

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2008-1024-AIR-E **TCEQ ID:** RN100777648 **CASE NO.:** 36108

RESPONDENT NAME: The Imaging Bureau, 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: The Imaging Bureau, 4545 Cambridge Road, Fort Worth, Tarrant County</p> <p>TYPE OF OPERATION: Commercial printing business</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: A complaint was received April 4, 2008, alleging that the Respondent was conducting printing operations with the emission control equipment turned off. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on November 3, 2008. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Thomas Jecha, Enforcement Division, Enforcement Team 3, MC 169, (512) 239-2576; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Brian Walden, President, The Imaging Bureau, Inc., 4545 Cambridge Road, Fort Worth, Texas 76155 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 checked="" type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: April 4, 2008</p> <p>Date of Investigation Relating to this Case: April 4, 2008</p> <p>Date of NOV/NOE Relating to this Case: June 2, 2008 (NOE)</p> <p>Background Facts: This was a complaint investigation.</p> <p>AIR</p> <p>1) Failure to post required information on all equipment. Specifically, the thermal and catalytic oxidizers were missing operating manuals and emission point identification numbers [30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition Nos. 2, 11, and 15, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2) Failure to use cleaning solutions with a volatile organic compound ("VOC") content of less than 70% and store waste ink, solvents, printing oil, and cleanup cloths in closed containers. Specifically, the Plant used a cleaning solution (Sure Wash) with a 100% VOC content and storage containers of waste ink, solvents, printing oil, and cleanup cloths were open [30 TEX. ADMIN. CODE §§ 115.442(1)(F)(ii) and 116.115(c), Permit No. 47553, Special Condition Nos. 5B, 26A, and 26C, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3) Failure to cease operation of the heatset press and dryer when the combustion chamber of the thermal oxidizer is less than 1400 degrees Fahrenheit. Specifically, the digital readout of the thermal oxidizer indicated it was operating at 266 and 289 degrees Fahrenheit during two runs of the heatset press and dryer [30 TEX. ADMIN. CODE § 116.115(c), Permit</p>	<p>Total Assessed: \$6,290</p> <p>Total Deferred: \$1,258 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$423 (remaining \$4,609 due in 11 monthly payments of \$419 each)</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 Plant, as documented by information received from the Respondent on June 20, 2008:</p> <p>a. Posted operating instructions and identification numbers on the thermal and catalytic oxidizers by May 20, 2008;</p> <p>b. Closed waste containers and switched to a cleaning solution with a VOC content of less than 70% by April 28, 2008;</p> <p>c. Installed a relay to prevent operation of the heatset press and dryer by May 7, 2008;</p> <p>d. Began performing required inspections of the oxidizers by June 1, 2008;</p> <p>e. Installed the catalytic oxidizer recorder and calibrated the thermal oxidizer recorder by May 7, 2008; and</p> <p>f. Added VOC and HAP rolling 12 month emissions totals and thermal oxidizer efficiency data to the records by May 8, 2008.</p> <p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, submit proposed methods to accomplish emissions sampling for the dryer and catalytic oxidizer; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation to demonstrate compliance with Ordering Provision a.</p>

No. 47553, Special Condition No. 9, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

4) Failure to perform required inspections. Specifically, temperature checks and monthly visual inspections of the thermal oxidizer and audio, visual, and olfactory inspections of the catalytic oxidizer, were not being performed [30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition Nos. 12, 13, 18, and 22, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

5) Failure to equip the catalytic oxidizer with a continuous temperature recorder and calibrate the thermal oxidizer continuous temperature recorder. Specifically, a monitor to continuously record temperature was not installed on the catalytic oxidizer and the thermal oxidizer recorder chart indicated a temperature of 250 degrees Fahrenheit during two runs when the digital readout showed it was actually operating at 266 and 289 degrees Fahrenheit [30 TEX. ADMIN. CODE §§ 115.446(1) and 116.115(c), Permit No. 47553, Special Condition Nos. 10 and 20, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

6) Failure to maintain complete records. Specifically, thermal oxidizer efficiency data and calculations of rolling 12 month emissions totals for VOCs and hazardous air pollutants ("HAPs") were not found in the records [30 TEX. ADMIN. CODE §§ 115.446(7) and 116.115(c), Permit No. 47553, Special Condition Nos. 25C, D, and I, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

7) Failure to submit proposed sampling methods within 30 days after the printing press, dryer, and the catalytic oxidizer reaches normal operating conditions. Specifically, emissions sampling methods should have been submitted by March 20, 2008 since the printing press associated with the catalytic oxidizer began its first commercial run on February 20, 2008 [30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition No. 24C(1), and TEX. HEALTH & SAFETY CODE § 382.085(b)].



