



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

October 5, 2012

Mr. Daniel Anderson, Plant Manager
Texas ARAI
8204 Fairbanks N. Houston Road
Houston, Texas 77064

Re: Maverick Tube Corporation d/b/a Texas ARAI
Self-Disclosure of Violations
Docket Number CAA-06-2012-3322

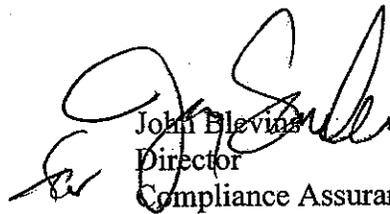
Dear Mr. Anderson:

Enclosed is a Notice of Determination issued by the Environmental Protection Agency, Region 6 (EPA), of the applicability of EPA's "Revised Final Policy Statement on Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations," 65 Fed. Reg. 19618 (April 11, 2000) (Self Disclosure) to the voluntary disclosures made to EPA by Maverick Tube Corporation d/b/a Texas ARAI, on April 10, 2012.

Based upon the written information submitted by Texas ARAI, EPA has determined that Texas ARAI has met all nine conditions of EPA's Self-Policing Policy. Since there was no economic benefit gained by Texas ARAI, EPA will mitigate 100% of gravity-based penalties for violations of 40 C.F.R. Part 63 Subpart WWWW. Please note that this matter has been designated with the Docket Number referenced above to document resolution of the disclosed violations in EPA's enforcement and compliance assurance program.

Please contact Mr. Greg Valentine at (214) 665-3111 if you have technical questions or Ms. Lorraine Dixon at (214) 665-7589 for any legal questions.

Sincerely,


John E. Levin
Director
Compliance Assurance and
Enforcement Division

Enclosure

cc: Michael de la Cruz, Manager
Air Enforcement Section
Texas Commission on Environmental Quality

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

IN THE MATTER OF:

Maverick Tube Corporation d/b/a
Texas ARAI

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Docket Number CAA-06-2012-3322.

FINAL DETERMINATION

Pursuant to the "Final Policy Statement on Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations" (65 Fed. Reg. 19618, April 11, 2000) (hereinafter referred to as the "Self-Policing Policy"), the Environmental Protection Agency (EPA) hereby issues a Final Determination regarding Texas ARAI, Houston, Texas facility.

I. SELF-POLICING POLICY

In order to encourage regulated entities to conduct voluntary compliance evaluations and also disclose and correct violations, EPA promulgated the Self-Policing Policy. As an incentive for companies to participate in the self audit/self disclosure terms of the Self-Policing Policy, EPA may substantially reduce and even eliminate the gravity component of civil penalties if the conditions specified in the Self-Policing Policy are met. The conditions are as follows:

- (1) Systematic discovery of the violation through an environmental audit or a compliance management system;
- (2) Voluntary discovery;
- (3) Prompt disclosure;
- (4) Discovery and disclosure independent of government or third party plaintiff;
- (5) Correction and remediation;
- (6) Prevent recurrence;
- (7) No repeat violations;
- (8) Other violations excluded; and
- (9) Cooperation.

II. FINDINGS OF FACT

1. On April 10, 2012, Texas ARAI submitted documentation to EPA, in which it disclosed violations concerning the National Emission Standards for Hazardous Air Pollutants (NESHAP): Area Source Standards for Plating and Polishing Operations as regulated under 40 CFR Part 63 subpart WWWW, documented its compliance with the criteria Self-Policing Policy, and requested "...all benefits identified by EPA for companies that meet the requirements of EPA's Policy."

2. Texas ARAI disclosed the following NESHAP violations:

COUNT 1:

40 CFR 63.11509(a) which states that "If you own or operate an affected source, as defined in §63.11505(a), you must submit an Initial Notification in accordance with paragraphs (a)(1) through (4) of this section by the dates specified."

COUNT 2:

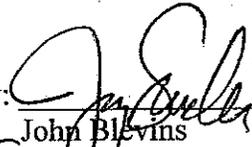
40 CFR 63.11509(b) which states that "If you own or operate an affected source, you must submit a Notification of Compliance Status in accordance with paragraphs (b)(1) through (3) of this section."

III. EPA FINAL DETERMINATION

EPA has reviewed the violations specified above and has reviewed the documentation provided by Texas ARAI in which Texas ARAI asserts its compliance with the Self-Policing Policy. EPA finds that Texas ARAI has met the conditions pursuant to the Self-Policing Policy and qualifies to have a reduction in a gravity portion of the penalty regarding said violations. Therefore, EPA will not assess any gravity-based component penalty for the violations specified above in accordance with the Self-Policing Policy. Since there was no economic benefit component regarding the violations, Texas ARAI will not be assessed penalties for the violations.

Furthermore, in making the final determination above, EPA believes Texas ARAI is capable of achieving a higher standard of self-policing and greater compliance with laws and regulations that protect human health and the environment. Consistent with the purposes of the Self-Policing Policy, EPA expects Texas ARAI to institute, on a continuing and company-wide basis, the internal policies and procedures necessary to prevent recurrence of violations of environmental requirements.

Dated: 10-5-2012

By: 
John Blevins
Director
Compliance Assurance and
Enforcement Division
U.S. Environmental Protection Agency
Region 6