

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NUMBER: 2004-1181-PST-E TCEQ ID NO: RN101570794 ENF ID: 18250
RESPONDENT NAME: HALL GRAPEVINE CORPORATION DBA HALL JOHNSON CHEVRON

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 checked="" 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 type="checkbox"/> DRY CLEANER REGISTRATION	

SITE WHERE VIOLATION(S) OCCURRED: 2100 Hall Johnson Road, Grapevine, Tarrant County

TYPE OF OPERATION: Convenience store with retail sales of gasoline

SMALL BUSINESS: Yes No

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

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 January 29, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney: Ms. Shannon Strong, Litigation Division, MC 175, (512) 239-0972; Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873

TCEQ Enforcement Coordinator: Mr. Sandy VanCleave, Enforcement Division, MC 169, (512) 239-0667

TCEQ Regional Contact: Mr. Sam Barrett, DFW Regional Office, MC R-4, (817) 588-5903

Respondent: Mr. Ranbir S. Randhawa, Registered Agent, Hall Grapevine Corporation, 4713 Knollview Lane, Mesquite, TX 75150

Respondent's Attorney: Not represented by counsel.

RESPONDENT'S NAME: HALL GRAPEVINE CORPORATION DBA HALL JOHNSON CHEVRON
DOCKET NO.: 2004-1181-PST-E

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date(s) of Investigation(s) Relating to this Case: September 27, 2002 and July 1, 2004</p> <p>Date(s) of NOV(s)/NOE(s) Relating to this Case: September 27, 2002 (NOV), August 30, 2004 (NOE)</p> <p>Background Facts: This case was referred to the Litigation Division on December 17, 2004. The Respondent submitted several policies from the insurer over the period of a year, none of which covered the tanks at the time of the violation. An Agreed Order was finally signed on December 4, 2006.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p>PST: Failed to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of two petroleum USTs as documented on July 1, 2004 [30 TEX. ADMIN. CODE § 37.815(a) and (b)].</p>	<p>Total Assessed: \$2,740</p> <p>Total Deferred: \$0 <input type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>Total Paid/Due to General Revenue: \$118/\$2,622</p> <p>The Respondent has paid \$118 of the administrative penalty. The remaining amount of \$2,622 of the administrative penalty shall be payable in 23 monthly payments of \$114 each.</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input checked="" type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input checked="" 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 Action(s) Taken</p> <p>The Executive Director recognizes that the Respondent has obtained financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of two petroleum USTs.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 17, 2004

DATES							
PCW	12-Nov-2004	Screening	28-Jul-2004	Priority Due	26-Oct-2004	EPA Due	

RESPONDENT/FACILITY INFORMATION	
Respondent	Hall Grapevine Corporation dba Hall Johnson Chevron
Reg. Ent. Ref. No.	RN101570794
Additional ID No(s)	Petroleum Storage Tank Facility ID No. 69604
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	18250	No. of Violations	1
Docket No.	2004-1181-PST-E	Order Type	1660 without deferral
Case Priority	3	Enf. Coordinator	Sandy VanCleave
Media Program(s)	Petroleum Storage Tank	EC's Team	Enforcement Team 5
Multi-Media			
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$2,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	37% Enhancement	Subtotals 2, 3, & 7	\$740
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Notes: The respondent received a NOV dated September 27, 2002 for the same or similar violations, a NOV dated August 21, 2000 for dissimilar violations, and a 1660 order effective July 21, 2003.

Culpability	No	0% Enhancement	Subtotal 4	\$0
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Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply	0% Reduction	Subtotal 5	\$0
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	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes: The respondent does not meet the good faith criteria.

Economic Benefit	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$1,365	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$1,300	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$2,740
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OTHER FACTORS AS JUSTICE MAY REQUIRE	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

Final Penalty Amount **\$2,740**

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$2,740
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DEFERRAL	Reduction	Adjustment	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: The respondent received a NOV for the same or similar violations dated September 27, 2002.

