

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-0771-DCL-E **TCEQ ID:** RN104963913 **CASE NO.:** 29878
RESPONDENT NAME: All Seasons Dry Cleaning & Laundry, Inc.

ORDER TYPE:

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:

<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input type="checkbox"/> WATER QUALITY	<input checked="" type="checkbox"/> DRY CLEANER REGISTRATION	

SITE WHERE VIOLATION(S) OCCURRED: All Season Dry Cleaners & Laundry, 10804 Highway 290 East, Suite A, Manor, Travis County

TYPE OF OPERATION: Dry cleaning drop station

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on October 23, 2006. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Ms. Libby Hogue, Enforcement Division, Enforcement Section II, MC 219, (512) 239-1165; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Mr. Christopher Wiatrek, Austin Regional Office, MC R-11, (512) 339-2929

Respondent: Mr. Kenneth Kay, Owner/Director, All Seasons Dry Cleaning & Laundry, Inc., 10804 Highway 290 East, Suite A, Manor, Texas 78653

Respondent's Attorney: Not represented by counsel on this enforcement matter

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: June 5, 2006</p> <p>Date of NOE Relating to this Case: June 12, 2006 (NOE)</p> <p>Background Facts: This was a routine investigation. One violation was documented.</p> <p>WASTE</p> <p>Failed to complete and submit the required registration form to the TCEQ for the Facility [30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102].</p>	<p>Total Assessed: \$1,067</p> <p>Total Deferred: \$213 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$154 (remaining \$700 due in 5 monthly payments of \$140 each)</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that All Seasons completed and submitted the required registration form to the TCEQ on June 14, 2006.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	19-Jun-2006			
	PCW	21-Jun-2006	Screening	20-Jun-2006	EPA Due

RESPONDENT/FACILITY INFORMATION					
Respondent	All Seasons Dry Cleaning & Laundry, Inc.				
Reg. Ent. Ref. No.	RN104963913				
Facility/Site Region	11-Austin	Major/Minor Source	Minor Source		

CASE INFORMATION					
Enf./Case ID No.	29878	No. of Violations	1		
Docket No.	2006-0771-DCL-E	Order Type	1660		
Media Program(s)	Drycleaner	Enf. Coordinator	Libby Hogue		
Multi-Media		EC's Team	Enforcement Team 4		
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50		

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$1,185**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 0% Enhancement Subtotals 2, 3, & 7 **\$0**

Notes Respondent does not have any other enforcement actions having occurred within the past five years.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 10% Reduction Subtotal 5 **-\$119**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A	<i>(mark with a small x)</i>	

Notes The respondent came into compliance (6/14/06) after the Notice of Enforcement was issued (6/12/06).

Economic Benefit 0% Enhancement* Subtotal 6 **\$0**

Total EB Amounts	\$10	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

SUM OF SUBTOTALS 1-7 Final Subtotal **\$1,067**

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount **\$1,067**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$1,067**

DEFERRAL 20% Reduction Adjustment **-\$213**

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

Notes Deferral offered for expedited settlement.

PAYABLE PENALTY **\$854**

Screening Date	20-Jun-2006	Docket No.	2006-0771-DCL-E	PCW
Respondent	All Seasons Dry Cleaning & Laundry, Inc.			Policy Revision 2 (September 2002)
Case ID No.	29878			PCW Revision May 19, 2005
Reg. Ent. Reference No.	RN104963913			
Media [Statute]	Drycleaner			
Enf. Coordinator	Libby Hogue			

Compliance History Worksheet

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written 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)</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%
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)

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

Adjustment Percentage (Subtotal 3)

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

Adjustment Percentage (Subtotal 7)

>> **Compliance History Summary**

Compliance History Notes Respondent does not have any other enforcement actions having occurred within the past five years.

