

Executive Summary – Enforcement Matter – Case No. 49421
Ameriforge Corporation
RN102075686
Docket No. 2014-1450-IWD-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three or more enforcement actions (NOVs, orders, etc.) over the prior five year period for the same violations, and people or environmental receptors have been exposed to pollutants which exceed levels that are protective.

Media:

IWD

Small Business:

No

Location(s) Where Violation(s) Occurred:

Ameri-Forge Houston, 13770 Industrial Boulevard, Houston, Harris County

Type of Operation:

Iron and steel forging facility

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 6, 2015

Comments Received: No

Penalty Information

Total Penalty Assessed: \$32,000

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$32,000

Total Due to General Revenue: \$0

Payment Plan: N/A

SEP Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: July 29, 2014

**Executive Summary – Enforcement Matter – Case No. 49421
Ameriforge Corporation
RN102075686
Docket No. 2014-1450-IWD-E**

Date(s) of NOE(s): September 18, 2014

Violation Information

Failed to comply with permitted effluent limits for total copper, total organic carbon, and *Enterococci* [TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0003767000, Effluent Limitations and Monitoring Requirements No. 1].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to, within 90 days, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0003767000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations.

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: Larry Butler, Enforcement Division, Enforcement Team 3, MC 169, (512) 239-2543; Candy Garrett, Enforcement Division, MC 219, (512) 239-1456

TCEQ SEP Coordinator: N/A

Respondent: Jack L. Foster, Vice-President of Human Resources, Ameriforge Corporation, 13770 Industrial Road, Houston, Texas 77015

Respondent's Attorney: N/A

TCEQ	Assigned PCW	29-Sep-2014 2-Oct-2014	Screening	30-Sep-2014	EPA Due <input style="width: 80%;" type="text"/>
-------------	---------------------	---------------------------	------------------	-------------	---

RESPONDENT/FACILITY INFORMATION	
Respondent	Ameriforge Corporation
Reg. Ent. Ref. No.	RN102075686
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION		No. of Violations	3
Enf./Case ID No.	49421	Order Type	Findings
Docket No.	2014-1450-IWD-E	Government/Non-Profit	No
Media Program(s)	Water Quality	Enf. Coordinator	Alan Barraza
Multi-Media		EC's Team	Enforcement Team 3
Admin. Penalty \$ Limit Minimum		\$0	Maximum
			\$25,000

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	60.0% Enhancement	Subtotals 2, 3, & 7 <input style="width: 100px;" type="text" value="\$12,000"/>
---------------------------	-------------------	--

Notes: Enhancement for seven months of self-reported effluent violations, one NOV with same/similar violations, and one order with denial.

Culpability	No 0.0% Enhancement	Subtotal 4 <input style="width: 100px;" type="text" value="\$0"/>
--------------------	---------------------	--

Notes: The Respondent does not meet the culpability criteria.

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

Economic Benefit	0.0% Enhancement*	Subtotal 6 <input style="width: 100px;" type="text" value="\$0"/>
<small>Total EB Amounts</small>	<input style="width: 80px;" type="text" value="\$408"/>	<small>*Capped at the Total EB \$ Amount</small>
<small>Estimated Cost of Compliance</small>	<input style="width: 80px;" type="text" value="\$10,000"/>	

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 **Adjustment**

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

Notes: No deferral is recommended for Findings Orders.

