

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1009-DCL-E **TCEQ ID:** RN104957949 **CASE NO.:** 30232
RESPONDENT NAME: Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II

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: Hackberry Cleaners II, 8150 North MacArthur Boulevard, Suite 120, Irving, Dallas County

TYPE OF OPERATION: Dry cleaner 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 January 29, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Marlin Bullard, Enforcement Division, Enforcement Section IV, MC R-09, (254) 761-3038; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

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

Respondent: Mr. Akhtar Hussain, Owner, Hackberry Cleaners II, 8140 North MacArthur Boulevard, Suite 120, Irving, Texas, 75063

Mr. Ali Ruddin, Vice President, Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II, 8140 North MacArthur Boulevard, Suite 120, Irving, Texas, 75063

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: May 24, 2006</p> <p>Date of NOE Relating to this Case: June 26, 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: \$889</p> <p>Total Deferred: \$178 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$711</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 checked="" 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 Preston submitted a current registration for the Facility on May 24, 2006.</p>



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	July 5, 2006		
	PCW	July 7, 2006	Screening	July 6, 2006
			EPA Due	

RESPONDENT/FACILITY INFORMATION	
Respondent	Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II
Reg. Ent. Ref. No.	RN104957949
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	30232	No. of Violations	1
Docket No.	2006-1009-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Marlin Bullard
Multi-Media		EC's Team	Enforcement Team 8
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$1,185
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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	0% Enhancement	Subtotals 2, 3, & 7	\$0
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Notes: The respondent has no prior orders or NOVs.

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	25% Reduction	Subtotal 5	-\$296
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	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	X	
N/A		(mark with a small x)

Notes: The respondent came into compliance before the Notice of Enforcement was issued.

Economic Benefit	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$9	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$889
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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	\$889
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$889
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DEFERRAL	20% Reduction	Adjustment	-\$178
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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	\$711
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Screening Date	July 6, 2006	Docket No.	2006-1009-DCL-E	PCW
Respondent	Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II	<i>Policy Revision 2 (September 2002)</i>		
Case ID No.	30232	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN104957949			
Media [Statute]	Drycleaner			
Enf. Coordinator	Marlin Bullard			

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%
<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)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes The respondent has no prior orders or NOVs.

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

Screening Date	July 6, 2006	Docket No.	2006-1009-DCL-E	PCW
Respondent	Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II		<i>Policy Revision 2 (September 2002)</i>	
Case ID No.	30232	<i>PCW Revision May 19, 2005</i>		
Reg. Ent. Reference No.	RN104957949			
Media [Statute]	Drycleaner			
Enf. Coordinator	Marlin Bullard			
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**

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

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10%

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

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

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="\$9"/>	Violation Final Penalty Total <input type="text" value="\$889"/>
This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$889"/>	

Economic Benefit Worksheet

Respondent: Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II
 Case ID No. 30232
 Reg. Ent. Reference No. RN104957949
 Media [Statute] Drycleaner
 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
No commas or \$							

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	24-May-2006	0.7	\$9	n/a	\$9
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 [4] 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 \$9

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
PRESTON TIPTOP CLEANERS INC.
DBA HACKBERRY CLEANERS II
RN104957949**

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**BEFORE THE

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2006-1009-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 Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II ("Preston") 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 Preston appear before the Commission and together stipulate that:

1. Preston owns and operates a dry cleaner drop station at 8150 North MacArthur Boulevard, Suite 120 in Irving, 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 Preston agree that the Commission has jurisdiction to enter this Agreed Order, and that Preston is subject to the Commission's jurisdiction.
4. Preston received notice of the violations alleged in Section II ("Allegations") on or about July 1, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Preston of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Eight Hundred Eighty-Nine Dollars (\$889) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Preston has paid Seven Hundred Eleven Dollars (\$711) of the administrative penalty and One Hundred Seventy-Eight Dollars (\$178) is deferred contingent upon Preston's 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 Preston fails to timely and satisfactorily comply with all

- requirements of this Agreed Order, the Executive Director may require Preston 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 Preston 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 Preston submitted a current registration for the Facility on May 24, 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 Preston 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, Preston 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 May 24, 2006.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Preston pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Preston'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

QUESTION 1

1.1.1. The following table shows the number of people who visited the museum in each month.

1.1.2. Calculate the mean number of people who visited the museum in each month.

1.1.3. Calculate the standard deviation of the number of people who visited the museum in each month.

1.1.4. Calculate the variance of the number of people who visited the museum in each month.

1.1.5. Calculate the coefficient of variation of the number of people who visited the museum in each month.

1.1.6. Calculate the range of the number of people who visited the museum in each month.

1.1.7. Calculate the interquartile range of the number of people who visited the museum in each month.

1.1.8. Calculate the median number of people who visited the museum in each month.

1.1.9. Calculate the mode number of people who visited the museum in each month.

1.1.10. Calculate the skewness of the number of people who visited the museum in each month.

1.1.11. Calculate the kurtosis of the number of people who visited the museum in each month.

1.1.12. Calculate the coefficient of skewness of the number of people who visited the museum in each month.

1.1.13. Calculate the coefficient of kurtosis of the number of people who visited the museum in each month.

1.1.14. Calculate the coefficient of variation of the number of people who visited the museum in each month.

1.1.15. Calculate the coefficient of skewness of the number of people who visited the museum in each month.

1.1.16. Calculate the coefficient of kurtosis of the number of people who visited the museum in each month.

1.1.17. Calculate the coefficient of variation of the number of people who visited the museum in each month.

payable to "TCEQ" and shall be sent with the notation "Re: Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II, Docket No. 2006-1009-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 Preston. Preston 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. This Agreed Order, issued by the Commission, shall not be admissible against Preston 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), the effective date is the date of hand-delivery of the Order to Preston, or three days after the date on which the Commission mails notice of the Order to Preston, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

The first part of the document discusses the importance of maintaining accurate records of all transactions.

It is essential to ensure that all data is entered correctly and that the system is regularly updated.

The second part of the document outlines the various methods used to collect and analyze data.

These methods include surveys, interviews, and focus groups, each with its own strengths and limitations.

The final part of the document provides a summary of the findings and offers recommendations for future research.

Overall, the document provides a comprehensive overview of the research process and the results of the study.

Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II
DOCKET NO. 2006-1009-DCL-E
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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

2/8/07

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 

9-28-06

Date

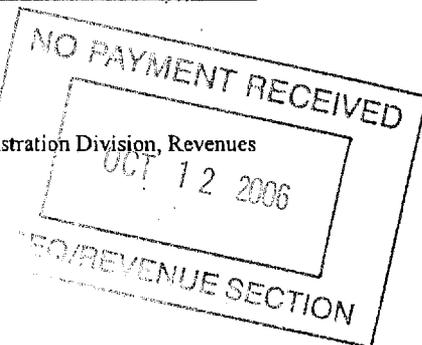
ALICE WISIN

Name (Printed or typed)
Authorized Representative of
Preston Tiptop Cleaners Inc. dba Hackberry Cleaners II

V. President

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.



10/10/2014

10/10/2014

10/10/2014

Handwritten notes and text, including a date '10/10/2014' and several lines of illegible handwriting.



Handwritten notes and text, including a date '10/10/2014' and several lines of illegible handwriting.