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

Screening Date	20-Jun-2006	Docket No.	2006-0771-DCL-E	PCW
Respondent	All Seasons Dry Cleaning & Laundry, Inc.			<i>Policy Revision 2 (September 2002)</i>
Case ID No.	29878			<i>PCW Revision May 19, 2005</i>
Reg. Ent. Reference No.	RN104963913			
Media [Statute]	Drycleaner			
Enf. Coordinator	Libby Hogue			
Violation Number	1			
Primary Rule Cite(s)	30 Tex. Admin. Code § 337.10(a)			
Secondary Rule Cite(s)	Tex. Health & Safety Code § 374.102			
Violation Description	The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility.			
	Base Penalty			\$50

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
	X			10%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment - \$45

Base Penalty Subtotal \$5

Violation Events

Number of Violation Events

mark only one use a small x

daily	X
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,185

Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.

Economic Benefit (EB) for this violation	Statutory Limit Test
Estimated EB Amount <input type="text" value="\$10"/>	Violation Final Penalty Total <input type="text" value="\$1,067"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,067"/>	

Economic Benefit Worksheet

Respondent: All Seasons Dry Cleaning & Laundry, Inc.
 Case ID No: 29878
 Reg. Ent. Reference No: RN104963913
 Media [Statute]: Drycleaner
 Violation No: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	14-Jun-2006	0.8	\$10	n/a	\$10
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent came into compliance.

Avoided Costs		ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)					
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance

TOTAL

Compliance History

Customer/Respondent/Owner-Operator:	CN603044371	All Seasons Dry Cleaning & Laundry, Inc.	Classification:	Rating: 0.00
Regulated Entity:	RN104963913	ALL SEASON DRY CLEANERS & LAUNDRY	Classification:	Site Rating:
ID Number(s):				
Location:	10804 US HIGHWAY 290 E STE A, MANOR, TX, 78653			
TCEQ Region:	REGION 11 - AUSTIN			
Date Compliance History Prepared:	June 26, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	June 19, 2001 to June 19, 2006			

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name:	Libby Hogue	Phone:	512-239-1165
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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 of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, 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 06/12/2006 (481505)
N/A
 - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
 - 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

Dear Sirs,
I am writing to you regarding the matter of the late Mr. John Doe, who passed away on the 15th of last month. I am the executor of his estate and I am seeking your assistance in settling his affairs.

Mr. Doe's will, dated the 1st of January, 1998, bequeathed to me the sum of \$100,000.00, which I have now received from the bank. I am seeking your assistance in distributing this sum to the beneficiaries named in the will. The beneficiaries are Mrs. Jane Doe, Mrs. Mary Doe, and Mrs. Elizabeth Doe. I am seeking your assistance in determining the appropriate shares for each beneficiary.

I have enclosed herewith a copy of the will and a copy of the bank statement showing the receipt of the sum of \$100,000.00. I am seeking your assistance in determining the appropriate shares for each beneficiary. I am seeking your assistance in determining the appropriate shares for each beneficiary.

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ALL SEASONS DRY CLEANING &
LAUNDRY, INC.
RN104963913

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BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-0771-DCL-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 All Seasons Dry Cleaning & Laundry, Inc. ("All Seasons") under the authority of TEX. HEALTH & SAFETY CODE ch. 374 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and All Seasons appear before the Commission and together stipulate that:

1. All Seasons owns and operates a dry cleaning drop station at 10804 Highway 290 East, Suite A, in Manor, Travis County, Texas (the "Facility").
2. The TCEQ has general authority to regulate the Facility pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
3. The Commission and All Seasons agree that the Commission has jurisdiction to enter this Agreed Order, and that All Seasons is subject to the Commission's jurisdiction.
4. All Seasons received notice of the violations alleged in Section II ("Allegations") on or about June 17, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by All Seasons of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of One Thousand Sixty-Seven Dollars (\$1,067) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). All Seasons has paid One Hundred Fifty-Four Dollars (\$154) of the administrative penalty and Two Hundred Thirteen Dollars (\$213) is deferred contingent upon All Seasons' 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 All Seasons fails to timely and satisfactorily comply with all

requirements of this Agreed Order, the Executive Director may require All Seasons to pay all or part of the deferred penalty.

