EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-1356-DCL-E **TCEQ ID:** RN104247861 **CASE NO.:** 30853

RESPONDENT NAME: Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry

ORDER TYPE:

X 1660 AGREED ORDER	__FINDINGS AGREED ORDER	__AMENDED ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__SHUTDOWN ORDER	__FINDINGS DEFAULT ORDER	__EMERGENCY ORDER	

CASE TYPE:

__AGRICULTURE	__AIR	__INDUSTRIAL AND HAZARDOUS WASTE	__MUNICIPAL SOLID WASTE
__OCCUPATIONAL CERTIFICATION	__PETROLEUM STORAGE TANKS	__PUBLIC WATER SUPPLY	__RADIOACTIVE WASTE
__MULTI-MEDIA (check all that apply)	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL	__USED OIL
__USED OIL FILTER	__WATER QUALITY	X DRY CLEANER REGISTRATION	

SITE WHERE VIOLATION(S) OCCURRED: Corporate Cleaners & Laundry, 11048 Shady Trail, Dallas, Dallas County

TYPE OF OPERATION: Dry cleaning facility

SMALL BUSINESS: __X__ 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 Respondents has expressed an interest in this matter.

COMMENTS RECEIVED: The *Texas Register* comment period expired on January 22, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. J. Craig Fleming, Enforcement Division, Enforcement Section II, MC 219, (512) 239-5806; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Mr. Jim Kerlin, DFW Regional Office, MC R-04, (817) 588-5800

Respondent: Mr. Gerald Grimes, President/Owner, Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry, 11048 Shady Trail, Dallas, Texas 75229

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

RESPONDENT'S NAME: Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry
DOCKET NO.: 2006-1356-DCL-E

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: __ Complaint _X_ Routine __ Enforcement Follow-up _X_ Records Review **Date of Complaint Relating to this Case:** None **Dates of Investigations Relating to this Case:** May 23 and August 17, 2006 **Date of NOE Relating to this Case:** July 25, 2006 (NOE) **Background Facts:** These were routine investigations. Two violations were documented. **WASTE** 1) Failed to renew the registration by completing and submitting the required registration form to the TCEQ for the Facility [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102]. 2) Failed to pay dry cleaner registration fees for TCEQ Financial Administration Account No. 24002548 and associated late fees for fiscal years 2004, 2005, and 2006 [30 TEX. ADMIN. CODE § 337.14(c) and TEX. WATER CODE § 5.702].	**Total Assessed:** $1,185 **Total Deferred:** $237 _X_ Expedited Settlement __ Financial Inability to Pay **SEP Conditional Offset:** $0 **Total Paid (Due) to General Revenue:** $148 (remaining $800 due in 8 monthly payments of $100 each) **Site Compliance History Classification:** __High __Avg. __Poor **Person Compliance History Classification:** __High __Avg. __Poor **Major Source:** __ Yes _X_ No **Applicable Penalty Policy:** September 2002	**Ordering Provisions:** The Order will require the Respondents to: a. Within 15 days after the effective date of this Agreed Order, complete and submit the required drycleaner and/or drop station registration form for the Facility; b. Within 30 days after the effective date of this Agreed Order, submit payment for all outstanding fees, including any associated penalties and interest; and c. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision a. and b.

Attachment: Site Compliance History

Penalty Calculation Worksheet (PCW)

TCEQ

Policy Revision 2 (September 2002) *PCW Revision May 19, 2005*

DATES					
Assigned	14-Aug-2006				
PCW	17-Aug-2006	Screening	18-Aug-2006	EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry		
Reg. Ent. Ref. No.	RN104247861		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor Source

CASE INFORMATION

Enf./Case ID No.	30853	No. of Violations	2
Docket No.	2006-1356-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	J. Craig Fleming
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: No change due to no previous compliance history.

Culpability No 0% Enhancement *Subtotal 4* $0

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction *Subtotal 5* $0

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

Notes: The respondents do not meet the good faith criteria.

