" type="checkbox"/>	Violation Base Penalty <input type="text" value="\$500"/>	
daily	<input type="text"/>													
monthly	<input type="text"/>													
quarterly	<input type="text"/>													
semiannual	<input type="text"/>													
annual	<input type="text"/>													
single event	<input checked="" type="checkbox"/>													
One single event is recommended.														

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$0"/>	Violation Final Penalty Total <input type="text" value="\$470"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$470"/>	

Economic Benefit Worksheet

Respondent: Ameriforge Corporation dba Forged Vessel Connections
Case ID No.: 33227
Reg. Ent. Reference No.: RN103037719
Media: Industrial and Hazardous Waste
Violation No.: 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$500	20-Oct-2006	27-Oct-2006	0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to update NOR calculated from the investigation date to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$0

Screening Date 13-Apr-2006	Docket No. 2007-0577-IHW-E	PCW		
Respondent Ameriforge Corporation dba Forged Vessel Connections	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 33227	<small>PCW Revision November 6, 2007</small>			
Reg. Ent. Reference No. RN103037719				
Media [Statute] Industrial and Hazardous Waste				
Enf. Coordinator Dana Shuler				
Violation Number <input type="text" value="4"/>				
Rule Cite(s)	30 Tex. Admin. Code § 335.513			
Violation Description	Failed to provide the required waste stream documentation for one waste stream. Specifically, the Respondent was unable to provide waste classification documentation for waste stream 05572031 - mineral spirits from Safety-Kleen parts washers.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	x
		Percent	<input type="text" value="1%"/>	
Matrix Notes	At least 30% of the rule requirement was not met.			
		Adjustment	<input type="text" value="\$9,900"/>	
		<input type="text" value="\$100"/>		
Violation Events				
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="7"/>
<small>mark only one with an x</small>		daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$100"/>
		monthly	<input type="text"/>	
		quarterly	<input type="text"/>	
		semiannual	<input type="text"/>	
		annual	<input type="text"/>	
		single event	x	
		One single event is recommended.		
Economic Benefit (EB) for this violation			Statutory Limit Test	
	Estimated EB Amount	<input type="text" value="\$0"/>		Violation Final Penalty Total
				<input type="text" value="\$94"/>
This violation Final Assessed Penalty (adjusted for limits)				<input type="text" value="\$94"/>

Economic Benefit Worksheet

Respondent: Ameriforge Corporation dba Forged Vessel Connections

Case ID No.: 33227

Reg. Ent. Reference No.: RN103037719

Media: Industrial and Hazardous Waste

Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$500	20-Oct-2006	27-Oct-2006	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to maintain waste classification documentation calculated from the investigation date to the compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$0

Screening Date 13-Apr-2006	Docket No. 2007-0577-IHW-E	PCW		
Respondent Ameriforge Corporation dba Forged Vessel Connections	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 33227	<small>PCW Revision November 6, 2007</small>			
Reg. Ent. Reference No. RN103037719				
Media [Statute] Industrial and Hazardous Waste				
Enf. Coordinator Dana Shuler				
Violation Number <input type="text" value="5"/>				
Rule Cite(s)	30 Tex. Admin. Code § 335.9(a)(2)			
Violation Description	Failed to maintain a correct Annual Waste Summary (AWS). Specifically, the 2005 AWS incorrectly names the receiver of waste stream 05572031 as Pilgrim Laundry & Cleaner, however it lists the Solid Waste Registration number and EPA ID Number corresponding to Safety-Kleen.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	x
		Percent	<input type="text" value="1%"/>	
Matrix Notes	At least 30% of the rule requirement was not met.			
		Adjustment	<input type="text" value="\$9,900"/>	
		<input type="text" value="\$100"/>		
Violation Events				
	Number of Violation Events	<input type="text" value="1"/>	Number of violation days	<input type="text" value="7"/>
<small>mark only one with an x</small>	daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$100"/>	
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	x		
		One single event is recommended.		
Economic Benefit (EB) for this violation			Statutory Limit Test	
Estimated EB Amount		Violation Final Penalty Total		
<input type="text" value="\$0"/>		<input type="text" value="\$94"/>		
		This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$94"/>		

Economic Benefit Worksheet

Respondent: Ameriforge Corporation dba Forged Vessel Connections

Case ID No.: 33227

Reg. Ent. Reference No.: RN103037719

Media: Industrial and Hazardous Waste

Violation No.: 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$150	20-Oct-2006	27-Oct-2006	0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to correct the Facility's AWS calculated from the investigation date to the date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$150