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision April 29, 2008

DATES	Assigned	9-Jun-2008		
	PCW	26-Jun-2008	Screening	17-Jun-2008
		EPA Due		

RESPONDENT/FACILITY INFORMATION			
Respondent	The Imaging Bureau, Inc.		
Reg. Ent. Ref. No.	RN100777648		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	36108	No. of Violations	7
Docket No.	2008-1024-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Thomas Jecha
		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	<i>Subtotal 1</i>	\$7,300
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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	5.0% Enhancement	<i>Subtotals 2, 3, & 7</i>	\$365
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Notes: Enhancement for one NOV with same or similar violations issued to the Respondent within the past five years.

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>	\$1,575
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Economic Benefit	0.0% Enhancement*	<i>Subtotal 6</i>	\$0
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Total EB Amounts \$214
 Approx. Cost of Compliance \$2,950
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	<i>Final Subtotal</i>	\$6,090
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OTHER FACTORS AS JUSTICE MAY REQUIRE	3.3%	<i>Adjustment</i>	\$200
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Enhancement recommended to recover the avoided costs associated with the economic benefit of violation No. 4.

Final Penalty Amount	\$6,290
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STATUTORY LIMIT ADJUSTMENT	<i>Final Assessed Penalty</i>	\$6,290
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DEFERRAL	20.0% Reduction	<i>Adjustment</i>	-\$1,258
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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	\$5,032
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Screening Date 17-Jun-2008

Docket No. 2008-1024-AIR-E

PCW

Respondent: The Imaging Bureau, Inc.

Policy Revision 2 (September 2002)

Case ID No. 36108

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100777648

Media [Statute] Air

Enf. Coordinator Thomas Jecha

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 (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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 (<i>number of judgements or consent decrees meeting criteria</i>)	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 (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	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) 5%

>> 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 for one NOV with same or similar violations issued to the Respondent within the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 5%

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW
Respondent The Imaging Bureau, Inc.	<small>Policy Revision 2 (September 2002)</small>	
Case ID No. 36108	<small>PCW Revision April 29, 2008</small>	
Reg. Ent. Reference No. RN10077648		
Media [Statute] Air		
Enf. Coordinator Thomas Jecha		
Violation Number <input type="text" value="1"/>		
Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 116.115(c), Permit No. 47553, Special Condition Nos. 2, 11, and 15 and Tex. Health & Safety Code § 382.085(b)"/>	
Violation Description	<input type="text" value="Failed to post required information on all equipment that has the potential of emitting air pollutants. Specifically, the thermal and catalytic oxidizers were missing operating manuals and emission point identification numbers."/>	
Base Penalty		<input type="text" value="\$10,000"/>
>> Environmental, Property and Human Health Matrix		
OR	Harm	
	Release Major Moderate Minor	
	Actual	<input type="text"/>
	Potential	<input type="text"/>
		Percent <input type="text" value="0%"/>
>> Programmatic Matrix		
	Falsification Major Moderate Minor	
	<input type="text"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
		Percent <input type="text" value="10%"/>
Matrix Notes	<input type="text" value="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="2"/>	Number of violation days <input type="text" value="46"/>
<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 checked="" type="checkbox"/>
		Violation Base Penalty <input type="text" value="\$2,000"/>
<input type="text" value="Two single events are recommended (one event for each oxidizer)."/>		
Good Faith Efforts to Comply		<input type="text" value="25.0%"/> Reduction <input type="text" value="\$500"/>
	<small>Before NOV NOV to EDPRP/Settlement Offer</small>	
Extraordinary	<input type="text"/>	
Ordinary	<input checked="" type="checkbox"/>	
N/A	<input type="text"/>	<small>(mark with x)</small>
Notes	<input type="text" value="Compliance was achieved May 20, 2008."/>	
Violation Subtotal		<input type="text" value="\$1,500"/>
Economic Benefit (EB) for this violation		
Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$1"/>	Violation Final Penalty Total <input type="text" value="\$1,653"/>
This violation Final Assessed Penalty (adjusted for limits)		<input type="text" value="\$1,653"/>

