EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2008-0596-MLM-E TCEQ ID: RN103204954 CASE NO.: 35702

RESPONDENT NAME: Four States Recycling, Inc.

A T T T T T T T T T T T T T T T T T T T		
ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	XINDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
X MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
SMALL BUSINESS: X Yes	nunicipal and industrial material recycling facility No	
	omplaint was received February 11, 2008, alleging record of additional pending enforcement actions	
INTERESTED PARTIES: A complaint wa Agenda.	as received, but the complainant has not expressed	a desire to protest this action or to speak at
COMMENTS RECEIVED: The Texas Reg	gister comment period expired on January 12, 200	9. No comments were received.
	or: None r: Ms. Danielle Porras, Enforcement Division, En Division, MC 219, (512) 239-2171	forcement Team 7, MC 128, (512) 239-2602

photographs, receipts, and/or other records

Additional ID No(s).: N/A

to demonstrate compliance with Ordering

Provisions a.i. through c.

RESPONDENT NAME: Four States Recycling, Inc.

DOCKET NO.: 2008-0596-MLM-E

VIOLATION SUMMARY CHART: CORRECTIVE ACTIONS VIOLATION INFORMATION PENALTY CONSIDERATIONS TAKEN/REQUIRED and a 22 Type of Investigation: Total Assessed: \$6,115 **Ordering Provisions:** X Complaint ___ Routine The Order will require the Respondent to: Total Deferred: \$1,223 Enforcement Follow-up X Expedited Settlement Records Review a. Immediately upon the effective date of this Agreed order: Financial Inability to Pay Date(s) of Complaints Relating to this Case: February 11, 2008 i. Cease accepting any recyclable materials SEP Conditional Offset: \$0 at the Facility until properly authorized: Date of Investigation Relating to this Case: Total Paid (Due) to General Revenue: \$200 and February 11, 2008 (remaining \$4,692 due in 23 monthly payments ii. Begin maintaining records. of \$204 each) Date of NOV/NOE Relating to this Case: March b. Within 30 days after the effective date 19, 2008 (NOE) Site Compliance History Classification of this Agreed Order: ___High X Average Poor Background Facts: This was a complaint i. Submit a Notice of Intent to operate a investigation. Person Compliance History Classification recycling facility; High Average Poor WASTE ii. Submit notice of recycling operations Major Source: ___ Yes __X_ No for materials generated at industrial 1) Failure to notify the Executive Director of recycling operations for materials generated at facilities; Applicable Penalty Policy: September 2002 municipal and industrial facilities, and failure to iii. Submit documentation that report to the Executive Director prior to the commencement of new recycling operations. demonstrates acceptable financial Specifically, the Respondent is recycling material assurance for the closure of the Facility; from various municipal and industrial facilities and and has not notified the Executive Director [30 Tex. iv. Develop and implement a fire ADMIN. CODE §§ 335.6(a) and 328.5(b)]. prevention and suppression plan that shall be made available to the local fire 2) Failure to dispose of solid waste at an authorized prevention authority having jurisdiction facility. Specifically, multiple piles of municipal solid waste, including wooden pallets, railroad ties, over the Facility for review and metal, plastic and cafeteria waste including coordination. styrofoam were observed on-site, totaling approximately 250 cubic yards [30 TEX. ADMIN. c. In lieu of b.i. through b.iv., within 30 days of the effective date of this Agreed CODE § 330.15(c)]. Order, cease accepting waste and recyclable materials and remove all 3) Failure to maintain records necessary to show accumulated materials and dispose at an compliance with the requirements of 30 Tex. ADMIN. authorized facility. CODE § 328.4, relating to limitations on storage of recyclable materials [30 TEX. ADMIN. CODE § 328.5(f)]. d. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed 4) Failure to obtain financial assurance for closure of supporting documentation including the Facility [30 TEX. ADMIN. CODE §§ 37.921,

328.5(d), and 328.5(f)(3)].

5) Failure to maintain a fire prevention and suppression plan [30 Tex. ADMIN. CODE § 328.5(h)].

