

EXECUTIVE SUMMARY - ENFORCEMENT MATTER Page 1 of 2
DOCKET NO.: 2008-0858-AIR-E **TCEQ ID:** RN102306180 **CASE NO.:** 35922
RESPONDENT NAME: Fleetwood Travel Trailers of Texas, Inc.

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 checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input 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: Fleetwood Travel Trailers of Texas, 901 Fisher Road, Longview, Gregg County</p> <p>TYPE OF OPERATION: Manufacturer of towable trailers, 'fifth wheels', and 'slide-in' truck campers</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" 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 December 15, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Samuel Short, Enforcement Division, Enforcement Team 3, MC 169, (512) 239-5363; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Ms. Maureen Schwitzer, Senior Environmental Engineer, Fleetwood Travel Trailers of Texas, Inc., 3125 Myers Street, Riverside, California 92513 Mr. Len Banton, EHS Manager, Fleetwood Travel Trailers of Texas, Inc., 3125 Myers Street, Riverside, California 92513 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: May 6, 2008</p> <p>Date of NOV/NOE Relating to this Case: May 15, 2008 (NOE)</p> <p>Background Facts: This was a routine investigation.</p> <p>AIR</p> <p>Failure to timely complete and submit three annual Permit Compliance Certifications ("PCCs") for the certification periods of March 21, 2005 to March 20, 2006; March 21, 2006 to March 20, 2007; and March 21, 2007 to December 6, 2007, and failure to timely submit two accurate semi-annual deviation reports within 30 days from the end of the corresponding certification periods during which deviations occurred. Specifically, the PCCs were due on April 20, 2006, April 20, 2007, and January 6, 2008 respectively, and the semi-annual deviation reports were due on October 20, 2006 and October 20, 2007 [30 TEX. ADMIN. CODE §§ 122.143(4), 122.145(2)(B) and (2)(C), and 122.146(1) and (2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit No. O-02598].</p>	<p>Total Assessed: \$10,250</p> <p>Total Deferred: \$2,050 <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: \$8,200</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 checked="" type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that on January 22, 2008, the Respondent submitted three PCCs for the certification periods of March 21, 2005 to March 20, 2006; March 21, 2006 to March 20, 2007; and March 21, 2007 to December 6, 2007, and submitted two accurate semi-annual deviation reports on May 28, 2008, which were due on October 20, 2006 and October 20, 2007.</p>

Additional ID No(s): GJ0166Q



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision June 12, 2008

DATES	Assigned	19-May-2008	Screening	20-May-2008	EPA Due	31-Jan-2009
	PCW	22-May-2008				

RESPONDENT/FACILITY INFORMATION			
Respondent	Fleetwood Travel Trailers of Texas, Inc.		
Reg. Ent. Ref. No.	RN102306180		
Facility/Site Region	5-Tyler	Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	35922	No. of Violations	1
Docket No.	2008-0858-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Samuel Short
Admin. Penalty \$ Limit Minimum	\$0	EC's Team	Enforcement Team 3
Maximum	\$10,000		

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	<i>Subtotal 1</i>	\$12,500
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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	-8.0% Enhancement	<i>Subtotals 2, 3, & 7</i>	-\$1,000
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Notes: A penalty enhancement is recommended for having one NOV for non-similar violations in the past five years. A penalty reduction is recommended for having a high performer classification.

Culpability	No	0.0% Enhancement	<i>Subtotal 4</i>	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	<i>Subtotal 5</i>	\$1,250
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Economic Benefit	0.0% Enhancement*	<i>Subtotal 6</i>	\$0
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Total EB Amounts: \$53
 Approx. Cost of Compliance: \$500
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	<i>Final Subtotal</i>	\$10,250
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	<i>Adjustment</i>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

<i>Final Penalty Amount</i>	\$10,250
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STATUTORY LIMIT ADJUSTMENT	<i>Final Assessed Penalty</i>	\$10,250
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DEFERRAL	20.0% Reduction	<i>Adjustment</i>	-\$2,050
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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	\$8,200
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Screening Date 20-May-2008

Docket No. 2008-0858-AIR-E

PCW

Respondent Fleetwood Travel Trailers of Texas, Inc.