Economic Benefit Worksheet

Respondent: The Imaging Bureau, Inc.
Case ID No.: 36108
Reg. Ent. Reference No.: RN100777648
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
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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)	\$100	4-Apr-2008	20-May-2008	0.13	\$1	n/a	\$1

Notes for DELAYED costs

Estimated cost to post operating instructions and identification numbers on the thermal and catalytic oxidizers.
Date Required is the investigation date and Final Date is the date of 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

\$100

TOTAL

\$1

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW		
Respondent The Imaging Bureau, Inc.	<small>Policy Revision 2 (September 2002)</small>			
Case ID No. 36108	<small>PCW Revision April 29, 2008</small>			
Reg. Ent. Reference No. RN10077648				
Media [Statute] Air				
Enf. Coordinator Thomas Jecha				
Violation Number <input type="text" value="2"/>				
Rule Cite(s)	30 Tex. Admin. Code §§ 115.442(1)(F)(ii) and 116.115(c), Permit No. 47553, Special Condition Nos. 5B, 26A, and 26C and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to use cleaning solutions with a volatile organic compound (VOC) content of less than 70% and store waste ink, solvents, printing oil, and cleanup cloths in closed containers. Specifically, the plant was using a cleaning solution (Sure Wash) with a VOC content of 100% and storage containers with waste ink, solvents, printing oil, and cleanup cloths were open.			
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 checked="" type="checkbox"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="10%"/>	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
		Percent	<input type="text" value="0%"/>	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants as a result of the violation.			
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="24"/>		
<small>mark only one with an x</small>	daily	<input type="text"/>	Violation Base Penalty	
	monthly	<input type="text"/>		
	quarterly	<input checked="" type="checkbox"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
<input type="text" value="\$1,000"/>				
One quarterly event is recommended from the April 4, 2008 investigation date until compliance was achieved on April 28, 2008.				
Good Faith Efforts to Comply		25.0% Reduction	<input type="text" value="\$250"/>	
		Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>		
N/A	<input type="text"/>	(mark with x)		
Notes	Compliance was achieved April 28, 2008.			
Violation Subtotal		<input type="text" value="\$750"/>		
Economic Benefit (EB) for this violation		Statutory Limit Test		
Estimated EB Amount	<input type="text" value="\$1"/>	Violation Final Penalty Total	<input type="text" value="\$826"/>	
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$826"/>	

Economic Benefit Worksheet

Respondent: The Imaging Bureau, Inc.
Case ID No.: 36108
Reg. Ent. Reference No.: RN100777648
Media: Air
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				0.00	\$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)	\$200	4-Apr-2008	28-Apr-2008	0.07	\$1	n/a	\$1

Notes for DELAYED costs

Estimated cost to keep waste containers closed and switch to cleaning solution with a VOC content of less than 70%. Date Required is the investigation date and Final Date is the date of 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

\$200

TOTAL

\$1

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW		
Respondent The Imaging Bureau, Inc.	<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 36108	<i>PCW Revision April 29, 2008</i>			
Reg. Ent. Reference No. RN10077648				
Media [Statute] Air				
Enf. Coordinator Thomas Jecha				
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code § 116.115(c), Permit No. 47553, Special Condition No. 9 and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to cease operation of the heatset press and dryer when the combustion chamber of the thermal oxidizer is less than 1400 degrees Fahrenheit. Specifically, the digital readout of the thermal oxidizer indicated it was operating at 266 and 289 degrees Fahrenheit during two runs of the heatset press and dryer.			
Base Penalty		\$10,000		
>> Environmental, Property and Human Health Matrix				
OR	Harm			
	Release	Major	Moderate	Minor
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	X
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Percent	10%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Percent	0%	
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants as a result of the violation.			
Adjustment		\$9,000		
		\$1,000		
Violation Events				
Number of Violation Events		1	2	
		Number of violation days		
<i>mark only one with an x</i>	daily	<input type="checkbox"/>	Violation Base Penalty	
	monthly	<input type="checkbox"/>		
	quarterly	X		
	semiannual	<input type="checkbox"/>		
	annual	<input type="checkbox"/>		
	single event	<input type="checkbox"/>		
One quarterly event is recommended from the April 4, 2008 investigation date until compliance was achieved on May 7, 2008.			\$1,000	
Good Faith Efforts to Comply				
		25.0% Reduction	\$250	
		Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>		
Ordinary	X	<input type="checkbox"/>		
N/A	<input type="checkbox"/>	(mark with x)		
Notes	Compliance was achieved May 7, 2008.			
Violation Subtotal		\$750		
Economic Benefit (EB) for this violation				
Statutory Limit Test				
Estimated EB Amount	\$1	Violation Final Penalty Total	\$826	
		This violation Final Assessed Penalty (adjusted for limits)	\$826	