Policy Revision 2 (Sep	Penalty Calculation W	/orksheet (P	,	nian Fahruan 20, 2008
TOFO	tember 2002)		PCW Revis	sion February 29, 2008
DATES Assigned PCW	24-Mar-2008 Screening 9-Apr-2008 EP	A Due		
RESPONDENT/FACILITY				
	Four States Recycling, Inc.			
Reg. Ent. Ref. No. Facility/Site Region		Major/Minor Source	Minor	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1
				<u> </u>
CASE INFORMATION	05700		<i>F</i>	
Enf./Case ID No.	2008-0596-MLM-E	No. of Violations Order Type		<u>, 1 - 2 - 2 - 3 - 3 - 3 - 3 - 3 - 3 - 3 - 3</u>
	Municipal Solid Waste	Enf. Coordinator		an
Multi-Media	Industrial and Hazardous Waste	EC's Team	Enforcement Tear	
Admin. Penalty \$	_imit Minimum \$0 Maximum \$10),000		
	Penalty Calculation	Section		
TOTAL BASE PENAL	TY (Sum of violation base penalties)		Subtotal 1	\$6,000
ADJUSTMENTS (+/-) Subtotals 2-7 are obtain	TO SUBTOTAL 1 ned by multiplying the Total Base Penalty (Subtotal 1) by the indi-	cated percentage.	· · · · · · · · · · · · · · · · · · ·	
Compliance Hist	ory 0% Enhan	cement Subto	otals 2, 3, & 7	\$0
Notes	No enhancement is recommend	led.		-
Culpability	No 0% Enhan	ncement	Subtotal 4	\$0
Notes	The Respondent does not meet the culpa		The second section of the section of the second section of the second section of the second section of the second section of the secti	
Good Faith Effor	t to Comply 0% Redu	uction	Subtotal 5	\$0
e e e e e e e e e e e e e e e e e e e	Before NOV NOV to EDPRP/Settlement Offer			
Extraordinary		•		
Ordinary N/A	X (mark with x)			***************************************
Notes	The Respondent does not meet the good	faith criteria.		
	0% Enhanc		Subtotal 6	\$0
Approx.	Total EB Amounts \$534 *Capped at the 7 Cost of Compliance \$7,578	Total EB \$ Amount		
SUM OF SUBTOTAL	S 1-7	. ₹	inal Subtotal	\$6,000
	S JUSTICE MAY REQUIRE ubtotal by the indicated percentage.	2%	Adjustment	\$115
Notes	Recommended adjustment to capture the avoided violation #4.	i cost associated with		-
	in 1997 - Nicht von 1994 in 19 In 1994 in 199	Final Per	alty Amount	\$6,115
STATUTORY LIMIT A	DJUSTMENT	Final Asse	ssed Penalty	\$6,115
DEFERRAL Reduces the Final Assessed Pen	alty by the indicted percentage. (Enter number only; e.g. 20 for	20% Reduction 20% reduction.)	Adjustment	-\$1,223
Notes	Deferral offered for expedited settle	ement		***************************************

PAYABLE PENALTY

\$4,892

	Compliance History Worksheet		an anii
	y Site Enhancement (Subtotal 2) Number of	nter 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	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	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	O	0%
Judgments	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)	o	0%
and Consen Decrees	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%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events) 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%
Audits	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%
	at the second control of the second control	se Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Ouici	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 P	ercentage (Sı	ıbtotal 2)
t Violator (S	ubtotal 3)		
N	Adjustment P	ercentage (Sเ	ıbtotal 3)
liance Histor	y Person Classification (Subtotal 7)		
		anning apparent to the section of th	Commercial Control of the Control of

Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%

Screening Date 9-Apr-2008 Docket No. 2008-0596-MLM-E	PCW
	evision 2 (September 2002)
Case ID No. 35702 PCW Reg. Ent. Reference No. RN103204954	Revision February 29, 2008
Media [Statute] Municipal Solid Waste	
Enf. Coordinator Cynthia McKaughan	
Violation Number 1	7
Rule Cite(s) 30 Tex. Admin. Code §§ 335.6(a) and 328.5(b)	
Failed to notify the Executive Director of recycling operations for materials generated at industrial facilities, and failed to report to the Executive Director prior to the commencement of new recycling operations, as documented during an investigation conducted on February 11, 2008. Specifically, the Respondent is recycling material from various municipal and industrial facilities, including cardboard, paper and plastics, and has not notified the Executive Director.	v
Base Penalty	\$10,000
>> Environmental, Property and Human Health Matrix Harm Release Major Moderate Minor OR Actual	
Potential Percent 0%	
>>Programmatic Matrix	
Falsification Major Moderate Minor Percent 10%	
Matrix Notes 100% of the rule requirement was not met.	gh
Adjustment \$9,000	* ***
	\$1,000
Violation Events	
Number of Violation Events 58 Number of violation days	
daily	111111111111111111111111111111111111111
monthly Violation Base Penalty	\$1,000
with an x semiannual	
annual	
single event x	
One single event is recommended.	
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$11 Violation Final Penalty Total	\$1,019
This violation Final Assessed Penalty (adjusted for limits)	\$1,019

	Four States Re	cycling inc	a and interest the last of religious, in	comments of a section			
Case ID No.	3	oyomig, mo.					
Reg. Ent. Reference No.	7						
20 (10 cm) (1. 1 7.5 , 12, 11. 1931	G.	Monto					Years of
	Municipal Solid	vvasie				Percent Interest	Depreciation
Violation No.		_1,000 - 1,000 TEST			elateri iteleje primereni sage		
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	I No commas or \$						
OSCIOLO POR LOS ESCOLOS ESCOLO	TO SHAREST TOWN SHARES WITH SHAREST STATE OF THE SHAREST SHAREST STATE OF THE SHAREST	As Not to referred als 18.05 to distribute world confederation immediates	become definition because a refer of a famous and				
Delayed Costs							
` Equipment	100 - 100			0.0	\$0	\$0	\$0
Buildings	ear Suar County Co			0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	Transmis Act		Plackstoner (1986)	0.0	\$0	\$0	\$0
Land	2.7	Serette Teppe tag	palasi ikasi 1	0.0	\$0	-n/a	\$0
Record Keeping System	25 12 1 Xv		<u> </u>	0,0	\$0	n/a	\$0
Training/Sampling	State of the state	10.7.190.11		0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	Service Company		11. A 28 1 1 1 1 1 1 1 1 1	0.0	\$0	n/a	\$0
Other (as needed)	\$200	11-Feb-2008	26-Mar-2009	1.1	\$11	n/a	\$11
						and industrial solid w	
Notes for DELAYED costs		Required is the inve					
Avoided Costs				entering	item (except for	one-time avoided c	osts)
Avoided Costs Disposal				entering 0.0	item (except for	one-time avoided c	osts) \$0
Avoided Costs Disposal Personnel				entering 0.0 0.0	item (except for \$0	one-time avoided c	osts) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling				0,0 0,0 0,0	item (except for \$0 \$0 \$0 \$0	one-time avoided c \$0 \$0 \$0	osts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				entering 0.0 0.0 0.0 0.0		one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0.0 0.0 0.0 0.0 0.0 0.0		one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]				0.0 0.0 0.0 0.0 0.0 0.0		one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	item (except for \$0	one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0	osts)

Screening Date	The state of the s	⊗PGW .
\$\$\$\$\$\$\$\$\$ 4 \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	Four States Recycling, Inc.	Policy Revision 2 (September 2002)
Case ID No.		PCW Revision February 29, 2008
Reg. Ent. Reference No.		
\$00000 to 12	Municipal Solid Waste	
Enf. Coordinator		
Violation Number	2	
Rule Cite(s)	30 Tex. Admin. Code § 330.15(c)	
Violation Description	Failed to dispose of solid waste at an authorized facility, as documented during investigation conducted on February 11, 2008. Specifically, multiple piles of multiple solid waste ("MSW"), including wooden pallets, railroad ties, metal, plastic and calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, totaling approximately 250 calculated waste including styrofoam were observed on-site, total styrofoam waste including st	nicipal afeteria
	Base F	Penalty \$10,000
>> Environmental, Property a	nd Human Health Matrix	
	Harm	,
Release OR Actual	Major Moderate Minor	'
OR Actual Potential	Percent 10%	
Fotential	Percent 10%	
>>Programmatic Matrix		
Falsification	Major Moderate Minor	
	Percent 0%	
Matrix Human had		
	th or the environment has been exposed to insignificant amounts of pollutants whi exceed levels that are protective of human health or environmental receptors.	Ch do
	Adjustment	\$9,000
	Aujustinerr	<u>\$9,000</u>]
		\$1,000
		Marking L.
Violation Events		
Number of Vio	lation Events 1 58 Number of violation days	
Number of vio	lation Events Number of violation days	
	daily	
	monthly	
mark only one	quarterly Violation Base F	Penalty \$1,000
with an x	Semiannual	
	annual	
	single event	
F		74-Q08:21
One quarter	rly event is recommended from the February 11, 2008 investigation date to the Ap 2008 screening date.	ril 9,
Economic Benefit (EB) for thi	s violation Statutory Limit Test	
Estimated	EB Amount \$99 Violation Final Penalty	y Total \$1,019
	This violation Final Assessed Penalty (adjusted for	limits) \$1,019