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

**Capped at the Total EB $ Amount*

Total EB Amounts	$18
Approx. Cost of Compliance	$250

SUM OF SUBTOTALS 1-7 Final Subtotal $1,185

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 $1,185

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty $1,185

DEFERRAL 20% Reduction Adjustment -$237

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY $948

Screening Date 18-Aug-2006 **Docket No.** 2006-1356-DCL-E **PCW**

Respondent Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry

Case ID No. 30853 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN104247861

Media [Statute] Drycleaner

Enf. Coordinator J. Craig Fleming

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 *(number of NOVs meeting criteria)*	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability *(number of orders meeting criteria)*	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 *(number of judgements or consent decrees meeting criteria)*	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 *(number of counts)*	0	0%
Emissions	Chronic excessive emissions events (number of events)	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 *(number of audits for which notices were*	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 *(number of audits for which violations were disclosed)*	0	0%
		Please Enter Yes or No	
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)

No

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 change due to no previous compliance history.

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

PCW

PCW Revision May 19, 2005

Screening Date	18-Aug-2006
Docket No.	2006-1356-DCL-E
Respondent	Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry
Case ID No.	30853
Reg. Ent. Reference No.	RN104247861
Media [Statute]	Drycleaner
Enf. Coordinator	J. Craig Fleming
Violation Number	1
Primary Rule Cite(s)	30 Tex. Admin. Code § 337.11(e)
Secondary Rule Cite(s)	Tex. Health and Safety Code § 374.102
Violation Description	The respondents failed to renew the registration by completing and submitting 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

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

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

Adjustment -$45

Base Penalty Subtotal $5

Violation Events

Number of Violation Events: 237

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

Estimated EB Amount $18

Statutory Limit Test

Violation Final Penalty Total $1,185

This violation Final Assessed Penalty (adjusted for limits) $1,185

Economic Benefit Worksheet

Respondent	Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry
Case ID No.	30853
Reg. Ent. Reference No.	RN104247861
Media [Statute]	Drycleaner
Violation No.	1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	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	30-Jan-2007	1.4	$18	n/a	$18
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 is projected to come 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: $250

TOTAL: $18

PCW

ember 2002)

PCW Revision May 19, 2005

Screening Date	18-Aug-2006
Docket No.	2006-1356-DCL-E
Respondent	Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & La
Case ID No.	30853
Reg. Ent. Reference No.	RN104247861
Media [Statute]	Drycleaner
Enf. Coordinator	J. Craig Fleming
Violation Number	2
Primary Rule Cite(s)	30 Tex. Admin. Code § 337.14(c)
Secondary Rule Cite(s)	Tex. Water Code § 5.702
Violation Description	The respondents failed to pay Dry Cleaner registration fees for TCEQ Financial Administration Account No. 24002548 and associated late fees for fiscal years 2004, 2005 and 2006.

Base Penalty $50

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent

Matrix Notes

Adjustment -$50

Base Penalty Subtotal $0

Violation Events

Number of Violation Events

mark only one use a small x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty $0

No penalty is recommended because penalty and interest will be assessed at the next billing.

Economic Benefit (EB) for this violation

Estimated EB Amount $0

Statutory Limit Test

Violation Final Penalty Total $0

This violation Final Assessed Penalty (adjusted for limits) $0

Economic Benefit Worksheet

Respondent	Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry
Case ID No.	30853
Reg. Ent. Reference No.	RN104247861
Media [Statute]	Drycleaner
Violation No.	2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost (No commas or $)	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				0.0	$0	n/a	$0
Other (as needed)				0.0	$0	n/a	$0
Notes for DELAYED costs	N/A						
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	N/A						

Approx. Cost of Compliance $0

TOTAL $0

Compliance History

Customer/Respondent/Owner-Operator:	CN602610750	Corporate Cleaners & Laundry, LLC	Classification:	Rating:
Regulated Entity:	RN104247861	CORPORATE CLEANERS & LAUNDRY	Classification:	Site Rating:

ID Number(s):

Location: 11048 SHADY TRL, DALLAS, TX, 75229

TCEQ Region: REGION 04 - DFW METROPLEX

Date Compliance History Prepared: August 17, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 17, 2001 to August 17, 2006

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

Name: J. Craig Fleming Phone: 239-5806

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 08/07/2006 (487782)

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	
CORPORATE CLEANERS &	§	**TEXAS COMMISSION ON**
LAUNDRY, LLC AND GERALD	§	
GRIMES DBA CORPORATE	§	
CLEANERS & LAUNDRY	§	
RN104247861	§	**ENVIRONMENTAL QUALITY**

AGREED ORDER
DOCKET NO. 2006-1356-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 Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry ("Corporate and Mr. Grimes") under the authority of TEX. HEALTH & SAFETY CODE ch. 374 and TEX. WATER CODE chs. 5 and 7. The Executive Director of the TCEQ, through the Enforcement Division, and Mr. Grimes appear before the Commission and together stipulate that:

1. Corporate and Mr. Grimes own and operate a dry cleaning facility at 11048 Shady Trail in Dallas, Dallas 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 Corporate and Mr. Grimes agree that the Commission has jurisdiction to enter this Agreed Order, and that Corporate and Mr. Grimes are subject to the Commission's jurisdiction.