Economic Benefit Worksheet

Respondent The Imaging Bureau, Inc.
Case ID No. 36108
Reg. Ent. Reference No. RN100777648
Media Air
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

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)	\$150	4-Apr-2008	7-May-2008	0.09	\$1	n/a	\$1

Notes for DELAYED costs

Estimated cost to install a relay to prevent operation of the heatset press and dryer. Date Required is the investigation date and Final Date is the date of 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

\$150

TOTAL

\$1

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW		
Respondent The Imaging Bureau, Inc.		<small>Policy Revision 2 (September 2002)</small>		
Case ID No. 36108		<small>PCW Revision April 29, 2008</small>		
Reg. Ent. Reference No. RN10077648				
Media [Statute] Air				
Enf. Coordinator Thomas Jecha				
Violation Number <input type="text" value="4"/>				
Rule Cite(s)	30 Tex. Admin. Code § 116.115(c), Permit No. 47553, Special Condition Nos. 12, 13, 18, and 22 and Tex. Health & Safety Code § 382.085(b)			
Violation Description	Failed to perform required inspections. Specifically, temperature checks and monthly visual inspections of the thermal oxidizer and audio, visual, and olfactory inspections of the catalytic oxidizer, were not being performed.			
	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"/>	x
				Percent <input type="text" value="5%"/>
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
				Percent <input type="text" value="0%"/>
Matrix Notes	Human health or the environment could be exposed to insignificant amounts of pollutants as a result of the violation.			
				Adjustment <input type="text" value="\$9,500"/>
				<input type="text" value="\$500"/>
Violation Events				
	Number of Violation Events	<input type="text" value="2"/>	Number of violation days	<input type="text" value="58"/>
	<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 checked="" type="checkbox"/>	
				Violation Base Penalty <input type="text" value="\$1,000"/>
	Two single events are recommended (one event for each oxidizer).			
Good Faith Efforts to Comply		25.0%	Reduction	<input type="text" value="\$250"/>
		Before NOV	NOV to EDRP/Settlement Offer.	
	Extraordinary	<input type="text"/>	<input type="text"/>	
	Ordinary	x	<input type="text"/>	
	N/A	<input type="text"/>	(mark with x)	
	Notes	Compliance was achieved on June 1, 2008.		
				Violation Subtotal <input type="text" value="\$750"/>
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	<input type="text" value="\$200"/>	Violation Final Penalty Total	<input type="text" value="\$826"/>
			This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$826"/>

Economic Benefit Worksheet

Respondent The Imaging Bureau, Inc.
Case ID No. 36108
Reg. Ent. Reference No. RN100777648
Media Air
Violation No. 4

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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling	\$1,200	4-Apr-2008	1-Jun-2008	0.16	\$10	\$191	\$200
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

Estimated annual cost to perform required inspections for the two oxidizers. Date Required is the investigation date and the Final Date is the date of compliance.

Approx. Cost of Compliance

\$1,200

TOTAL

\$200

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW
Respondent The Imaging Bureau, Inc.	<small>Policy Revision 2 (September 2002) PCW Revision April 29, 2008</small>	
Case ID No. 36108		
Reg. Ent. Reference No. RN100777648		
Media [Statute] Air		
Enf. Coordinator Thomas Jecha		
Violation Number 5		
Rule Cite(s)	30 Tex. Admin. Code §§ 115.446(1) and 116.115(c), Permit No. 47553, Special Condition Nos. 10 and 20 and Tex. Health & Safety Code § 382.085(b)	
Violation Description	Failed to equip the catalytic oxidizer with a continuous temperature recorder and calibrate the thermal oxidizer continuous temperature recorder. Specifically, a monitor to continuously record temperature was not installed on the catalytic oxidizer and the thermal oxidizer recorder chart indicated a temperature of 250 degrees Fahrenheit during two runs when the digital readout showed it was actually operating at 266 and 289 degrees Fahrenheit.	
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 checked="" type="checkbox"/>	Percent <input type="text" value="5%"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="0%"/>

Matrix Notes

Human health or the environment could be exposed to insignificant amounts of pollutants as a result of the violation.