The remaining amount of Seven Hundred Dollars (\$700) of the administrative penalty shall be payable in five monthly payments of One Hundred Forty Dollars (\$140) 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 All Seasons 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 All Seasons to meet the payment schedule of this Agreed Order constitutes the failure by All Seasons to timely and satisfactorily comply with all the terms of this Agreed Order. comply with all requirements of this Agreed Order, the Executive Director may require All Seasons 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 All Seasons 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 All Seasons completed and submitted the required registration form to the TCEQ on June 14, 2006.
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 All Seasons 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, All Seasons is alleged to have failed to complete and submit the required registration form to the TCEQ for the Facility, in violation of 30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on June 5, 2006.

1. The first part of the document is a letter from the author to the editor, dated 10/10/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author is Dr. J. H. [Name obscured] of the University of Chicago. The letter discusses the author's interest in the journal and the possibility of publishing a paper on the subject of [Topic obscured].

2. The second part of the document is a letter from the editor to the author, dated 10/15/1954. The letter is addressed to Dr. J. H. [Name obscured] of the University of Chicago. The editor expresses his interest in the author's work and suggests that the author submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

3. The third part of the document is a letter from the author to the editor, dated 10/20/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author expresses his appreciation for the editor's interest in his work and states that he will submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

4. The fourth part of the document is a letter from the editor to the author, dated 10/25/1954. The letter is addressed to Dr. J. H. [Name obscured] of the University of Chicago. The editor expresses his interest in the author's work and suggests that the author submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

5. The fifth part of the document is a letter from the author to the editor, dated 10/30/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author expresses his appreciation for the editor's interest in his work and states that he will submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

6. The sixth part of the document is a letter from the editor to the author, dated 11/5/1954. The letter is addressed to Dr. J. H. [Name obscured] of the University of Chicago. The editor expresses his interest in the author's work and suggests that the author submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

7. The seventh part of the document is a letter from the author to the editor, dated 11/10/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author expresses his appreciation for the editor's interest in his work and states that he will submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

8. The eighth part of the document is a letter from the editor to the author, dated 11/15/1954. The letter is addressed to Dr. J. H. [Name obscured] of the University of Chicago. The editor expresses his interest in the author's work and suggests that the author submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

9. The ninth part of the document is a letter from the author to the editor, dated 11/20/1954. The letter is addressed to the Editor of the Journal of the American Medical Association, 535 North Dearborn Street, Chicago, Illinois. The author expresses his appreciation for the editor's interest in his work and states that he will submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

10. The tenth part of the document is a letter from the editor to the author, dated 11/25/1954. The letter is addressed to Dr. J. H. [Name obscured] of the University of Chicago. The editor expresses his interest in the author's work and suggests that the author submit a paper on the subject of [Topic obscured] for consideration for publication in the journal.

III. DENIALS

All Seasons generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that All Seasons pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and All Seasons' 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: All Seasons Dry Cleaning & Laundry, Inc., Docket No. 2006-0771-DCL-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 All Seasons. All Seasons 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 All Seasons 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, All Seasons's failure to comply is not a violation of this Agreed Order. All Seasons shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. All Seasons shall notify the Executive Director within seven days after All Seasons 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 All Seasons shall be made in writing to the Executive Director. Extensions are not effective until All Seasons 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 All Seasons 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.

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All Seasons Dry Cleaning & Laundry, Inc.

DOCKET NO. 2006-0771-DCL-E

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6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to All Seasons, or three days after the date on which the Commission mails notice of the Order to All Seasons, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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No. 100
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No. 100
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No. 100
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

For the Executive Director

2/14/07

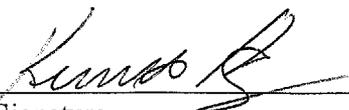
Date

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

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- 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 against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

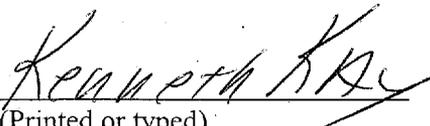
In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

08/28/06

Date



Name (Printed or typed)
Authorized Representative of
All Seasons Dry Cleaning & Laundry, Inc.



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.

10/14/18

[Handwritten signature]

Dear Mr. [Name],

I am writing to you regarding the [Topic].

[Faded body text]

Sincerely,

[Faded signature area]

[Faded text]

[Faded text]

[Faded text]