PAYABLE PENALTY	\$2,740
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Screening Date 28-Jul-2004	Docket No. 2004-1181-PST-E	PCW
Respondent Hall Grapevine Corporation dba Hall Johnson Chevron	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 18250	<i>PCW Revision May 17, 2004</i>	
Reg. Ent. Reference No. RN101570794		
Additional ID No(s). Petroleum Storage Tank Facility ID No. 69604		
Media [Statute] Petroleum Storage Tank		
Enf. Coordinator Sandy VanCleave		
Site Address	2100 Hall Johnson Road, Grapevine, Tarrant County, Texas	

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	<i>Enter Number Here</i>	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	1	5%
	Other written NOVs	1	2%
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%
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%
	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%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)		0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)		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%
	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%
Other	<i>Please Enter Yes or No</i>		
	Environmental management systems in place for one year or more		0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program		0%
	Participation in a voluntary pollution reduction program		0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements		0%

Adjustment Percentage (Subtotal 2) 27%

>> Repeat Violator (Subtotal 3)

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Adjustment Percentage (Subtotal 7) 10%

>> Compliance History Summary

Compliance History Notes The respondent received a NOV dated September 27, 2002 for the same or similar violations, a NOV dated August 21, 2000 for dissimilar violations, and a 1660 order effective July 21, 2003.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 37%

Screening Date	28-Jul-2004	Docket No.	2004-1181-PST-E	PCW
Respondent	Hall Grapevine Corporation dba Hall Johnson Chevron		<i>Policy Revision 2 (September 2002)</i>	
Case ID No.	18250	<i>PCW Revision May 17, 2004</i>		
Reg. Ent. Reference No.	RN101570794			
Additional ID No(s).	Petroleum Storage Tank Facility ID No. 69604			
Media [Statute]	Petroleum Storage Tank			
Enf. Coordinator	Sandy VanCleave			
Violation Number	1			
Primary Rule Cite(s)	30 Tex. Admin. Code § 37.815(a) and (b)			
Secondary Rule Cite(s)				
Violation Description	Failure to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs.			
Base Penalty	\$10,000			

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

OR	Harm				Percent <input type="text"/>
	Release	Major	Moderate	Minor	
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent <input type="text"/>
<input type="text"/>	X	<input type="text"/>	<input type="text"/>	

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

<i>mark only one use a small x</i>	daily	<input type="text"/>
	monthly	<input type="text"/>
	quarterly	<input type="text"/>
	semiannual	<input type="text"/>
	annual	<input type="text"/>
	single event	X

Violation Base Penalty

Two single events are recommended for the two USTs as documented during the record review conducted on September 27, 2002.

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent: Hall Grapevine Corporation dba Hall Johnson Chevron
Case ID No.: 18250
Reg. Ent. Reference No.: RN101570794
Additional ID No(s): Petroleum Storage Tank Facility ID No. 69604
Media [Statute]: Petroleum Storage Tank
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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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				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs							

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]	\$1,300	27-Sep-2001	27-Sep-2002	1.0	\$65	\$1,300	\$1,365
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs							
Estimated cost to provide financial assurance for two petroleum USTs for the 12 month period prior to the initial record review date.							

Approx. Cost of Compliance \$1,300

TOTAL \$1,365

Compliance History

Customer/Respondent/Owner-Operator:	CN600833255 Hall Grapevine Corporation	Classification: POOR	Rating: 46.290
Regulated Entity:	RN101570794 HALL JOHNSON CHEVRON	Classification: POOR	Site Rating: 46.29
ID Number(s):	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	69604
Location:	2100 HALL JOHNSON RD, GRAPEVINE, TX, 76051		Rating Date: 9/1/03 . Repeat Violator: NO
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	August 12, 2004		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 12, 1999 to August 12, 2004		

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

Name: Sushil Modak Phone: (512) 239-2142

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? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 7/21/03

ADMINORDER 2001-1081-PST-E

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.222(3)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to eliminate any avoidable gasoline leaks, as detected by sight, sound, or smell, existing anywhere in the liquid transfer or vapor balance system.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.242(4)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to ensure that no gasoline leaks, as detected by sight, sound or smell exist anywhere in the gasoline dispensing equipment for Stage II vapor recovery system.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.245(1)[G]

30 TAC Chapter 115, SubChapter C 115.245(2)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to conduct annual pressure decay testing on the Stage II vapor recovery system.

Classification: Moderate

Citation: 2C TWC Chapter 20, SubChapter A 26.3475[G]

30 TAC Chapter 334, SubChapter C 334.50(b)(2)(A)(ii)(I)

30 TAC Chapter 334, SubChapter C 334.50(b)(2)(A)(ii)(III)

Description: Failed to conduct annual piping tightness testing for all product piping associated with the UST system and failing to conduct annual line detection testing on the UST system.

Classification: Moderate

Citation: 30 TAC Chapter 334, SubChapter C 334.48(c)

Description: Failure to conduct reconciliation of detailed inventory control records for the UST system.