PAYABLE PENALTY

Screening Date 30-Sep-2014

Docket No. 2014-1450-IWD-E

PCW

Respondent Ameriforge Corporation

Policy Revision 4 (April 2014)

Case ID No. 49421

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102075686

Media [Statute] Water Quality

Enf. Coordinator Alan Barraza

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>)	8	40%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	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 judgments 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%

Please Enter Yes or No

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) 60%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for seven months of self-reported effluent violations, one NOV with same/similar violations, and one order with denial.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 60%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 60%

Screening Date 30-Sep-2014

Docket No. 2014-1450-IWD-E

PCW

Respondent Ameriforge Corporation

Policy Revision 4 (April 2014)

Case ID No. 49421

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102075686

Media [Statute] Water Quality

Enf. Coordinator Alan Barraza

Violation Number 1

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0003767000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description Failed to comply with permitted effluent limits, as documented during a record review conducted on July 29, 2014, and shown in the attached table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 5.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants that do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1

31 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$1,250

One quarterly event is recommended for the quarter containing the month of October 2013.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

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

Violation Subtotal \$1,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$408

Violation Final Penalty Total \$2,000

This violation Final Assessed Penalty (adjusted for limits) \$2,000

Economic Benefit Worksheet

Respondent Ameriforge Corporation
Case ID No. 49421
Reg. Ent. Reference No. RN102075686
Media Water Quality
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
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)	\$10,000	31-Oct-2013	25-Aug-2014	0.82	\$408	n/a	\$408

Notes for DELAYED costs

Estimated cost to determine the cause of noncompliance and make necessary repairs/adjustments to the Facility. Date required is the initial date of noncompliance. 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

\$10,000

TOTAL

\$408

Screening Date 30-Sep-2014
Respondent Ameriforge Corporation
Case ID No. 49421
Reg. Ent. Reference No. RN102075686
Media [Statute] Water Quality
Enf. Coordinator Alan Barraza

Docket No. 2014-1450-IWD-E

PCW

Policy Revision 4 (April 2014)
 PCW Revision March 26, 2014

Violation Number 2

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0003767000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description Failed to comply with permitted effluent limits, as documented during a record review conducted on July 29, 2014, and shown in the attached table.

Base Penalty \$25,000

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

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		X		15.0%
	Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes

A simplified model was utilized to evaluate the values for Total Copper to determine whether the discharged amounts exceeded levels protective of human health or the environment. Human health or the environment have been exposed to significant amounts of pollutants which did not exceed levels protective of human health or the environment.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 3 90 Number of violation days

mark only one with an x

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$11,250

Three monthly events are recommended for the months of January 2014, February 2014, and March 2014.

Good Faith Efforts to Comply

0.0% Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	X	(mark with x)

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

Violation Subtotal \$11,250

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$18,000

This violation Final Assessed Penalty (adjusted for limits) \$18,000

Economic Benefit Worksheet

Respondent Ameriforge Corporation
Case ID No. 49421
Reg. Ent. Reference No. RN102075686
Media Water Quality
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
<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				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

See the Economic Benefit for Violation No. 1

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

\$0

TOTAL

\$0

Screening Date 30-Sep-2014

Docket No. 2014-1450-IWD-E

PCW

Respondent Ameriforge Corporation

Policy Revision 4 (April 2014)

Case ID No. 49421

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102075686

Media [Statute] Water Quality

Enf. Coordinator Alan Barraza

Violation Number 3

Rule Cite(s) Tex. Water Code § 26.121(a)(1), 30 Tex. Admin. Code § 305.125(1), and TPDES Permit No. WQ0003767000, Effluent Limitations and Monitoring Requirements No. 1

Violation Description Failed to comply with permitted effluent limits, as documented during a record review conducted on July 29, 2014, and shown in the attached table.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual	X		
Potential			

Percent 30.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Human health or the environment has been exposed to pollutants which exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$17,500

\$7,500

Violation Events

Number of Violation Events 1

30 Number of violation days

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$7,500

One monthly event is recommended for the month of April 2014.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/ Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes

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

Violation Subtotal \$7,500

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$12,000

This violation Final Assessed Penalty (adjusted for limits) \$12,000

Economic Benefit Worksheet

Respondent Ameriforge Corporation
Case ID No. 49421
Reg. Ent. Reference No. RN102075686
Media Water Quality
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
<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				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

