

Additional Conditions. This Order does not waive the Director's right to take further enforcement action against the Respondent, or imply that the Director will not take such action, either for (1) the violations alleged herein if the Respondent fails to fully comply with the conditions of this Order, or (2) violations not alleged herein based on any other relevant requirements of this Order, the law, rules, and permit(s). Issuance of this Order does not waive the Director's right to use the violations alleged herein, upon sufficient evidence, to show past violations in any subsequent enforcement proceeding.

This Order is executed and entered solely for the purpose of resolving and disposing of the alleged violations set forth herein and does not constitute a finding, adjudication, or evidence of a violation of any law, rule, or regulation by the Respondent, and, by consenting to this Order, the Respondent does not admit to any factual allegation contained herein or to any violations of State laws. In addition, this Order is not intended to create and it shall not be construed or otherwise deemed to recognize or create any claim, right, liability, estoppel, or waiver of rights in favor of any third-party or parties.

By agreement of the parties, this Order shall have the same force and binding effect as a Final Order of the Director, and shall become final and effective immediately upon its execution by the Director. The parties further agree that this Order shall not be appealable by the Respondent, and the Respondent hereby waives its right to initiate any administrative or judicial hearing on the terms and conditions of this Order.

Consent Order No. WQ-EPD-5478 is terminated upon the execution of this Order.