

Executive Summary – Enforcement Matter – Case No. 43604

Azteca Milling, L.P.

RN100215086

Docket No. 2012-0408-AIR-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

AIR

Small Business:

No

Location(s) Where Violation(s) Occurred:

Azteca Milling Plainview Plant, 4700 South Jefferson Street, Plainview, Hale County

Type of Operation:

Grain mill

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 17, 2012

Comments Received: No

Penalty Information

Total Penalty Assessed: \$16,500

Amount Deferred for Expedited Settlement: \$3,300

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$13,200

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Average

Site/RN - Average

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002

**Executive Summary – Enforcement Matter – Case No. 43604
Azteca Milling, L.P.
RN100215086
Docket No. 2012-0408-AIR-E**

Investigation Information

Complaint Date(s): N/A
Complaint Information: N/A
Date(s) of Investigation: November 30, 2011
Date(s) of NOE(s): January 25, 2012

Violation Information

Failed to submit a permit renewal application at least six months before the date of permit expiration. Specifically, the Respondent did not submit a permit renewal application prior to the June 13, 2011 expiration date of Federal Operating Permit ("FOP") No. O1038 and continued to operate [30 TEX. ADMIN. CODE §§ 122.121, 122.133(2) and 122.241(b) and TEX. HEALTH & SAFETY CODE §§ 382.054 and 382.085(b)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Respondent submitted a FOP application on November 20, 2011 and received authorization to operate under FOP No. O3468 on May 10, 2012.

Technical Requirements:

N/A

Litigation Information

Date Petition(s) Filed: N/A
Date Answer(s) Filed: N/A
SOAH Referral Date: N/A
Hearing Date(s): N/A
Settlement Date: N/A

Contact Information

TCEQ Attorney: N/A
TCEQ Enforcement Coordinator: Kimberly Morales, Enforcement Division, Enforcement Team 5, MC R-12, (713) 422-8938; Debra Barber, Enforcement Division, MC 219, (512) 239-0412.
TCEQ SEP Coordinator: N/A
Respondent: Angel Garcia, Production Manager, Azteca Milling, L.P., 4700 South Jefferson Street, Plainview, Texas 79072
Raul Gonzalez, Plant Superintendent, Azteca Milling, L.P., 4700 South Jefferson Street, Plainview, Texas 79072
Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ DATES

Assigned	30-Jan-2012	Screening	17-Feb-2012	EPA Due	27-Oct-2012
PCW	4-May-2012				

RESPONDENT/FACILITY INFORMATION

Respondent	Azteca Milling, L.P.		
Reg. Ent. Ref. No.	RN100215086		
Facility/Site Region	2-Lubbock	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	43604	No. of Violations	1
Docket No.	2012-0408-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Kimberly Morales
		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History Enhancement **Subtotals 2, 3, & 7**

Notes

Culpability Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply Total Adjustments **Subtotal 5**

Economic Benefit Enhancement* **Subtotal 6**

Total EB Amounts	\$1,001	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$22,000	

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL Reduction **Adjustment**

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY

Screening Date 17-Feb-2012

Docket No. 2012-0408-AIR-E

PCW

Respondent Azteca Milling, L.P.

Policy Revision 2 (September 2002)

Case ID No. 43604

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN100215086

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	5	10%
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) 10%

>> 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 five NOVs with dissimilar violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 10%

Screening Date 17-Feb-2012
Respondent Azteca Milling, L.P.
Case ID No. 43604
Reg. Ent. Reference No. RN100215086
Media [Statute] Air
Enf. Coordinator Kimberly Morales

Docket No. 2012-0408-AIR-E

PCW

Policy Revision 2 (September 2002)
 PCW Revision October 30, 2008

Violation Number

Rule Cite(s) 30 Tex. Admin. Code §§ 122.121, 122.133(2) and 122.241(b) and Tex. Health & Safety Code §§ 382.054 and 382.085(b)

Violation Description

Failed to submit a permit renewal application at least six months before the date of permit expiration. Specifically, the Respondent did not submit a permit renewal application prior to the June 13, 2011 expiration of Federal Operating Permit No. O1038 and continued to operate.

Base Penalty

>> **Environmental, Property and Human Health Matrix**

OR

Release	Harm		
	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>

Percent

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Percent

Matrix Notes

The Respondent failed to comply with 100% of the rule requirement.

Adjustment

Violation Events

Number of Violation Events Number of violation days

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

Violation Base Penalty

Six monthly events are recommended from the June 13, 2011 expiration date of the permit to the November 20, 2011 submittal date.

Good Faith Efforts to Comply

Reduction

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

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Azteca Milling, L.P.
Case ID No. 43604
Req. Ent. Reference No. RN100215086
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$22,000	13-Jun-2011	10-May-2012	0.91	\$1,001	n/a	\$1,001
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Actual cost, provided by the Respondent, to obtain a new federal operating permit. Date Required is the date the permit expired. Final Date is the date a new permit was issued.