See the Economic Benefit for Violation No. 1

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

\$0

TOTAL

\$0

Ameriforge Corporation
Docket No. 2014-1450-IWD-E
TPDES Permit No. WQ0003767000

Effluent Parameter Violation Table

	Total Organic Carbon	Total Copper		<i>Enterococci</i>	
	Daily Maximum Concentration	Daily Average Concentration	Daily Maximum Concentration	Daily Average Concentration	Daily Maximum Concentration
Month/ Year	Limit = 55 mg/L	Limit = 0.021 mg/L	Limit = 0.044 mg/L	Limit = 126 CFU/100 ml	Limit = 394 CFU/100 ml
October 2013	68	c	c	c	c
January 2014	c	0.16	0.2	c	c
February 2014	c	0.042	0.064	c	c
March 2014	c	0.079	0.12	c	c
April 2014	c	0.036	0.053	1,815	2,420

c = compliant

mg/L = milligrams per liter

CFU/100 ml = colony forming units per 100 millimeters

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

Compliance History Report for CN603201906, RN102075686, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603201906, Ameriforge Corporation **Classification:** SATISFACTORY **Rating:** 2.77

Regulated Entity: RN102075686, AMERI-FORGE HOUSTON **Classification:** SATISFACTORY **Rating:** 2.77

Complexity Points: 10 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 13770 INDUSTRIAL BOULEVARD IN HOUSTON, HARRIS COUNTY, TEXAS

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

POLLUTION PREVENTION PLANNING ID NUMBER P07070

AIR NEW SOURCE PERMITS REGISTRATION 81381

AIR NEW SOURCE PERMITS ACCOUNT NUMBER HG9608W

AIR NEW SOURCE PERMITS REGISTRATION 93326

WASTEWATER PERMIT WQ0003767000

WASTEWATER EPA ID TX0113972

WASTEWATER LICENSING LICENSE WQ0003767000

STORMWATER PERMIT TXR05AP52

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

TXR000026690

REGISTRATION # (SWR) 82538

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION

1013421

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: September 29, 2014

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 06, 2009 to November 06, 2014

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Alan Barraza

Phone: (512) 239-4642

Site and Owner/Operator History:

- 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** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, 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

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 11/27/2009 ADMINORDER 2009-0766-IWD-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	October 20, 2009	(818283)	Item 26	December 16, 2011	(985977)
Item 2	November 16, 2009	(818284)	Item 27	January 20, 2012	(992328)
Item 3	December 14, 2009	(818285)	Item 28	February 20, 2012	(999635)
Item 4	January 20, 2010	(818286)	Item 29	March 20, 2012	(1005186)
Item 5	February 11, 2010	(818279)	Item 30	April 19, 2012	(1011762)
Item 6	March 15, 2010	(835648)	Item 31	May 21, 2012	(1018120)
Item 7	April 14, 2010	(835649)	Item 32	June 20, 2012	(1025861)
Item 8	May 19, 2010	(835650)	Item 33	August 15, 2012	(1039727)
Item 9	June 10, 2010	(847735)	Item 34	September 20, 2012	(1048672)
Item 10	July 14, 2010	(862135)	Item 35	October 19, 2012	(1069219)
Item 11	August 16, 2010	(868737)	Item 36	November 19, 2012	(1069220)
Item 12	October 15, 2010	(875611)	Item 37	December 20, 2012	(1069221)
Item 13	November 15, 2010	(889575)	Item 38	January 18, 2013	(1082652)
Item 14	December 16, 2010	(897940)	Item 39	February 20, 2013	(1082651)
Item 15	January 14, 2011	(903840)	Item 40	March 20, 2013	(1091074)
Item 16	February 14, 2011	(910731)	Item 41	May 20, 2013	(1108426)
Item 17	March 10, 2011	(917982)	Item 42	June 18, 2013	(1112008)
Item 18	April 15, 2011	(930007)	Item 43	July 18, 2013	(1118949)
Item 19	May 13, 2011	(939690)	Item 44	August 19, 2013	(1126708)
Item 20	June 16, 2011	(947101)	Item 45	September 19, 2013	(1131240)
Item 21	July 18, 2011	(954363)	Item 46	October 09, 2013	(1131239)
Item 22	August 18, 2011	(960943)	Item 47	October 18, 2013	(1136997)
Item 23	September 19, 2011	(967041)	Item 48	December 19, 2013	(1148849)
Item 24	October 14, 2011	(973000)	Item 49	January 20, 2014	(1154929)
Item 25	November 14, 2011	(979135)			