TOTAL

\$0

Screening Date 13-Apr-2006	Docket No. 2007-0577-IHW-E	PCW		
Respondent Ameriforge Corporation dba Forged Vessel Connections	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 33227	<i>PCW Revision November 6, 2007</i>			
Reg. Ent. Reference No. RN103037719				
Media [Statute] Industrial and Hazardous Waste				
Enf. Coordinator Dana Shuler				
Violation Number <input type="text" value="6"/>				
Rule Cite(s)	30 Tex. Admin. Code § 335.10(c)			
Violation Description	Failed to list the correct Texas waste codes on Class 1 manifests. Specifically, 11 manifests were observed with incorrect Texas waste codes.			
Base Penalty		<input type="text" value="\$10,000"/>		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input checked="" type="checkbox"/>
		Percent	<input type="text" value="1%"/>	
Matrix Notes	At least 30% of the rule requirement was not met.			
		Adjustment	<input type="text" value="\$9,900"/>	
		<input type="text" value="\$100"/>		
Violation Events				
	Number of Violation Events	<input type="text" value="11"/>	Number of violation days	
		<input type="text" value="7"/>		
<i>mark only one with an x</i>	daily	<input type="text"/>	Violation Base Penalty <input type="text" value="\$1,100"/>	
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input checked="" type="checkbox"/>		
Eleven single events, one for each manifest with incorrect waste codes, are recommended.				
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$0"/>	Violation Final Penalty Total	<input type="text" value="\$1,034"/>	
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$1,034"/>	

Economic Benefit Worksheet

Respondent: Ameriforge Corporation dba Forged Vessel Connections
Case ID No.: 33227
Reg. Ent. Reference No.: RN103037719
Media: Industrial and Hazardous Waste
Violation No.: 6

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$250	20-Oct-2006	27-Oct-2006	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: Estimated cost to file Hazardous Waste Manifest with the correct waste codes calculated from the investigation date to the compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance	\$250	TOTAL	\$0
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Compliance History

Customer/Respondent/Owner-Operator:	CN603201906	Ameriforge Corporation	Classification: AVERAGE	Rating: 1.22
Regulated Entity:	RN103037719	FORGED VESSEL CONNECTIONS	Classification: AVERAGE	Site Rating: 7.50
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD070881560	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	90266	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0247D	
	AIR NEW SOURCE PERMITS	AFS NUM	4820101360	
	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	75723	
	STORMWATER	PERMIT	TXR05U655	
	Location:	2525 DE SOTO ST, HOUSTON, TX, 77091		
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	February 28, 2008			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	April 11, 2002 to April 11, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Dana Shuler		Phone:	(512) 239-2505

Site Compliance History Components

- | | |
|--|--|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | Yes |
| 3. If Yes, who is the current owner? | Forged Vessel Connections, Inc.
Ameri-Forge Limited |
| 4. If Yes, who was/were the prior owner(s)? | TINER, MICHAEL |
| 5. When did the change(s) in ownership occur? | 12/19/2006 |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
- | | | | |
|---|------------|----------|--|
| 1 | 01/07/2005 | (342418) | |
| 2 | 11/29/2006 | (511407) | |
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- | | | | |
|--------------|--|-----------------|----------|
| Date: | 06/21/2004 | (270638) | |
| Self Report? | NO | Classification: | Moderate |
| Citation: | 30 TAC Chapter 115, SubChapter E 115.412(1)(A) | | |
| Description: | Failure to maintain the two remote reservoirs cover container closed while not in operation. | | |
| Self Report? | NO | Classification: | Moderate |
| Citation: | 30 TAC Chapter 115, SubChapter E 115.412(1)(F)(ii) | | |
| Description: | Failure to maintain two remote reservoirs cover container closed while not in operation. | | |
| Self Report? | NO | Classification: | Moderate |
| Citation: | 30 TAC Chapter 116, SubChapter B 116.110(a)(4) | | |
| Description: | Failure to satisfy all conditions of permit by rule § 106.454. | | |

Date: 01/07/2005 (342418)

Self Report?	NO	Classification:	Minor
Rqmt Prov:	PERMIT MSGP #TXR050000 Part V Section AA(2)		
Description:	Failure to implement Best Management Practice to prevent the unauthorized discharge of metal shavings.		
Self Report?	NO	Classification:	Moderate
Rqmt Prov:	PERMIT MSGP #TXR050000 Part IV Section A		
Description:	Failure to address causes of benchmark exceedances for Aluminum, Iron, Zinc, and Nitrate plus Nitrite.		
Self Report?	NO	Classification:	Minor
Rqmt Prov:	PERMIT TPDES MSGP Part III, Section A(5)(a)		
Description:	Failure to maintain good housekeeping.		
Self Report?	NO	Classification:	Minor
Citation:	TWC Chapter 26 26.121(a)(1)		
Description:	Unauthorized discharge of oily contaminated condensate water from the air compressor.		