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

\$22,000

TOTAL

\$1,001

Compliance History Report

Customer/Respondent/Owner-Operator: CN600127914 Azteca Milling, L.P. Classification: AVERAGE Rating: 2.82
Regulated Entity: RN100215086 AZTECA MILLING PLAINVIEW PLANT Classification: AVERAGE Site Rating: 0.63

ID Number(s):	AIR OPERATING PERMITS	ACCOUNT NUMBER	HA0106T
	AIR OPERATING PERMITS	PERMIT	1038
	AIR OPERATING PERMITS	PERMIT	3468
	AIR NEW SOURCE PERMITS	REGISTRATION	92842
	AIR NEW SOURCE PERMITS	PERMIT	19383
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HA0106T
	AIR NEW SOURCE PERMITS	AFS NUM	4818900029
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0950067
	WASTEWATER	PERMIT	WQ0003111000
	STORMWATER	PERMIT	TXR05Y259
	WATER LICENSING	LICENSE	0950067

Location: 4700 SOUTH JEFFERSON STREET IN PLAINVIEW, HALE COUNTY, TEXAS
TCEQ Region: REGION 02 - LUBBOCK

Date Compliance History Prepared: February 10, 2012
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: February 10, 2007 to February 10, 2012

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Raymond Marlow, P.G. Phone: (409)899-8785

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. If YES, when did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, 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 03/29/2007 (539887)
- 2 03/21/2007 (542425)
- 3 04/24/2007 (557900)
- 4 05/17/2007 (560794)
- 5 06/27/2007 (565887)
- 6 08/17/2007 (571504)
- 7 06/10/2008 (670955)
- 8 07/16/2008 (686125)
- 9 09/25/2008 (702233)
- 10 04/30/2009 (743809)
- 11 05/29/2009 (747423)
- 12 06/05/2009 (748341)
- 13 07/06/2009 (760138)
- 14 09/01/2009 (766454)
- 15 06/29/2010 (828554)
- 16 10/18/2010 (860226)
- 17 02/25/2011 (896028)
- 18 05/05/2011 (908766)
- 19 05/25/2011 (922435)
- 20 07/15/2011 (937748)
- 21 08/10/2011 (943389)
- 22 09/14/2011 (952130)
- 23 01/25/2012 (968624)

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

Date: 03/23/2007 (542425) CN600127914

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to properly maintain effluent flow meter by annual calibration or accuracy check by trained professional.

Date: 03/29/2007 (539887) CN600127914

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O)

Description: Failure to provide intruder resistant fencing on all three wells.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(l)
 Description: Failure to have a plant operations manual.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)
 Description: Failure to provide a casing vent on well #3.

Date: 06/12/2008 (670955) CN600127914

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K)
 Description: Failure to provide a well casing vent on well #3.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.42(e)(4)(B)
 Description: Failure to separate gas chlorination equipment from all mechanical and electrical equipment.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)
 Description: Failure to maintain all records of water works operation and maintenance.

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(6)
 Description: Failure to maintain the Ground Storage (GS) in a leak tight condition.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 290, SubChapter F 290.121(a)
 Description: Failure to develop and implement a complete Monitoring Plan.

Date: 05/01/2009 (743809) CN600127914

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 281, SubChapter A 281.25(a)(4)
 Description: Failure to properly develop/implement SWPPP.

Date: 02/25/2011 (896028) CN600127914

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(5)
 Special Provisions R.2 PERMIT
 Description: Failed to properly operate and maintain all facilities and systems of treatment and control

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 Special Provision R. PERMIT
 Description: Failure to provide a flow measuring device where effluent from the storage lagoons is routed to the irrigation system.

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
AZTECA MILLING, L.P.
RN100215086

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2012-0408-AIR-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Azteca Milling, L.P. ("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 together stipulate that:

1. The Respondent owns and operates a grain mill at 4700 South Jefferson Street in Plainview, Hale 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 Executive Director 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 January 30, 2012.
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 Sixteen Thousand Five Hundred Dollars (\$16,500) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Thirteen Thousand Two Hundred Dollars (\$13,200) of the administrative penalty and Three Thousand Three Hundred

Dollars (\$3,300) 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 agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a).
9. The Executive Director recognizes that the Respondent submitted a Federal Operating Permit ("FOP") application on November 20, 2011, and received authorization to operate under FOP No. O3468 on May 10, 2012.
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 submit a permit renewal application at least six months before the date of permit expiration, in violation of 30 TEX. ADMIN. CODE §§ 122.121, 122.133(2) and 122.241(b) and TEX. HEALTH & SAFETY CODE §§ 382.054 and 382.085(b), as documented during an investigation conducted on November 30, 2011. Specifically, the Respondent did not submit a permit renewal application prior to the June 13, 2011 expiration date of FOP No. O1038 and continued to operate.

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: Azteca Milling, L.P., Docket No. 2012-0408-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 separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Davini J.
For the Executive Director

9/21/12
Date

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

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

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

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

Angel Garcia
Signature

5-24-12
Date

ANGEL GARCIA
Name (Printed or typed)
Authorized Representative of
Azteca Milling, L.P.

PLANT SUPERINTENDENT.
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.