	Four States Re 35702	cycling, Inc.					
Reg. Ent. Reference No.							
	Municipal Solid	Waste			2 T	Percent Interest	Years of
Violation No.	2			g-sparar, sas.s	o		Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or S						
in and the man international state of the second state of the second second second second second second second	addica. Fallen 1907 and Fa	(a.e. p. (p. 1996)) () (a.e.) (b.e. e.e. e.e. e.e. e.e. e.e. e.e. e.e	ed vir illinde zadiriarii. Statulis	ta albeAdalandi :	Second Control Control State (Carterage + Page 1	ranninga Buniganup, rose.
Delayed Costs							
Equipment	liha z v i sekatoliko	La e de adagada da la	New Lindowski dayara 1	0.0	\$0	\$0	\$0
Buildings	Digital Language and		Name (Paris Caracita	0.0	\$0	\$0	\$0,
Other (as needed)		X X X X		0.0	\$0	\$0	\$0
Engineering/construction		A 100 (100 (100 (100 (100 (100 (100 (100	ACARTICA LASKALW	0.0	\$0	\$0	\$0
Land	Carting to an a large of the carting			0.0	\$0	n/a	\$0
Record Keeping System	Jan J. Salan	1 30055 127 1365		0,0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal	\$1,769	11-Feb-2008_	26-Mar-2009	1.1	\$99	n/a	\$99
Permit Costs	Edition in the second			0.0	\$0	n/a	\$0
Other (as needed)	854,4134,7414,7514,9			0.0	\$0	n/a	\$0
							e date of the
Notes for DELAYED costs Avoided Costs Disposal	ANN			ntering	estimated date o	f compliance. one-time avoided c	osts) \$0
Avoided Costs	ANN			ntering	e estimated date o	f compliance. one-time avoided c \$0 \$0	osts)
Avoided Costs Disposal	ANN			ntering 0.0 0.0 0.0	e estimated date o	f compliance. one-time avoided c \$0 \$0 \$0	**************************************
Avoided Costs Disposal Personnel	ANN			ntering 0.0 0.0 0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0	f compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN			ntering 0.0 0.0 0.0 0.0 0.0 0.0	e estimated date o	f compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	osts)
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN			ntering 0.0 0.0 0.0 0.0 0.0 0.0	e estimated date o	f compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	IUALIZE [1] avoid		ntering 0.0 0.0 0.0 0.0 0.0 0.0	e estimated date o	f compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0	osts)