Adjustment

\$500

Violation Events

Number of Violation Events Number of violation days

<i>mark only one with an x</i>	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

Two single events are recommended (one for each oxidizer).

Good Faith Efforts to Comply Reduction

	Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	<input checked="" type="checkbox"/>	<input type="text"/>	
N/A	<input type="text"/> (mark with x)		

Notes

Compliance was achieved on May 7, 2008.

Violation Subtotal

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$5"/>	Violation Final Penalty Total <input type="text" value="\$826"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$826"/>	

Economic Benefit Worksheet

Respondent: The Imaging Bureau, Inc.
Case ID No.: 36108
Reg. Ent. Reference No.: RN100777648
Media: Air
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
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)	\$1,000	4-Apr-2008	7-May-2008	0.09	\$5	n/a	\$5

Notes for DELAYED costs

Estimated cost to install the catalytic oxidizer recorder and calibrate the thermal oxidizer recorder. Date Required is the investigation date and the Final Date is the date of 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

\$1,000

TOTAL

\$5

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW
Respondent The Imaging Bureau, Inc.		<small>Policy Revision 2 (September 2002)</small>
Case ID No. 36108		<small>PCW Revision April 29, 2008</small>
Reg. Ent. Reference No. RN10077648		
Media [Statute] Air		
Enf. Coordinator Thomas Jecha		
Violation Number <input type="text" value="6"/>		
Rule Cite(s)	30 Tex. Admin. Code §§ 115.446(7) and 116.115(c); Permit No. 47553, Special Condition Nos. 25C, D, and I and Tex. Health & Safety Code § 382.065(b)	
Violation Description	Failed to maintain complete records. Specifically, thermal oxidizer efficiency data and calculations of rolling 12 month emissions totals for VOC and hazardous air pollutants ("HAPs") were not found in the records.	
	Base Penalty	<input type="text" value="\$10,000"/>

>> Environmental, Property and Human Health Matrix					
OR	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"/>	<input type="text"/>	x	Percent <input type="text" value="1%"/>
Matrix Notes	Less than 30% of the rule requirement (three out of 12 required items) 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="3"/>		Number of violation days	<input type="text" value="34"/>
<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 checked="" type="checkbox"/>			Violation Base Penalty <input type="text" value="\$300"/>
Three single events are recommended (one event for each type of record not maintained).					

Good Faith Efforts to Comply		25.0% Reduction	<input type="text" value="\$75"/>
	Before NOV	NOV to EDRP/Settlement Offer	
Extraordinary	<input type="text"/>	<input type="text"/>	
Ordinary	x	<input type="text"/>	
N/A		(mark with x)	
Notes	Compliance was achieved on May 8, 2008.		
			Violation Subtotal <input type="text" value="\$225"/>

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	<input type="text" value="\$1"/>	Violation Final Penalty Total	<input type="text" value="\$248"/>
		This violation Final Assessed Penalty (adjusted for limits)	<input type="text" value="\$248"/>

Economic Benefit Worksheet

Respondent: The Imaging Bureau, Inc.
Case ID No.: 36108
Reg. Ent. Reference No.: RN100777648
Media: Air
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
<small>No commas or \$</small>							

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	\$150	4-Apr-2008	8-May-2008	0.09	\$1	n/a	\$1
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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to calculate and keep records of VOC and HAP rolling 12 month emissions totals and thermal oxidizer efficiency. Date Required is the investigation date and Final Date is the date compliance was achieved.