Policy Revision 2 (September 2002)

Case ID No. 35922

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN102306180

Media [Statute] Air

Enf. Coordinator Samuel Short

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	1	2%
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 judgements 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) 2%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

A penalty enhancement is recommended for having one NOV for non-similar violations in the past five years. A penalty reduction is recommended for having a high performer classification.

Total Adjustment Percentage (Subtotals 2, 3, & 7) -8%

Screening Date 20-May-2008	Docket No. 2008-0858-AIR-E	PCW		
Respondent Fleetwood Travel Trailers of Texas, Inc.	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 35922	<small>PCW Revision June 12, 2008</small>			
Reg. Ent. Reference No. RN102306180				
Media [Statute] Air				
Enf. Coordinator Samuel Short				
Violation Number <input type="text" value="1"/>				
Rule Cite(s)	30 Tex. Admin. Code §§ 122.143(4), 122.145(2)(B) and (2)(C), 122.146(1) and (2), Tex. Health & Safety Code § 382.085(b), and Federal Operating Permit No. O-02598			
Violation Description	Failed to timely submit three annual Permit Compliance Certifications ("PCCs") for the certification periods of March 21, 2005 to March 20, 2006; March 21, 2006 to March 20, 2007; and March 21, 2007 to December 6, 2007. Specifically, the PCCs were due on April 20, 2006, April 20, 2007, and January 6, 2008 respectively, and were not submitted until January 22, 2008. In addition, failed to timely submit two accurate semi-annual deviation reports within 30 days from the end of the corresponding certification periods during which deviations occurred. Specifically, the semi-annual deviation reports due on October 20, 2006 and October 20, 2007 were not all satisfactorily submitted until May 28, 2008.			
Base Penalty	<input type="text" value="\$10,000"/>			
>> Environmental, Property and Human Health Matrix				
OR	Release	Harm		
		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" value="x"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="25%"/>	
Matrix Notes	100% of the rule requirement was not met.			
	Adjustment	<input type="text" value="\$7,500"/>		
			<input type="text" value="\$2,500"/>	
Violation Events				
	Number of Violation Events	<input type="text" value="5"/>	Number of violation days	
		<input type="text" value="1133"/>		
<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	<input type="text" value="x"/>		
		Violation Base Penalty	<input type="text" value="\$12,500"/>	
Five single events are recommended (one per report).				
Good Faith Efforts to Comply		10.0% Reduction	<input type="text" value="\$1,250"/>	
		Before NOV NOV to EDPR/Settlement		
	Extraordinary	<input type="text"/>		
	Ordinary	<input type="text" value="x"/>		
	N/A	<input type="text"/>		
		<small>(mark with x)</small>		
Notes	The Respondent achieved compliance on May 28, 2008 by submitting all required permit certifications and semi-annual deviation reports.			
Violation Subtotal			<input type="text" value="\$11,250"/>	
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	<input type="text" value="\$53"/>	Violation Final Penalty Total	
			<input type="text" value="\$10,250"/>	
This violation Final Assessed Penalty (adjusted for limits)			<input type="text" value="\$10,250"/>	

Economic Benefit Worksheet

Respondent: Fleetwood Travel Trailers of Texas, Inc.
Case ID No.: 35922
Reg. Ent. Reference No.: RN102306180
Media: Air
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
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	20-Apr-2006	28-May-2008	2.11	\$53	n/a	\$53

Notes for DELAYED costs

The estimated costs to submit PCCs and semi-annual deviation reports. Date required is the date in which the first report was due. The final date is the date in which the Respondent achieved compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$500