Screening Date		Docket No. 200	8-0596-MLM-E	PCW
\$18 PARK BOOK AND	Four States Recycling, Inc		I	Policy Revision 2 (September 2002)
Case ID No.				PCW Revision February 29, 2008
Reg. Ent. Reference No				
programme and the state of the	Municipal Solid Waste			
Enf. Coordinator				
Violation Number				
Rule Cite(s)		30 Tex. Admin. Code § 328.5(f)	
Violation Description	Tex. Admin. Code § 328.4	s necessary to show compliance t, relating to limitations on storaging an investigation conducted on	e of recyclable material	
			Base Pe	enalty \$10,000
>> Environmental, Property a	ınd Human Health Mat	rix		•
	Harm			÷.
Release	Major Moderate	Minor	•	
OR Actual Potential		Pero	000	
Potential	t 1878 form Newton Status	Pero	cent 0%	
>>Programmatic Matrix				
Falsification	Major Moderate	Minor		
Ga X BA V S. PA	x	Perd	cent 10%	
Matrix Notes	100% of th	e rule requirement was not met.		
		Adjus	tment \$	9,000
				\$1,000
				25.00
Violation Events	310	23/4/		
Number of Vio	olation Events 1	58 Num	ber of violation days	
		<u> </u>	•	· ·
	daily			
	monthly			0.1.000
mark only one with an x	quarterly		Violation Base Pe	nalty \$1,000
, , , , , , , , , , , , , , , , , , ,	semiannual annual			
	single event x			
• • • • • • • • • • • • • • • • • • •				
			STATE OF THE STATE	
	One sir	igle event is recommended.		
				_137533
Economic Benefit (EB) for thi	is violation	Sta	tutory Limit Test	
Estimated	I EB Amount	\$28 V	iolation Final Penalty	Total \$1,019
•				
The state of the s		This violation Final Assessed F	renaity (adjusted for li	mits) \$1,019

	Four States Re 35702	cycing, inc.					
Reg. Ent. Reference No.	Ş.						
	Municipal Solid	Waste					Years of
Violation No.		· vadic			1 4	Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
ltem Description							
Delayed Costs						32	
Equipment	Attleterious series applying	ende velledelt zhet en eder (e. e.	nded tale to antabate seek	0.0	\$0	\$0	\$0
Buildings	Section of the sectio		englik salah serinjakan serinjakan	0.0	\$0	\$0	,, \$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction			PART TERMENDALAN	0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$500	11-Feb-2008	26-Mar-2009	1.1	\$28	n/a	\$28
Training/Sampling		Character and common the		0.0	\$0	a n/a	\$0
Remediation/Disposal	VS LUPLE VEG AND			0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	→ n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
				II UKEEDII			date of the
Notes for DELAYED costs Avoided Costs	ANN	investigatio	on and the Final Da	ate is the		f compliance.	
Notes for DELAYED costs Avoided Costs Disposal	ANN	investigatio	on and the Final Da	ate is the	e estimated date o		
Avoided Costs	ANN	investigatio	on and the Final Da	ntering	estimated date o	f compliance. one-time avoided c	osts)
Avoided Costs Disposal Personnel	ANN	investigatio	on and the Final Da	ntering	estimated date of item (except for \$0	f compliance. one-time avoided c	osts) \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN	investigatio	on and the Final Da	ntering 0.0 0.0	e estimated date of the control of t	f compliance. one-time avoided c \$0 \$0	osts) \$0 \$0
Avoided Costs Disposal Personnel	ANN	investigatio	on and the Final Da	ntering 0.0 0.0 0.0	estimated date of the state of	f compliance. one-time avoided c \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	investigatio	on and the Final Da	ntering 0.0 0.0 0.0 0.0	estimated date of the control of the	one-time avoided c \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	investigatio	on and the Final Da	ntering 0.0 0.0 0.0 0.0 0.0	estimated date of tem (except for \$0 \$0 \$0 \$0 \$0 \$0	f compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0	osts) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	Table 4 of the control of the contro	Docket No. 2008-05	96-MLM-E	PCW
	Four States Recycling, Inc.		Policy R	Revision 2 (September 2002)
Case ID No.			PCW	Revision February 29, 2008
Reg. Ent. Reference No.				
	Municipal Solid Waste		•	
Enf. Coordinator				100
Violation Number			 	ī
Rule Cite(s)	30 Tex. Admin. Cod	de §§ 37.921, 328.5(d) and 3	28.5(f)(3)	
Violation Description	Failed to obtain financial assurance investigation o	e for closure of the Facility, a conducted on February 11, 20		
			Base Penalty	\$10,000
>> Environmental, Property a		Argin chick		
Release	Harm Major Moderate Min	or		
OR Actual		01 		
Potential		Percent	0%	
>>Programmatic Matrix				· · ·
Falsification	Major Moderate Min	or Percent	10%	
(*************************************		·	10701	**
Matrix Notes	100% of the rule re	quirement was not met.		THE REAL PROPERTY OF THE PROPE
		Adjustme	nt \$9,000	www.
			•	\$1,000
. A. C. C. Brille	· .			newsleth ext
Violation Events			(40)	
Number of Vio	plation Events 1	Number	of violation days	
	ache Constitution			
	daily monthly			
mark only one	quarterly		Violation Base Penalty	\$1,000
with an x	semiannual			
	annual x			
	single event			***************************************
				1
	One annual eve	nt is recommended.		
Economic Benefit (EB) for thi	s violation	Ctatute	ory Limit Test	
				64.040
Estimated	I EB Amount	\$115 Viola	tion Final Penalty Total	\$1,019
	This vio	lation Final Assessed Pena	lty (adjusted for limits)	\$1,019

