

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

**September 2, 2011**

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**  
**91 7108 2133 3937 0494 3173**

Ms. Amy Hagstrom-Miller, President  
Whole Woman's Health of Austin, LLC  
8401 North Interstate Highway 35, Suite 1A  
Austin, Texas 78753-5753

Re: Enforcement Action, Revised Proposed Agreed Order  
Whole Woman's Health of Austin, LLC; RN106143704;  
Docket No. 2011-0954-MSW-E; Enforcement Case No. 41836  
**FOR SETTLEMENT PURPOSES ONLY**

Dear Ms. Hagstrom-Miller:

Please find enclosed a revised proposed agreed order based on discussions in a telephone conference you had with Ms. Brianna Carlson of my staff on August 2, 2011. The language in paragraph 6 of Section I (Jurisdiction and Stipulations) has been modified to incorporate a penalty payment schedule. Additionally, the language in paragraph 9 of Section I has been changed to recognize compliance and ordering provisions were removed from Section IV (Ordering Provisions). Please note that the first payment is for Five Hundred Thirty-Four Dollars (\$534). The remaining penalty amount will be paid in 35 monthly payments of Five Hundred Ten Dollars (\$510) each.

Although this revised order replaces the proposed order enclosed in the Texas Commission on Environmental Quality (TCEQ) letter dated July 22, 2011, the terms and conditions noted in the July 22, 2011 letter still apply. If you agree with the revised order as proposed, please sign and return this order with an original signature **and** the first penalty payment of Five Hundred Thirty-Four Dollars (\$534) **before September 15, 2011**, (check payable to "TCEQ" and referencing Whole Woman's Health of Austin, LLC, Docket No. 2011-0954-MSW-E) to:

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

REPLY TO: REGION 15 • 1804 W. JEFFERSON AVE. • HARLINGEN, TEXAS 78550-5247 • 956-425-6010 • FAX 956-412-5059

Austin Headquarters: 512-239-1000 • [www.tceq.state.tx.us](http://www.tceq.state.tx.us) • How is our customer service? [www.tceq.state.tx.us/goto/customersurvey](http://www.tceq.state.tx.us/goto/customersurvey)

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Ms. Amy Hagstrom-Miller  
Page 2  
September 2, 2011

Enclosed for your convenience are a return envelope and a copy of the revised order for your files. Please note that any agreements we reach are subject to final approval by the Commission.

For any questions or comments about this matter, please contact Ms. Brianna Carlson of my staff at (956) 430-6021.

Sincerely,

Tim Haase, Manager  
Enforcement Division  
Texas Commission on Environmental Quality

TH/bc

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Enclosures: Revised Proposed Agreed Order, File Copy, Return Envelope

cc: Mr. Barry Kalda, Manager, Waste Section, Austin Regional Office, TCEQ  
Mr. John Bucy II, Attorney, 6633 East Highway 290, Suite 208, Austin, Texas  
78723-1157

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
WHOLE WOMAN'S HEALTH OF  
AUSTIN, LLC  
RN106143704**

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

**AGREED ORDER  
DOCKET NO. 2011-0954-MSW-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 Whole Woman's Health of Austin, LLC ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 361 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, represented by John Bucy II, Attorney, appear before the Commission and together stipulate that:

1. The Respondent owns and operates a medical clinic at 8401 North Interstate Highway 35, Suite 200 in Austin, Travis County, Texas (the "Facility").
2. The Facility involves or involved the management of municipal solid waste as defined in TEX. HEALTH & SAFETY CODE ch. 361.
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 July 5, 2011.
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 Twenty-Two Thousand Nine Hundred Eighty Dollar (\$22,980) is assessed by the Commission in settlement of the violations alleged in

Section II ("Allegations"). The Respondent has paid Five Hundred Thirty-Four Dollars (\$534) of the administrative penalty and Four Thousand Five Hundred Ninety-Six Dollars (\$4,596) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Seventeen Thousand Eight Hundred Fifty Dollars (\$17,850) of the administrative penalty shall be payable in 35 monthly payments of Five Hundred Ten Dollars (\$510) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

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 the Respondent has implemented the following corrective measures at the Facility:
  - a. Began disposing of pathological waste according to approved methods of treatment and disposition on May 19, 2011; and
  - b. Implemented procedures to package and identify untreated medical waste using labels affixed to each container that contain all required information on June 20, 2011.
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 Facility, the Respondent is alleged to have:

1. Failed to package and identify untreated medical waste using labels affixed to each container that contain all required information, in violation of 30 TEX. ADMIN. CODE § 330.1207(c)(5), as documented during an investigation conducted on April 14, 2011. Specifically, weights were not recorded on boxes of untreated medical waste prior to shipment.
2. Failed to dispose of pathological waste according to approved methods of treatment and disposition, in violation of 30 TEX. ADMIN. CODE § 330.1219(b)(3), as documented during an investigation conducted on March 11, 2011. Specifically, the Respondent allowed its pathological waste, including fetuses, to be treated by steam disinfection treatment followed by deposition in a municipal solid waste landfill.

## 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: Whole Woman's Health of Austin, LLC, Docket No. 2011-0954-MSW-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 Facility operations referenced in this Agreed Order.
3. 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.

4. 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.
5. 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.
6. 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.
7. 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

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

\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
Whole Woman's Health of Austin, LLC

\_\_\_\_\_  
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.







# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	<b>Assigned</b>	6-Jun-2011	<b>Screening</b>	9-Jun-2011	<b>EPA Due</b>	
	<b>PCW</b>	25-Aug-2011				

<b>RESPONDENT/FACILITY INFORMATION</b>			
<b>Respondent</b>	Whole Woman's Health of Austin, LLC		
<b>Reg. Ent. Ref. No.</b>	RN106143704		
<b>Facility/Site Region</b>	11-Austin	<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	41836	<b>No. of Violations</b>	2
<b>Docket No.</b>	2011-0954-MSW-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Medical Waste	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Brianna Carlson
		<b>EC's Team</b>	Enforcement Team 7
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$27,700
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<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>			
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>			
<b>Compliance History</b>	0.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$0
<b>Notes</b>	No adjustment for compliance history.		
<b>Culpability</b>	No 0.0% Enhancement	<b>Subtotal 4</b>	\$0
<b>Notes</b>	The Respondent does not meet the culpability criteria.		
<b>Good Faith Effort to Comply Total Adjustments</b>			<b>Subtotal 5</b> \$4,720
<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
<small>Total EB Amounts</small>	\$372	<small>*Capped at the Total EB \$ Amount</small>	
<small>Approx. Cost of Compliance</small>	\$1,800		

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$22,980
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
<small>Reduces or enhances the Final Subtotal by the indicated percentage.</small>			
<b>Notes</b>			
			<b>Final Penalty Amount</b> \$22,980

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$22,980
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$4,596
<small>Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)</small>			
<b>Notes</b>	Deferral offered for expedited settlement.		

<b>PAYABLE PENALTY</b>	\$18,384
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**Screening Date** 9-Jun-2011

**Docket No.** 2011-0954-MSW-E

**PCW**

**Respondent** Whole Woman's Health of Austin, LLC

Policy Revision 2 (September 2002)

**Case ID No.** 41836

PCW Revision October 30, 2008

**Reg. Ent. Reference No.** RN106143704

**Media [Statute]** Medical Waste

**Enf. Coordinator** Brianna Carlson

### 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	0	0%
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)** 0%

>> **Repeat Violator (Subtotal 3)**

N/A

**Adjustment Percentage (Subtotal 3)** 0%

>> **Compliance History Person Classification (Subtotal 7)**

N/A

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes** No adjustment for compliance history.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 0%

Screening Date 9-Jun-2011

Docket No. 2011-0954-MSW-E

PCW

Respondent Whole Woman's Health of Austin, LLC

Policy Revision 2 (September 2002)

Case ID No. 41836

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN106143704

Media [Statute] Medical Waste

Enf. Coordinator Brianna Carlson

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 330.1207(c)(5)

Violation Description Failed to package and identify untreated medical waste using labels affixed to each container that contain all required information. Specifically, weights were not recorded on boxes of untreated medical waste prior to shipment.

Base Penalty \$10,000

Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

Programmatic Matrix

Falsification	Major	Moderate	Minor
			X

Percent 1%

Matrix Notes 20% of the rule requirement was not met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 147 1130 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

mark only one with an x

Violation Base Penalty \$14,700

One Hundred Forty-Seven single events are recommended, one for each manifest.

Good Faith Efforts to Comply

10.0% Reduction

\$1,470

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes The Respondent came into compliance on June 20, 2011.

Violation Subtotal \$13,230

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$31

Violation Final Penalty Total \$13,230

This violation Final Assessed Penalty (adjusted for limits) \$13,230

# Economic Benefit Worksheet

**Respondent** Whole Woman's Health of Austin, LLC  
**Case ID No.** 41836  
**Reg. Ent. Reference No.** RN106143704  
**Media** Medical Waste  
**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
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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	\$200	5-May-2008	20-Jun-2011	3.13	\$31	N/A	\$31
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**  
 Estimated cost to develop and implement procedures to ensure untreated medical waste is properly labeled. The date required is the date of the first documented manifest and the final date is the 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 \$200

**TOTAL** \$31

Screening Date 9-Jun-2011

Docket No. 2011-0954-MSW-E

PCW

Respondent Whole Woman's Health of Austin, LLC

Policy Revision 2 (September 2002)

Case ID No. 41836

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN106143704

Media [Statute] Medical Waste

Enf. Coordinator Brianna Carlson

Violation Number

2

Rule Cite(s)

30 Tex. Admin. Code § 330.1219(b)(3)

Violation Description

Failed to dispose of pathological waste according to approved methods of treatment and disposition. Specifically, the Respondent allowed its pathological waste, including fetuses, to be treated by steam disinfection treatment followed by deposition in a municipal solid waste landfill.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential		x	

Percent 10%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 13

1108 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$13,000

Thirteen quarterly events are recommended for the time period from the May 5, 2008 shipment date to the May 19, 2011 compliance date.

Good Faith Efforts to Comply

25.0% Reduction

\$3,250

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

Notes

The Respondent came into compliance on May 19, 2011 prior to the Notice of Enforcement dated June 3, 2011.

Violation Subtotal \$9,750

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$340

Violation Final Penalty Total \$9,750

This violation Final Assessed Penalty (adjusted for limits) \$9,750

# Economic Benefit Worksheet

**Respondent** Whole Woman's Health of Austin, LLC  
**Case ID No.** 41836  
**Reg. Ent. Reference No.** RN106143704  
**Media** Medical Waste  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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)	\$1,600	5-May-2008	19-May-2011	3.04	\$16	\$324	\$340
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** Estimated cost to develop and implement procedures to prevent unauthorized disposal of pathological waste. The date required is the date of the first documented unauthorized disposal, and the final date is the date of compliance.

**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 \$1,600

**TOTAL** \$340