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

\$150

TOTAL

\$1

Screening Date 17-Jun-2008	Docket No. 2008-1024-AIR-E	PCW			
Respondent The Imaging Bureau, Inc.	<i>Policy Revision 2 (September 2002)</i>				
Case ID No. 36108	<i>PCW Revision April 29, 2008</i>				
Reg. Ent. Reference No. RN100777648					
Media [Statute] Air					
Enf. Coordinator Thomas Jecha					
Violation Number <input type="text" value="7"/>					
Rule Cite(s)	30 Tex. Admin. Code § 116.115(c); Permit No. 47553, Special Condition No. 24C(1) and Tex. Health & Safety Code § 382.085(b)				
Violation Description	Failed to submit proposed sampling methods within 30 days after the printing press, dryer, and the catalytic oxidizer reaches normal operating conditions. Specifically, emissions sampling methods should have been submitted by March 20, 2008 since the printing press associated with the catalytic oxidizer began its first commercial run on February 20, 2008.				
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					
		<input type="text" value="1"/>	<input type="text" value="74"/>	Number of violation days	
<i>mark only one with an x</i>	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="\$1,000"/>
One single event is recommended.					
Good Faith Efforts to Comply			0.0% Reduction	<input type="text" value="\$0"/>	
		Before NOV	NOV to EDRP/Settlement Offer		
Extraordinary	<input type="text"/>	<input type="text"/>			
Ordinary	<input type="text"/>	<input type="text"/>			
N/A	x	(mark with x)			
Notes	The Respondent does not meet the good faith criteria for this violation.				
Violation Subtotal				<input type="text" value="\$1,000"/>	
Economic Benefit (EB) for this violation			Statutory Limit Test		
Estimated EB Amount		<input type="text" value="\$7"/>	Violation Final Penalty Total		<input type="text" value="\$1,084"/>
This violation Final Assessed Penalty (adjusted for limits)				<input type="text" value="\$1,084"/>	

Economic Benefit Worksheet

Respondent: The Imaging Bureau, Inc.
Case ID No.: 36108
Reg. Ent. Reference No.: RN100777648
Media: Air
Violation No.: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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)	\$150	20-Mar-2008	10-Feb-2009	0.90	\$7	n/a	\$7

Notes for DELAYED costs

Estimated cost to submit sampling methods. Date Required is the date sampling methods were due to be submitted and the Final Date is the expected date of 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

\$150

TOTAL

\$7

Compliance History

Customer/Respondent/Owner-Operator: CN600463830 The Imaging Bureau, Inc. Classification: AVERAGE Rating: 15.00
 Regulated Entity: RN100777648 THE IMAGING BUREAU Classification: AVERAGE Site Rating:15.00
 ID Number(s): AIR NEW SOURCE PERMITS PERMIT 47553
 AIR NEW SOURCE PERMITS ACCOUNT NUMBER TA4116R
 Location: 4545 CAMBRIDGE RD, FORT WORTH, TX, 76155 Rating Date: September 01 07 Repeat Violator: NO
 TCEQ Region: REGION 04 - DFW METROPLEX
 Date Compliance History Prepared: June 16, 2008
 Agency Decision Requiring Compliance Enforcement
 Compliance Period: June 13, 2003 to June 13, 2008
 TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
 Name: Thomas Jecha Phone: 512 239 2576

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.)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 10/19/2004 (334661)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 7. F.

Description: Continuous temperature monitor recordings from the oxidizer.

At the time of the inspection, the temperature recording device (chart recorder) was not operative at the time of the inspection.
Continuous temperature monitor recordings from the oxidizer.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 8. C.

Description: Sponges, cloths, or towels that have been used for cleaning shall be temporarily stored in covered containers located adjacent to the presses and transferred regularly to sealed containers for cleaning or disposal.

At the time of the inspection, the containers located adjacent to the presses for the storag

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Rqmt Prov: PERMIT Special Condition 11.

Description: The heatset press and dryer shall immediately cease operation if the associated thermal oxidizer is not operating properly.

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 11

Description: A temperature monitor shall be installed, calibrated, and maintained to continuously measure and record the temperature of the combustion chamber of the thermal oxidizer. The monitor shall measure the gas temperature at the outlet of the oxidizer. The temperature of the combustion chamber shall be at least 1400 degree

Self Report? NO Classification Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov: PERMIT Special Condition 15.

Description: The temperature of the oxidizer shall be verified by an authorized person at least twice per eight hour shift.

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
THE IMAGING BUREAU, INC.
RN100777648

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2008-1024-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 The Imaging Bureau, 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 commercial printing business at 4545 Cambridge Road in Fort Worth, Tarrant 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 June 7, 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 Two Hundred Ninety Dollars (\$6,290) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Hundred Twenty-Three Dollars (\$423) of the administrative penalty and One Thousand Two Hundred Fifty-Eight Dollars (\$1,258) 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.