Respondent		conomic E	sellellf AA	UINS	oneer .	Adam Pirangan	
ixoabolidoite	Four States Re	cycling, Inc.					
Case ID No.	35702						
Reg. Ent. Reference No.	RN103204954						
그 아이는 사람들이 가지 않는데 아니는 얼마나 있다는 것이 되었다면 하는데 없는 것이 없었다.	Municipal Solid	Waste					Years of
Violation No.						Percent Interest	Depreciation
			Sanatak			5,0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	i No commas or \$					i i i i i i i i i i i i i i i i i i i	
Delayed Costs					~~~		
Equipment	n k			0.0	\$0	\$0	\$0
Buildings	great and section of the section	ang katan dalah terbasah	atsocia da a facabatis	0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	ELA EL MADELLO		tija i Naskijai meeska	0.0	\$0	\$0	\$0
Land	Salaharan Salaha			0.0	\$0	n/a	\$0
Record Keeping System	\$48.67 6 R. K. ASK			0.0	\$0	n/a	\$0
Training/Sampling			and the state of t	0.0	\$0	n/a	\$0
Remediation/Disposal	915385	Maria de Prima de California.	1908 - 1909 - 19	0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)		SanAriza.da.kadetib	SE ASSESSABLINE	0.0	\$0	n/a	\$0
						State of the Contractor of the	
Notes for DELAYED costs	ANIN	IIIALIZE (41 avolde	d costs before	Marina		ona-time avoided c	oefs)
Avoided Costs	ANN	IUALIZE [1] avoide	d costs before		Ma An Vincentino 1 (1997) 1997 1997 1997 1997	one-time avoided c	
Avoided Costs	ANN	IUALIZE [1] avoide	d costs before a	0.0	\$0	\$0	\$0
Avoided Costs Disposal Personnel	ANN	IUALIZE [1] avoide	ed costs before a	0.0	\$0 \$0	\$0 \$0	\$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	ANN	IUALIZE [1] avoide	ed costs before o	0.0 0.0 0.0	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	End 15 country and a second			0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$110	IUALIZE [1] avoide	ed costs before of	0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$110	\$0 \$0 \$0 \$0 \$115
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	End 15 country and a second			0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$110 Estimated cost	11-Feb-2007	11-Feb-2008 tain financial assi	0.0 0.0 0.0 0.0 1.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$5 \$5 \$0 \$0	\$0 \$0 \$0 \$0 \$110 \$0	\$0 \$0 \$0 \$115 \$0 \$0

Screening Date 9-Apr-2008 Docket No. 2008-0596-MLM-E	PCW
	Revision 2 (September 2002)
	' Revision February 29, 2008
Reg. Ent. Reference No. RN103204954	
Media [Statute] Municipal Solid Waste Enf. Coordinator Cynthia McKaughan	
Violation Number 5	
Rule Cite(s)	7
30 Tex. Admin. Code § 328.5(h)	
Violation Description Failed to maintain a fire prevention and suppression plan, as documented during an investigation conducted on February 11, 2008.	
Base Penalty	\$10,000
>> Environmental, Property and Human Health Matrix	
Harm	***************************************
Release Major Moderate Minor	
OR Actual	***************************************
Potential x Percent 10%	
>>Programmatic Matrix	
Falsification Major Moderate Minor	
Percent 0%	
	i
Matrix Human health or the environment will or could be exposed to pollutants which would exceed levels that	
Notes are protective of human health or environmental receptors as a result of this violation.	
	4 • Å
\$9,000 Adjustment \$9,000	
	\$1,000
Telepological to the second second second of the second se	*
Violation Events	
Number of Violation Events 2 Number of violation days	
	-
daily monthly	: · · · · · · · · · · · · · · · · · · ·
monthly X mark only one quarterly Violation Base Penalty	\$2,000
with an x semiannual	
annual	***************************************
single event	
Two monthly events are recommended from the February 11, 2008 investigation date to the April 9, 2008 screening date.	www.
	and the same of th
Economic Benefit (EB) for this violation Statutory Limit Test	
Estimated EB Amount \$280 Violation Final Penalty Total	\$2,038
	•
This violation Final Assessed Penalty (adjusted for limits)	\$2,038