TOTAL \$53

Compliance History

Customer/Respondent/Owner-Operator:	CN601220387 Fleetwood Travel Trailers of Texas, Inc.	Classification: HIGH	Rating: 0.07
Regulated Entity:	RN102306180 FLEETWOOD TRAVEL TRAILERS OF TEXAS	Classification: AVERAGE	Site Rating: 0.14
ID Number(s):	AIR NEW SOURCE PERMITS AIR NEW SOURCE PERMITS INDUSTRIAL AND HAZARDOUS WASTE GENERATION INDUSTRIAL AND HAZARDOUS WASTE GENERATION	ACCOUNT NUMBER AFS NUM EPA ID SOLID WASTE REGISTRATION # (SWR)	GJ0166Q 4818300092 TXD042682120 30450
Location:	901 FISHER RD, LONGVIEW, TX, 75604	Rating Date: 9/1/2007 Repeat Violator: NO	

TCEQ Region: REGION 05 - TYLER

Date Compliance History Prepared: May 19, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: May 19, 2003 to May 19, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Samuel Short Phone: 512-239-5363

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? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

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 | 08/22/2003 | (146264) |
| 2 | 12/09/2004 | (343566) |
| 3 | 02/03/2006 | (454374) |
| 4 | 02/17/2006 | (454900) |
| 5 | 02/28/2006 | (457637) |
| 6 | 06/25/2007 | (563225) |
| 7 | 05/15/2008 | (657136) |

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 08/13/2003 (146264)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 281, SubChapter A.281.25(a)(4)

Rqmt Prov: PERMIT TXR05N322

Description: Failure to conduct quarterly visual monitoring for the second calendar quarter of 2003.

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	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
FLEETWOOD TRAVEL TRAILERS	§	TEXAS COMMISSION ON
OF TEXAS, INC.	§	
RN102306180	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-0858-AIR-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 Fleetwood Travel Trailers of Texas, Inc. ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 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 manufacturing plant for the production of towable trailers, 'fifth wheels', and 'slide-in' truck campers at 901 Fisher Road in Longview, Gregg County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
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 May 20, 2008.
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 Ten Thousand Two Hundred Fifty Dollars (\$10,250) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Eight Thousand Two Hundred Dollars (\$8,200) of the administrative penalty and Two Thousand Fifty Dollars (\$2,050) 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 on January 22, 2008, the Respondent submitted three Permit Compliance Certification ("PCCs") for the certification periods of March 21, 2005 to March 20, 2006, March 21, 2006 to March 20, 2007, and March 21, 2007 to December 6, 2007, and submitted two accurate semi-annual deviation reports on May 28, 2008, which were due on October 20, 2006 and October 20, 2007.
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 Plant, the Respondent is alleged to have failed to timely complete and submit three annual PCCs for the certification periods of March 21, 2005 to March 20, 2006; March 21, 2006 to March 20, 2007; and March 21, 2007 to December 6, 2007 and failed to timely submit two accurate semi-annual deviation reports within 30 days from the end of the corresponding certification periods during which deviations occurred, in violation of 30 TEX. ADMIN. CODE §§ 122.143(4), 122.145(2)(B) and (2)(C), 122.146(1) and (2), TEX. HEALTH & SAFETY CODE § 382.085(b), and Federal Operating Permit No. O-02598, as documented during an investigation conducted on May 6, 2008. Specifically, the PCCs were due on April 20, 2006, April 20, 2007, and January 6, 2008 respectively, and the semi-annual deviation reports were due on October 20, 2006 and October 20, 2007.

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: Fleetwood Travel Trailers of Texas, Inc., Docket No. 2008-0858-AIR-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 Plant 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.

Fleetwood Travel Trailers of Texas, Inc.
DOCKET NO. 2008-0858-AIR-E
Page 4

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Sullivan
For the Executive Director

11/14/2008
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 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 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]
Signature

10-1-2008
Date

Ken Barton
Name (Printed or typed)
Authorized Representative of
Fleetwood Travel Trailers of Texas, Inc.

Bill Mowler
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.