4. Corporate and Mr. Grimes received notice of the violations alleged in Section II ("Allegations") on or about July 30, 2006.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Corporate and Mr. Grimes of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of One Thousand One Hundred Eighty-Five Dollars ($1,185) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Corporate and Mr. Grimes have paid One Hundred Forty-Eight Dollars ($148) of

the administrative penalty and Two Hundred Thirty-Seven Dollars ($237) is deferred contingent upon Corporate's and Mr. Grimes' 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 Corporate and Mr. Grimes fail to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Corporate and Mr. Grimes to pay all or part of the deferred penalty.

The remaining amount of Eight Hundred Dollars ($800) of the administrative penalty shall be payable in 8 monthly payments of One Hundred Dollars ($100) 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 Corporate and Mr. Grimes fail 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 Corporate and Mr. Grimes to meet the payment schedule of this Agreed Order constitutes the failure by Corporate and Mr. Grimes 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 Corporate and Mr. Grimes have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.

9. 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 Corporate and Mr. Grimes have not complied with one or more of the terms or conditions in this Agreed Order.

10. 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.

11. 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 owners and operators of the Facility, Corporate and Mr. Grimes are alleged to have:

1. Failed to renew the registration by completing and submitting the required registration form to the TCEQ for the Facility, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on May 23, 2006.

2. Failed to pay dry cleaner registration fees for TCEQ Financial Administration Account No. 24002548 and associated late fees for fiscal years 2004, 2005, and 2006, in violation of 30 TEX. ADMIN. CODE § 337.14(c) and TEX. WATER CODE § 5.702, as documented during a record review conducted on August 17, 2006.

III. DENIALS

Corporate and Mr. Grimes generally deny each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Corporate and Mr. Grimes pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Corporate's and Mr. Grimes' 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: Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry, Docket No. 2006-1356-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. Corporate Cleaners & Laundry, LLC and Gerald Grimes dba Corporate Cleaners & Laundry are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.

3. It is further ordered that Corporate and Mr. Grimes shall undertake the following technical requirements:

   a. Within 15 days after the effective date of this Agreed Order, complete and submit the required drycleaner and/or drop station registration form for the Facility, in accordance with 30 TEX. ADMIN. CODE ch. 337 to:

      Dry Cleaning Registration Team
      Texas Commission on Environmental Quality
      P.O. Box 13087
      Austin, Texas 78711-3087

b. Within 30 days after the effective date of this Agreed Order, submit payment for all outstanding fees, including any associated penalties and interest with the notation, "Corporate Cleaners & Laundry", Financial Administration Account No. 24002548, 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

c. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provisions 3.a. and 3.b. as described below:

The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Manager, Waste Section
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

4. The provisions of this Agreed Order shall apply to and be binding upon Corporate and Mr. Grimes. Corporate and Mr. Grimes are 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.

5. If Corporate and Mr. Grimes fail 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, Corporate's and Mr. Grimes' failure to comply is not a violation of this Agreed Order. Corporate and Mr. Grimes shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Corporate and Mr. Grimes shall notify the Executive Director within seven days after Corporate and Mr. Grimes become aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. 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 Corporate and Mr. Grimes shall be made in writing to the Executive Director. Extensions are not effective until Corporate and Mr. Grimes receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.

7. This Agreed Order, issued by the Commission, shall not be admissible against Corporate and Mr. Grimes 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.

8. 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.

9. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Corporate and Mr. Grimes, or three days after the date on which the Commission mails notice of the Order to Corporate and Mr. Grimes, 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

_____ 2/13/07
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, 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.

Gerald Grimes 11-2-06
Signature Date

Gerald Grimes Owner
Name (Printed or typed) Title
Authorized Representative of Corporate Cleaners & Laundry, LLC

Gerald Grimes Owner
Name (Printed or typed) Title
Gerald Grimes

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.