1. 4. 4. 4. 4. 4. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	RN103204954 Municipal Solid	Waste				Percent Interest	Years of
Violation No	5				· · · · · · · · · · · · · · · · · · ·	i creent interest	Depreciation
						5.0	1:
Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
				alin alakkai kanaa			
Delayed Costs Equipment			3. 1. 3.44K) (1. K 3. L/ 1. S	1 0.0	\$0	I \$0 I	\$0
Buildings		1. A	SA PARAMANANA	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	Single States			0,0	\$0	n/a	\$0
Training/Sampling	8670-0132-112			0.0	\$0	n/a	\$0
Remediation/Disposal		83.00, 30.00	gg gyfa i vil dei en e	0.0	\$0	п/а	\$0
Permit Costs			The American	0.0	\$0	n/a	\$0
Other (as needed)	\$5,000	11-Feb-2008	26-Mar-2009	1.1	\$280	n/a	\$280
Notes for DELAYED costs		investigation	n date and Final D	ate is th	e estimated date of	of compliance.	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	UALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0	one-time avoided c	sosts) \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	IUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0	\$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	Land Transport of Annual Conference of Annual Confe	JUALIZE [1] avoide	ed costs before e	0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0

Compliance History

Customer/Respondent/Owner-Operator:	CN603318312	Four States Recycling, Inc.		Classification:	Rating:
Regulated Entity:	RN103204954	FOUR STATES RECYCLING) INC	Classification: AVERAGE BY DEFAULT	SE Site Rating: 3.01
ID Number(s):	STORMWATER		PERMIT		TXR05W383
Location:	4110 E AMARILLO	D BLVD, AMARILLO, TX, 79107		Rating Date: 9/1/2007	Repeat Violator: NO
TCEQ Region:	REGION 01 - AMA	ARILLO			
Date Compliance History Prepared:	April 28, 2008				
Agency Decision Requiring Compliance History:	Enforcement				
Compliance Period:	March 25, 2003 to	March 25, 2008			
TCEQ Staff Member to Contact for Additional Infor Name: Cynthia McKaughan		Compliance History one: (512) 239-0735			
	Site	Compliance History Compo	nents		
1. Has the site been in existence and/or operation	for the full five year cor	mpliance period?	Yes		
2. Has there been a (known) change in ownership	of the site during the o	ompliance	No		
period? 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 judger	ments, and consent dec	crees of the state of Texas and t	he federal gove	rnment.	·
N/A		,	·		
B. Any criminal convictions of the state of	Texas and the federal	government.			28 E-2000
N/A					S. co. year
C. Chronic excessive emissions events.					The second secon
N/A					
D. The approval dates of investigations. (0	CCEDS Inv. Track. No.)			
				÷	
E. Written notices of violations (NOV). (Co	CEDS Inv. Track. No.)		• •		•
F. Environmental audits. N/A					
G. Type of environmental management sy	stems (EMSs).				
N/A		4			•
H. Voluntary on-site compliance assessm	ent dates.				
N/A					•
I. Participation in a voluntary pollution rec	duction program.				,
N/A					•
J. Early compliance.	•			•	
N/A					
Sites Outside of Texas				•	
· N/A		•	·		