Classification: Moderate

Citation: 2C TWC Chapter 20, SubChapter A 26.346(a)

30 TAC Chapter 334, SubChapter A 334.8(c)(4)(A)[G]

30 TAC Chapter 334, SubChapter A 334.8(c)(4)(B)

Description: Failed to ensure that the Station's UST Registration and Self-Certification form is fully and accurately complete and submitted to the TCEQ in a timely manner.

Classification: Moderate

Citation: 2C TWC Chapter 20, SubChapter A 26.3467(a)

30 TAC Chapter 334, SubChapter A 334.8(c)(4)(A)(i)

Description: Failed to make a currently valid TCEQ delivery certificate available to common carriers before accepting delivery of a regulated substance into a UST located at the Station.

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 05/15/2001 (IE0016432001003)
- 2 07/08/2004 (278979)
- 3 08/21/2000 (47597)
- 4 08/18/1999 (47599)
- 5 09/29/1999 (47600)
- 6 09/27/2002 (275136)

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

Date: 09/27/2002 (275136)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 37, SubChapter I 37.815(a)[G]
30 TAC Chapter 37, SubChapter I 37.815(b)[G]

Description: Failure to provide acceptable financial assurance

Date: 08/21/2000 (47597)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 334, SubChapter C 334.50(b)(1)(A)

Description: FAILURE TO COMPLY

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 334, SubChapter C 334.50(d)(1)(B)(ii)

Description: FAILURE TO COMPLY

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
HALL GRAPEVINE
CORPORATION DBA HALL
JOHNSON CHEVRON,
RN101570794

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BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2004-1181-PST-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Hall Grapevine dba Hall Johnson Chevron ("Hall Grapevine") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation Division, and Hall Grapevine, appear before the Commission and together stipulate that:

1. Hall Grapevine owns and operates a convenience store with retail sales of gasoline located at 2100 Hall Johnson Road, Grapevine, Tarrant County, Texas (the "Facility").
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and TCEQ rules.
3. The Commission and Hall Grapevine agree that the Commission has jurisdiction to enter this Agreed Order, and that Hall Grapevine is subject to the Commission's jurisdiction.
4. Hall Grapevine received notice of the violations alleged in Section II ("Allegations") on or about July 13, 2004.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Hall Grapevine of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of two thousand seven hundred and forty dollars (\$2,740.00) is assessed by the Commission in settlement of the violations alleged in Section

II ("Allegations"). Hall Grapevine has paid one hundred eighteen dollars (\$118.00) of the administrative penalty. The remaining amount of two thousand six hundred twenty two dollars (\$2,622.00) of the administrative penalty shall be payable in 23 monthly payments of one hundred and fourteen dollars (\$114.00) 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 Hall Grapevine fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, including the payment schedule, the Executive Director may, at his 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 Hall Grapevine to meet the payment schedule of this Agreed Order constitutes the failure by Hall Grapevine to timely and satisfactorily comply with all of 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 Hall Grapevine 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 Hall Grapevine has obtained financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of two petroleum USTs.
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 Hall Grapevine 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

Hall Grapevine is alleged to have violated:

1. 30 TEX. ADMIN. CODE § 37.815(a) and (b) by failing to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property

damage caused by accidental releases arising from the operation of two petroleum USTs as documented on July 1, 2004.

III. DENIALS

Hall Grapevine generally denies each allegation in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Hall Grapevine pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Hall Grapevine'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 considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Hall Grapevine Corporation dba Hall Johnson Chevron, Docket No. 2004-1181-PST-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 Hall Grapevine. Hall Grapevine is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant/Facility/Site operations referenced in this Agreed Order.
3. This Agreed Order, issued by the Commission, shall not be admissible against Hall Grapevine 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.
4. 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.

5. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Hall Grapevine, or three days after the date on which the Commission mails notice of the Order to Hall Grapevine, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Hall Grapevine Corporation dba Hall Johnson Chevron
DOCKET NO. 2004-1181-PST-E
Page 5

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

[Handwritten Signature]
For the Executive Director

1/17/07
Date

I, the undersigned, have read and understand the attached Agreed Order. I represent that 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.

[Handwritten Signature]
Signature

12-4-07
Date

RANBIR RANSHAWA
Name (Printed or typed)
Authorized representative of
Hall Grapevine Corporation dba
Hall Johnson Chevron

Officer
Title