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1 Date: 12/05/2013 (1122189) CN603201906
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
ELMR PERMIT
Description: Failed to maintain compliance with the permitted effluent limits.
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failed to properly preserve effluent samples.
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
DSPC PERMIT
Description: Failed to properly calculate the daily average concentration of Enterococci.
- 2 Date: 01/31/2014 (1162242) CN603201906
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 3 Date: 02/28/2014 (1168859) CN603201906
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

4	Date: 03/31/2014 (1176038)	CN603201906	
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
5	Date: 04/30/2014 (1182263)	CN603201906	
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
6	Date: 05/31/2014 (1189165)	CN603201906	
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
7	Date: 06/30/2014 (1201069)	CN603201906	
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		
8	Date: 07/31/2014 (1201070)	CN603201906	
	Self Report? YES	Classification:	Moderate
	Citation: 2D TWC Chapter 26, SubChapter A 26.121(a) 30 TAC Chapter 305, SubChapter F 305.125(1)		
	Description: Failure to meet the limit for one or more permit parameter		

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

Component Appendices

Appendix A

All NOV's Issued During Component Period 9/29/2009 and 9/29/2014

- 1 Date: 12/14/2011 (970518) CN603201906
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
Effl. Limit. & Monit. Req., No. 2, Pg. 2 PERMIT
Description: Failed to maintain compliance with the permitted effluent limits.
- 2 Date: 06/30/2012 (1033213) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 3* Date: 10/31/2013 (1142410) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 4* Date: 12/05/2013 (1122189) CN603201906
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
ELMR PERMIT
Description: Failed to maintain compliance with the permitted effluent limits.
Classification: Moderate
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 319, SubChapter A 319.11(b)
Description: Failed to properly preserve effluent samples.
Classification: Minor
Self Report? NO For Informational Purposes Only
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
DSPC PERMIT
Description: Failed to properly calculate the daily average concentration of Enterococci.
- 5* Date: 01/31/2014 (1162242) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 6* Date: 02/28/2014 (1168859) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 7* Date: 03/31/2014 (1176038) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

Failed to maintain compliance with the permitted effluent limits. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of 1.0 to 4.0 mg/L for total chlorine residual at the West Wastewater Treatment Plant. The result of the total chlorine residual analysis was 0.47 mg/L. Compliance with the permitted effluent limits must be maintained.

Failed to maintain compliance with the permitted effluent limits. Specifically, the grab sample collected during the investigation was not compliant with the single grab limit of 15 mg/L for oil and grease. The result of the oil and grease analysis was 20 mg/L.

- 8* Date: 04/30/2014 (1182263) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 9* Date: 05/31/2014 (1189165) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 10* Date: 06/30/2014 (1201069) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter
- 11* Date: 07/31/2014 (1201070) CN603201906
Classification: Moderate
Self Report? YES For Informational Purposes Only
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

* NOVs applicable for the Compliance History rating period 9/1/2009 to 8/31/2014

Appendix B

All Investigations Conducted During Component Period September 29, 2009 and September 29, 2014