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN §	BEFORE THE
ENFORCEMENT ACTION §	
CONCERNING	TEXAS COMMISSION ON
FOUR STATES RECYCLING, INC. §	
RN103204954 §	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2008-0596-MLM-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 Four States Recycling, Inc. ("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 an unauthorized municipal and industrial material recycling facility at 4110 East Amarillo Boulevard in Amarillo, Potter County, Texas (the "Facility").
- 2. The Facility involves or involved the management of municipal solid waste ("MSW") and 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 March 24, 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 Six Thousand One Hundred Fifteen Dollars (\$6,115) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Hundred Dollars (\$200) of the administrative penalty and One Thousand Two Hundred Twenty-Three Dollars (\$1,223) is deferred contingent



upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Four Thousand Six Hundred Ninety-Two Dollars (\$4,692) of the administrative penalty shall be payable in twenty-three monthly payments of Two Hundred Four Dollars (\$204) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 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 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.
- 10. 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.
- 11. 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 notify the Executive Director of recycling operations for materials generated at municipal and industrial facilities, and failed to report to the Executive Director prior to the commencement of new recycling operations, in violation of 30 Tex. ADMIN. Code §§ 335.6(a) and 328.5(b), as documented during an investigation conducted on February 11, 2008. Specifically, the Respondent is recycling material from various municipal and industrial facilities and has not notified the Executive Director.
- 2. Failed to dispose of solid waste at an authorized facility, in violation of 30 TEX. ADMIN. CODE § 330.15(c), as documented during an investigation conducted on February 11, 2008. Specifically,

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Four States Recycling, Inc. DOCKET NO. 2008-0596-MLM-E Page 3

multiple piles of MSW, including wooden pallets, railroad ties, metal, plastic and cafeteria waste including styrofoam were observed on-site, totaling approximately 250 cubic yards.

- 3. Failed to maintain records necessary to show compliance with the requirements of 30 TEX. ADMIN. CODE § 328.4, relating to limitations on storage of recyclable materials, in violation of 30 TEX. ADMIN. CODE § 328.5(f), as documented during an investigation conducted on February 11, 2008.
- 4. Failed to obtain financial assurance for closure of the Facility, in violation of 30 TEX. ADMIN. CODE §§ 37.921, 328.5(d) and 328.5(f)(3) as documented during an investigation conducted on February 11, 2008.
- 5. Failed to maintain a fire prevention and suppression plan, in violation of 30 TEX. ADMIN. CODE § 328.5(h), as documented during an investigation conducted on February 11, 2008.

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: Four States Recycling, Inc., Docket No. 2008-0596-MLM-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order:
 - i. Cease accepting any recyclable materials at the Facility until properly authorized, in accordance with 30 Tex. ADMIN. CODE §§ 335.6(a) and 328.5(b);
 - ii. Begin maintaining records, in accordance with 30 Tex. ADMIN. CODE § 328.5(f);
 - b. Within 30 days after the effective date of this Agreed Order:

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i. Submit a Notice of Intent to operate a recycling facility, in accordance with 30 TEX. ADMIN. CODE § 328.5(b), to:

Municipal Solid Waste Permits Section, MC 124 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

ii. Submit notice of recycling operations for materials generated at industrial facilities, in accordance with 30 TEX. ADMIN. CODE § 335.6(a), to:

Industrial and Hazardous Waste Permits Section, MC-130 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

iii. Submit documentation that demonstrates acceptable financial assurance for the closure of the Facility, in accordance with 30 Tex. ADMIN. CODE §§ 37.921, 328.5(d) and 328.5(f)(3) to:

Financial Assurance Team, MC 184
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- iv. Develop and implement a fire prevention and suppression plan that shall be made available to the local fire prevention authority having jurisdiction over the Facility for review and coordination, in accordance with 30 Tex. ADMIN. CODE § 328.5(h);
- c. In lieu of b.i. through b.iv., within 30 days of the effective date of this Agreed Order, cease accepting waste and recyclable materials and remove all accumulated materials and dispose at an authorized facility.
- d. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a.i. through c. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Four States Recycling, Inc. DOCKET NO. 2008-0596-MLM-E Page 5

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Waste Section, Manager Amarillo Regional Office Texas Commission on Environmental Quality 3918 Canyon Drive Amarillo, Texas 79109-4933

- 3. 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.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. 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.
- 7. 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.
- 8. 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.

Samuel Committee Com

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Four States Recycling, Inc.
DOCKET NO. 2008-0596-MLM-E
Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

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Data			,	4.
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 felsification of any compliance documents may result in criminal prosecution.

Signature

ED PRUITT

Name (Printed or typed)
Authorized Representative of
Four States Recycling, Inc.

Date

C M

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.