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
AMERIFORGE CORPORATION DBA
FORGED VESSEL CONNECTIONS
RN103037719**

§
§
§
§
§
§

**BEFORE THE

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2007-0577-IHW-E**

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Ameriforge Corporation dba Forged Vessel Connections ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a custom forging facility at 2525 De Soto Street in Houston, Harris County, Texas (the "Facility").
2. The Facility involves the management of industrial solid waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about December 4, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Three Thousand One Hundred Two Dollars (\$3,102) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Thousand Four Hundred Eighty-Two Dollars (\$2,482) of the administrative penalty and Six Hundred Twenty Dollars (\$620) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that the Respondent has implemented the following corrective measures at the Facility:
 - a. Submitted documentation on October 27, 2006 demonstrating that the Facility's Notice of Registration ("NOR") has been updated to include a Container Storage Area, a Miscellaneous Storage Container, two wastewater tanks, three API separators, and Safety-Kleen parts washers;
 - b. Submitted documentation on October 27, 2006 demonstrating that the 11 manifests incorrectly listing incorrect Texas waste codes have been corrected and properly filed;
 - c. Submitted documentation on October 27, 2006 demonstrating that the Facility's Annual Waste Summary ("AWS") has been corrected to name the receiver of waste stream 05572031 as Safety-Kleen;
 - d. Submitted documentation on October 27, 2006 demonstrating that the required waste stream classification information for waste stream 05572031 has been placed in the Facility's files; and
 - e. On April 1, 2007, a lockout procedure for the roll-off boxes that contain Class 1 waste was put in place to prevent the roll-off boxes from being physically removed for disposal without first being unlocked by select employees. This procedure was implemented to ensure that manifest and wastes leaving the Facility for disposal correspond and the waste is ultimately disposed of at an authorized facility.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

1. Failed to dispose of Class 1 waste at an authorized facility, in violation of 30 TEX. ADMIN. CODE § 335.2(b). Specifically, on July 20, 2006, five cubic yards of Class 1 waste (used absorbent) was disposed in the McCarty Road Landfill in Harris County. McCarty Road Landfill is not authorized to accept Class 1 waste for disposal, as documented during an investigation conducted on October 20, 2006.
2. Failed to use the correct manifest when shipping Class 1 waste for disposal, in violation of 30 TEX. ADMIN. CODE § 335.10(a)(1). Specifically, on July 20, 2006, five cubic yards of Class 1 waste (used absorbent) was shipped for disposal using a Class 2 manifest, as documented during an investigation conducted on October 20, 2006.
3. Failed to update the Facility's NOR, in violation of 30 TEX. ADMIN. CODE § 335.6(c). Specifically, the Facility's NOR did not include one Container Storage Area, one Miscellaneous Storage Container, two wastewater tanks, three API Separators, and Safety-Kleen parts washers, as documented during an investigation conducted on October 20, 2006.
4. Failed to provide the required waste stream documentation for one waste stream, in violation of 30 TEX. ADMIN. CODE § 335.513. Specifically, the Respondent was unable to provide waste classification documentation for waste stream 05572031--mineral spirits from Safety-Kleen parts washers, as documented during an investigation conducted on October 20, 2006.
5. Failed to maintain a correct AWS, in violation of 30 TEX. ADMIN. CODE § 335.9(a)(2). Specifically, the 2005 AWS incorrectly names the receiver of waste stream 05572031 as Pilgrim Laundry & Cleaner, however it lists the Solid Waste Registration number and EPA ID Number corresponding to Safety-Kleen, as documented during an investigation conducted on October 20, 2006.
6. Failed to list the correct Texas waste codes on Class 1 manifests, in violation of 30 TEX. ADMIN. CODE § 335.10(c). Specifically, 11 manifests were observed with incorrect Texas waste codes, as documented during an investigation conducted on October 20, 2006.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Ameriforge Corporation dba Forged Vessel Connections, Docket No. 2007-0577-IHW-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
4. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

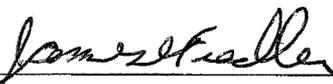
3/21/2008
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

12-20-07
Date

James C. Friedler

Name (Printed or typed)
Authorized Representative of
Ameriforge Corporation dba Forged Vessel Connections

VP General Manager

Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