The remaining amount of Four Thousand Six Hundred Nine Dollars (\$4,609) of the administrative penalty shall be payable in 11 monthly payments of Four Hundred Nineteen Dollars (\$419) 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 recognizes that the Respondent has implemented the following corrective measures at the Plant, as documented by information received from the Respondent on June 20, 2008:
 - a. Posted operating instructions and identification numbers on the thermal and catalytic oxidizers by May 20, 2008;
 - b. Closed waste containers and switched to a cleaning solution with a volatile organic compound ("VOC") content of less than 70% by April 28, 2008;
 - c. Installed a relay to prevent operation of the heatset press and dryer by May 7, 2008;
 - d. Began performing required inspections of the oxidizers by June 1, 2008;
 - e. Installed the catalytic oxidizer recorder and calibrated the thermal oxidizer recorder by May 7, 2008; and
 - f. Added VOC and hazardous air pollutant ("HAP") rolling 12 month emissions totals and thermal oxidizer efficiency data to the records by May 8, 2008.
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:

1. Failed to post required information on all equipment, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition Nos. 2, 11, and 15 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, the thermal and catalytic oxidizers were missing operating manuals and emission point identification numbers.
2. Failed to use cleaning solutions with a VOC content of less than 70% and store waste ink, solvents, printing oil, and cleanup cloths in closed containers, in violation of 30 TEX. ADMIN. CODE §§ 115.442(1)(F)(ii) and 116.115(c), Permit No. 47553, Special Condition Nos. 5B, 26A, and 26C and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, the Plant used a cleaning solution (Sure Wash) with a 100% VOC content and storage containers of waste ink, solvents, printing oil, and cleanup cloths were open.
3. Failed to cease operation of the heatset press and dryer when the combustion chamber of the thermal oxidizer is less than 1400 degrees Fahrenheit, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition No. 9 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, the digital readout of the thermal oxidizer indicated it was operating at 266 and 289 degrees Fahrenheit during two runs of the heatset press and dryer.
4. Failed to perform required inspections, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition Nos. 12, 13, 18, and 22 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, temperature checks and monthly visual inspections of the thermal oxidizer and audio, visual, and olfactory inspections of the catalytic oxidizer, were not being performed.
5. Failed to equip the catalytic oxidizer with a continuous temperature recorder and calibrate the thermal oxidizer continuous temperature recorder, in violation of 30 TEX. ADMIN. CODE §§ 115.446(1) and 116.115(c), Permit No. 47553, Special Condition Nos. 10 and 20 and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, a monitor to continuously record temperature was not installed on the catalytic oxidizer and the thermal oxidizer recorder chart indicated a temperature of 250 degrees Fahrenheit during two runs when the digital readout showed it was actually operating at 266 and 289 degrees Fahrenheit.
6. Failed to maintain complete records, in violation of 30 TEX. ADMIN. CODE §§ 115.446(7) and 116.115(c), Permit No. 47553, Special Condition Nos. 25C, D, and I and TEX. HEALTH & SAFETY

CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, thermal oxidizer efficiency data and calculations of rolling 12 month emissions totals for VOCs and HAPs were not found in the records.

7. Failed to submit proposed sampling methods within 30 days after the printing press, dryer, and the catalytic oxidizer reaches normal operating conditions, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Permit No. 47553, Special Condition No. 24C(1) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on April 4, 2008. Specifically, emissions sampling methods should have been submitted by March 20, 2008 since the printing press associated with the catalytic oxidizer began its first commercial run on February 20, 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: The Imaging Bureau, Inc., Docket No. 2008-1024-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. It is further ordered that the Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, submit proposed methods to accomplish emissions sampling for the dryer and catalytic oxidizer in accordance with Permit No. 47553, Special Condition No. 24C(1); and
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below; and include detailed supporting documentation to demonstrate compliance with Ordering Provision No. 2.a. 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 this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly

responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, 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."

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:

Air Section, Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

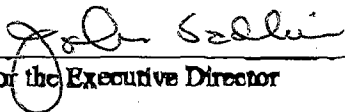
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

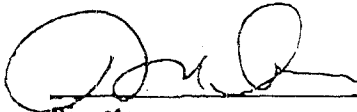
Date 1/21/2009

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

Date 10/1/08

BRIAN WALDEN

Name (Printed or typed)
Authorized Representative of
The Imaging Bureau, Inc.

Title PRESIDENT

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