- (818283)
Item 1* October 20, 2009** For Informational Purposes Only
- (818284)
Item 2* November 16, 2009** For Informational Purposes Only
- (777169)
Item 3 November 23, 2009** For Informational Purposes Only
- (818285)
Item 4* December 14, 2009** For Informational Purposes Only
- (818286)
Item 5* January 20, 2010** For Informational Purposes Only
- (818279)
Item 6* February 11, 2010** For Informational Purposes Only
- (835648)
Item 7* March 15, 2010** For Informational Purposes Only
- (835649)
Item 8* April 14, 2010** For Informational Purposes Only
- (835650)
Item 9* May 19, 2010** For Informational Purposes Only
- (847735)

Item 10*	June 10, 2010**	For Informational Purposes Only (828509)
Item 11	June 29, 2010**	For Informational Purposes Only (862135)
Item 12*	July 14, 2010**	For Informational Purposes Only (868737)
Item 13*	August 16, 2010**	For Informational Purposes Only (875611)
Item 14*	October 15, 2010**	For Informational Purposes Only (889575)
Item 15*	November 15, 2010**	For Informational Purposes Only (897940)
Item 16*	December 16, 2010**	For Informational Purposes Only (903840)
Item 17*	January 14, 2011**	For Informational Purposes Only (910731)
Item 18*	February 14, 2011**	For Informational Purposes Only (917982)
Item 19*	March 10, 2011**	For Informational Purposes Only (930007)
Item 20*	April 15, 2011**	For Informational Purposes Only (939690)
Item 21*	May 13, 2011**	For Informational Purposes Only (947101)
Item 22*	June 16, 2011**	For Informational Purposes Only (954363)
Item 23*	July 18, 2011**	For Informational Purposes Only (960943)
Item 24*	August 18, 2011**	For Informational Purposes Only (967041)
Item 25*	September 19, 2011**	For Informational Purposes Only (973000)
Item 26*	October 14, 2011**	For Informational Purposes Only (979135)
Item 27*	November 14, 2011**	For Informational Purposes Only (970518)
Item 28	December 14, 2011**	For Informational Purposes Only (985977)
Item 29*	December 16, 2011**	For Informational Purposes Only (976416)
Item 30	January 04, 2012**	For Informational Purposes Only (992328)
Item 31*	January 20, 2012**	For Informational Purposes Only

Item 32*	February 20, 2012**	(999635) For Informational Purposes Only
Item 33*	March 20, 2012**	(1005186) For Informational Purposes Only
Item 34*	April 19, 2012**	(1011762) For Informational Purposes Only
Item 35*	May 21, 2012**	(1018120) For Informational Purposes Only
Item 36*	June 20, 2012**	(1025861) For Informational Purposes Only
Item 37	July 19, 2012**	(1033213) For Informational Purposes Only
Item 38*	August 15, 2012**	(1039727) For Informational Purposes Only
Item 39*	September 20, 2012**	(1048672) For Informational Purposes Only
Item 40*	October 19, 2012**	(1069219) For Informational Purposes Only
Item 41*	November 19, 2012**	(1069220) For Informational Purposes Only
Item 42*	December 20, 2012**	(1069221) For Informational Purposes Only
Item 43*	January 18, 2013**	(1082652) For Informational Purposes Only
Item 44*	February 20, 2013**	(1082651) For Informational Purposes Only
Item 45*	March 20, 2013**	(1091074) For Informational Purposes Only
Item 46*	May 20, 2013**	(1108426) For Informational Purposes Only
Item 47*	June 18, 2013**	(1112008) For Informational Purposes Only
Item 48*	July 18, 2013**	(1118949) For Informational Purposes Only
Item 49*	August 19, 2013**	(1126708) For Informational Purposes Only
Item 50*	September 19, 2013**	(1131240) For Informational Purposes Only
Item 51*	October 09, 2013**	(1131239) For Informational Purposes Only
Item 52*	October 18, 2013**	(1136997) For Informational Purposes Only

