

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2009-1291-AIR-E TCEQ ID: RN102754652 CASE NO.: 38138
RESPONDENT NAME: Sofia Enterprises, L.P. dba HTC Industries

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: HTC Industries, 1812 North Bell Street, San Angelo, Tom Green County</p> <p>TYPE OF OPERATION: Rendering plant</p> <p>SMALL BUSINESS: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: A complaint was received on June 12, 2009, alleging nuisance odors. 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 the desire to protest this action or speak at Agenda.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on February 1, 2010. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Suzanne Walrath, Enforcement Division, Enforcement Team 4, MC 149, (512) 239-2134; Ms. Cari-Michel La Caille, Enforcement Division, MC 219, (512) 239-1387 Respondent: Mr. William A. Shirley, President, Sofia Enterprises, L.P., 2621 State Street, Dallas, Texas 75204 Mr. Mel Roshanravan, Vice President, Sofia Enterprises, L.P., 2621 State Street, Dallas, Texas 75204 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 of Complaint Relating to this Case: June 12, 2009</p> <p>Date of Investigation Relating to this Case: June 12, 2009</p> <p>Date of NOE Relating to this Case: August 7, 2009 (NOE)</p> <p>Background Facts: This was a complaint investigation.</p> <p>AIR</p> <p>Failure to place all rendering raw materials received at the Plant in the rendering processing receiving pit within eight hours after arrival and within 18 hours after slaughter or leaving a refrigerated environment. Specifically, on June 11, 12, 26 and 28, 2009, a total of 22 trailers did not meet the eight hour time requirement, and on June 27 and 28, 2009, there were 10 trailers that did not meet the 18 hour time requirement [30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 8710, Special Condition Nos. 5 and 6, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$5,200</p> <p>Total Deferred: \$1,040 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$4,160</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 on August 18, 2009, the Respondent implemented a new Plant policy to always divert all raw materials to the San Angelo By-Products rendering plant in the event of an equipment breakdown.</p>

Additional ID No(s): Air Account No. TG0053B



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	10-Aug-2009	Screening	12-Aug-2009	EPA Due	
	PCW	29-Sep-2009				

RESPONDENT/FACILITY INFORMATION	
Respondent	Sofia Enterprises, L.P. dba HTC Industries
Reg. Ent. Ref. No.	RN102754652
Facility/Site Region	8-San Angelo
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	38138	No. of Violations	1
Docket No.	2009-1291-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Suzanne Walrath
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$5,000
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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	14.0% Enhancement	Subtotals 2, 3, & 7	\$700
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Notes: The Respondent has received two Notices of Violation ("NOVs") for same or similar violations, and has received two NOVs for dissimilar violations.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$500
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts \$19
 Approx. Cost of Compliance \$2,000
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$5,200
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OTHER FACTORS AS JUSTICE MAY REQUIRE	-0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount	\$5,200
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$5,200
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,040
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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	\$4,160
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Screening Date 12-Aug-2009

Docket No. 2009-1291-AIR-E

PCW

Respondent Sofia Enterprises, L.P. dba HTC Industries

Policy Revision 2 (September 2002)

Case ID No. 38138

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102754652

Media [Statute] Air

Enf. Coordinator Suzanne Walrath

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	2	10%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 14%

>> 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

The Respondent has received two Notices of Violation ("NOVs") for same or similar violations, and has received two NOVs for dissimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 14%

Screening Date	12-Aug-2009	Docket No.	2009-1291-AIR-E	PCW	
Respondent	Sofia Enterprises, L.P. dba HTC Industries		<small>Policy Revision 2 (September 2002) PCW Revision October 30, 2008</small>		
Case ID No.	38138				
Reg. Ent. Reference No.	RN102754652				
Media [Statute]	Air				
Enf. Coordinator	Suzanne Walrath				
Violation Number	1				
Rule Cite(s)	30 Tex. Adm. Code § 116.115(c); Air Permit No. 8710, Special-Condition Nos. 5 and 6, and Tex. Health & Safety Code § 382.085(b)				
Violation Description	Failed to place all rendering raw materials received at the Plant in the rendering processing receiving pit within eight hours after arrival and within 18 hours after slaughter or leaving a refrigerated environment. Specifically, on June 11, 12, 26 and 28, 2009, a total of 22 trailers did not meet the eight hour time requirement, and on June 27 and 28, 2009, there were 10 trailers that did not meet the 18 hour time requirement.				
Base Penalty			\$10,000		
>> Environmental, Property and Human Health Matrix					
OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10%
	Potential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	Percent
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	0%
Matrix Notes	Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors.				
Adjustment			\$9,000		
			\$1,000		
Violation Events					
	Number of Violation Events	6	Number of violation days	5	
	mark only one with an x	daily <input type="checkbox"/>	weekly <input type="checkbox"/>	monthly <input type="checkbox"/>	quarterly <input type="checkbox"/>
		semiannual <input type="checkbox"/>	annual <input type="checkbox"/>	single event <input checked="" type="checkbox"/>	Violation Base Penalty
			\$5,000		
Five single events are recommended for the five days the Plant did not meet the permitted time requirements for rendering material.					
Good Faith Efforts to Comply		10.0% Reduction		\$500	
		Before NOV	NOV to EDPRP/Settlement		
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Ordinary	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
N/A	(mark with x)				
Notes	The Respondent achieved compliance with this violation on August 18, 2009, and the Notice of Enforcement was issued on August 7, 2009.				
Violation Subtotal			\$4,500		
Economic Benefit (EB) for this violation		Statutory Limit Test			
	Estimated EB Amount	\$19	Violation Final Penalty Total	\$5,200	
This violation Final Assessed Penalty (adjusted for limits)			\$5,200		

Economic Benefit Worksheet

Respondent: Sofia Enterprises, L.P. dba HTC Industries
Case ID No.: 38138
Reg. Ent. Reference No.: RN102754652
Media: Air
Violation No.: 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Item Description	Item Cost	Date Required	Final Date	Yrs.	Interest Saved	Onetime Costs	EB Amount
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	\$2,000	11-Jun-2009	18-Aug-2009	0.19	\$19	n/a	\$19
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

These are estimated costs for implementing measures and/or conducting employee training that will ensure that the Plant can comply with permit conditions. The date required is the date the violations began. The final date is the compliance date.

Avoided Costs

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

Item Description	Item Cost	Date Required	Final Date	Yrs.	Interest Saved	Onetime Costs	EB Amount
Disposal				0.00	\$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

\$2,000

TOTAL

\$19

Compliance History Report

Customer/Respondent/Owner-Operator: CN601403173 Sofia Enterprises, L.P. Classification: AVERAGE Rating: 1.60
Regulated Entity: RN102754652 HTC INDUSTRIES Classification: AVERAGE Site Rating: 1.60

ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	ID NUMBER	F1307
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000047902
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	TG0053B
	AIR NEW SOURCE PERMITS	PERMIT	8710
	STORMWATER	PERMIT	TXR05T411

Location: 1812 N BELL ST, SAN ANGELO, TX, 76903

TCEQ Region: REGION 08 - SAN ANGELO

Date Compliance History Prepared: August 12, 2009

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 12, 2004 to August 12, 2009

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

Name: Suzanne Walrath Phone: 239 - 2134

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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2008 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	04/20/2005	(378290)
2	05/31/2006	(465216)
3	08/29/2006	(510561)
4	01/09/2008	(613995)
5	09/03/2008	(701909)
6	01/13/2009	(723614)

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

Date: 05/31/2006 (465216)

Self Report? NO Classification: Major
Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)
MSGP Part II, Section C(2) PERMIT
Description: Failure to obtain authorization to discharge storm water associated with industrial activity.
Date: 08/05/2008 (688826)

Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
Permit No 8710, Special Conditions 5 & 6 PERMIT
Description: Failure to comply with the operational and work practice requirements in Special Conditions 5 and 6 of Permit Number 8710

Date: 12/11/2008 (721064)
Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Condition 17B PERMIT
Description: Failure to maintain sufficient records for received raw materials at the site

Date: 01/13/2009 (723541)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THSC Chapter 382 382.085(b)
Special Conditions 5 and 6 PERMIT
Description: Failure to comply with the operational and work practice requirements in Special Conditions 5 and 6 in Permit Number 8710

- 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
SOFIA ENTERPRISES, L.P. DBA HTC
INDUSTRIES
RN102754652

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§
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§
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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2009-1291-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 Sofia Enterprises, L.P. dba HTC Industries ("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 rendering plant at 1812 North Bell Street in San Angelo, Tom Green 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 August 12, 2009.
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 Five Thousand Two Hundred Dollars (\$5,200) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand One Hundred Sixty Dollars (\$4,160) of the

administrative penalty and One Thousand Forty Dollars (\$1,040) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on August 18, 2009, the Respondent implemented a new Plant policy to always divert all raw materials to the San Angelo By-Products rendering plant in the event of an equipment breakdown.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to place all rendering raw materials received at the Plant in the rendering processing receiving pit within eight hours after arrival and within 18 hours after slaughter or leaving a refrigerated environment, in violation of 30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 8710, Special Condition Nos. 5 and 6, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on June 12, 2009.

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: Sofia Enterprises, L.P. dba HTC Industries, Docket No. 2009-1291-AIR-E" to:

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

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

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

Date 11/8/2018

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 10-6-09

Name (Printed or typed)
Authorized Representative of
Sofia Enterprises, L.P. dba HTC Industries

Title
President

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.