(1142410)
Item 53 November 21, 2013** For Informational Purposes Only
(1122189)
Item 54 December 05, 2013** For Informational Purposes Only
(1148849)
Item 55* December 19, 2013** For Informational Purposes Only
(1154929)
Item 56* January 20, 2014** For Informational Purposes Only
(1144552)
Item 57 January 27, 2014** For Informational Purposes Only
(1162242)
Item 58 February 19, 2014** For Informational Purposes Only
(1168859)
Item 59 March 20, 2014** For Informational Purposes Only
(1176038)
Item 60 April 20, 2014** For Informational Purposes Only
(1182263)
Item 61 May 20, 2014** For Informational Purposes Only
(1189165)
Item 62 June 19, 2014** For Informational Purposes Only
(1185585)
Item 63 September 23, 2014 For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2009 and 08/31/2014.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
AMERIFORGE CORPORATION	§	
RN102075686	§	ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2014-1450-IWD-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Ameriforge Corporation ("Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this agreement to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. 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. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondent.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondent owns and operates a iron and steel forging facility located at 13770 Industrial Boulevard in Houston, Harris County, Texas (the "Facility").

2. The Respondent has discharged industrial wastewater into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. During a record review conducted on July 29, 2014, TCEQ staff documented the Respondent did not comply with permitted effluent limits, as shown in the table below:

Effluent Parameter Violation Table					
Month/ Year	Total Organic Carbon	Total Copper		<i>Enterococci</i>	
	Daily Maximum Concentration	Daily Average Concentration	Daily Maximum Concentration	Daily Average Concentration	Daily Maximum Concentration
	Limit = 55 mg/L	Limit = 0.021 mg/L	Limit = 0.044 mg/L	Limit = 126 CFU/100 ml	Limit = 394 CFU/100 ml
October 2013	68	c	c	c	c
January 2014	c	0.16	0.2	c	c
February 2014	c	0.042	0.064	c	c
March 2014	c	0.079	0.12	c	c
April 2014	c	0.036	0.053	1,815	2,420

c = compliant mg/L = milligrams per liter CFU/100 ml = colony forming units per 100 millimeters

4. The Respondent received notice of the violations on September 23, 2014.

II. CONCLUSIONS OF LAW

1. The Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. WATER CODE chs. 7 and 26 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 3, the Respondent failed to comply with permitted effluent limits, in violation of TEX. WATER CODE § 26.121(a)(1), 30 TEX. ADMIN. CODE § 305.125(1), and Texas Pollutant Discharge Elimination System ("TPDES") Permit No. WQ0003767000, Effluent Limitations and Monitoring Requirements No. 1.
3. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against the Respondent for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.

4. An administrative penalty in the amount of Thirty-Two Thousand Dollars (\$32,000) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent has paid the Thirty-Two Thousand Dollar (\$32,000) administrative penalty.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed an administrative penalty in the amount of Thirty-Two Thousand Dollars (\$32,000) as set forth in Section II, Paragraph 4 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Ameriforge Corporation, Docket No. 2014-1450-IWD-E" to:

Financial Administration Division, Revenue Operations 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, within 90 days after the effective date of this Agreed Order, submit written certification of compliance with the effluent limits of TPDES Permit No. WQ0003767000, including specific corrective actions that were implemented at the Facility to achieve compliance and copies of the most current self-reported discharge monitoring reports, demonstrating at least three consecutive months of compliance with all permitted effluent limitations. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

Water Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Avenue, Suite H
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondent if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
7. 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.

8. 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.
9. 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.
10. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. By law, the effective date of this Agreed Order is the third day after the mailing date, as provided by 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Pam Bauer-J
For the Executive Director

3/25/15
Date

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

I understand that by entering into this Agreed Order, Ameriforge Corporation waives certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

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.

Jack L. Foster
Signature

12/19/14
Date

JACK L. FOSTER
Name (Printed or typed)
Authorized Representative of
Ameriforge Corporation

VICE PRESIDENT HR.

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