

## EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-1209-DCL-E TCEQ ID: RN104087283 and RN104087291 CASE NO.: 30692

RESPONDENT NAME: Seymour Inn dba Kingwood Cleaners

### 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:** Kingwood Cleaners, 3048 Northpark Drive ("Facility 1") and 4369 Kingwood Drive ("Facility 2"), Humble, Harris County

**TYPE OF OPERATION:** Active dry cleaning facilities

**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 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:** Ms. Neadra Richard, Houston Regional Office, MC R-12, (713) 767-3500

**Respondent:** Mr. Seymour Inn, Owner, Kingwood Cleaners, 3048 Northpark Drive, Humble, Texas 77339-5123

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

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b> <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b> None</p> <p><b>Dates of Investigations Relating to this Case:</b> May 24, and 25, 2006</p> <p><b>Dates of NOEs Relating to this Case:</b> July 28 and August 26, 2006 (NOE)</p> <p><b>Background Facts:</b> These were routine investigations. Two violations were documented.</p> <p><b>WASTE</b></p> <p>1) Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 1 [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p> <p>2) Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 2 [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p>	<p><b>Total Assessed:</b> \$1,778</p> <p><b>Total Deferred:</b> \$356  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid (Due) to General Revenue:</b> \$122 (remaining \$1,300 due in 13 monthly payments of \$100 each)</p> <p><b>Site Compliance History Classification:</b> <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification:</b> <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Corrective Actions Taken:</b></p> <p>The Executive Director recognizes that Mr. Inn registered the Facilities on July 3, 2006.</p>

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

**TCEQ**

**DATES** Assigned August 1, 2006  
 PCW August 8, 2006 Screening 09-Aug-2006 EPA Due

**RESPONDENT/FACILITY INFORMATION**

Respondent Seymore Inn dba Kingwood Cleaners  
 Reg. Ent. Ref. No. RN104087283  
 Facility/Site Region 12-Houston Major/Minor Source Minor Source

**CASE INFORMATION**

Enf./Case ID No. 30692 No. of Violations 1  
 Docket No. 2006-1209-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 enhancement is recommended because there have been no enforcement actions in 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** 25% Reduction Subtotal 5 \$296

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

Notes The respondent came into compliance on July 3, 2006 before the Notice of Enforcement was issued.

**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 \$889

**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** \$889

**STATUTORY LIMIT ADJUSTMENT** Final Assessed Penalty \$889

**DEFERRAL** 20% Reduction Adjustment -\$178

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

<b>Screening Date</b>	09-Aug-2006	<b>Docket No.</b>	2006-1209-DCL-E	<b>PCW</b>
<b>Respondent</b>	Seymore Inn dba Kingwood Cleaners		Policy Revision 2 (September 2002)	
<b>Case ID No.</b>	30692	PCW Revision May 19, 2005		
<b>Reg. Ent. Reference No.</b>	RN104087283			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	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%
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%

Please Enter Yes or No

**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 enhancement is recommended because there have been no enforcement actions in the past five years.

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

<b>Screening Date</b>	09-Aug-2006	<b>Docket No.</b>	2006-1209-DCL-E	<b>PCW</b>
<b>Respondent</b>	Seymore Inn dba Kingwood Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30692			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN104087283			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	J. Craig Fleming			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	30 Tex. Admin. Code § 337.11(e)			
<b>Secondary Rule Cite(s)</b>	Tex. Health & Safety Code § 374.102			
<b>Violation Description</b>	The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility.			
	<b>Base Penalty</b>			\$50

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

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

>> **Programmatic Matrix**

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

Matrix Notes

**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

**Violation Base Penalty**

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$10"/>	Violation Final Penalty Total <input type="text" value="\$889"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$889"/>	

### Economic Benefit Worksheet

Respondent Seymore Inn dba Kingwood Cleaners  
 Case ID No. 30692  
 Reg. Ent. Reference No. RN104087283  
 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
<b>Delayed Costs</b>							
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	03-Jul-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.

Item Description	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)	Yrs.	Interest Saved	Onetime Costs	EB Amount
<b>Avoided Costs</b>					
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

Approx. Cost of Compliance \$250 **TOTAL** \$10

# Compliance History

Customer/Respondent/Owner-Operator: CN602524589 Fong Inn Enterprise, LLC Classification: Rating:  
Regulated Entity: RN104087283 KINGWOOD CLEANERS Classification: Site Rating: 3.01  
ID Number(s): INDUSTRIAL AND HAZARDOUS WASTE EPA ID AVERAGE BY, TXR000073528  
Location: 3048 NORTH PARK DR, HUMBLE, TX, 77339 Rating Date: September 01 05 Repeat  
Violator: NO

TCEQ Region: REGION 12 - HOUSTON  
Date Compliance History Prepared: August 14, 2006  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: August 14, 2001 to August 14, 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? Yes
3. If Yes, who is the current owner? Fong Inn Enterprises, LLC
4. If Yes, who was/were the prior owner(s)? Seymour Inn
5. When did the change(s) in ownership occur? 7/13/2006

## 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 07/28/2006 (482732)
  - 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

# Introduction

The purpose of this document is to provide a comprehensive overview of the project's objectives, scope, and the methodology used to achieve the desired outcomes. This document is intended for the project team and stakeholders.

The project aims to develop a robust system that can handle complex data processing tasks efficiently. The scope of the project includes the design, development, testing, and deployment of the system. The methodology used is a combination of agile development and traditional software engineering practices.

The project is divided into several phases: requirements gathering, system design, development, testing, and deployment. Each phase has specific deliverables and milestones. The project team is committed to maintaining high standards of quality and transparency throughout the process.

## Project Objectives

The primary objective of the project is to create a system that meets the following requirements:

- High performance and scalability.
- Robust security and data protection.
- User-friendly interface and ease of integration.
- Compliance with industry standards and regulations.

Secondary objectives include ensuring the system is maintainable and adaptable to future changes. The project team will regularly communicate progress and any challenges to the stakeholders.

The project is expected to be completed within the specified timeline and budget. The team will use a variety of tools and technologies to ensure the highest quality of the final product.

The project team consists of experienced professionals in software development, testing, and project management. The team is dedicated to delivering a successful project that meets all the project's goals.

The project will be managed using a structured approach that includes regular meetings, clear communication, and a focus on continuous improvement. The project team will ensure that all project activities are documented and tracked.

The project is a significant undertaking, and the team is confident in its ability to deliver a high-quality solution. The project will be a valuable asset to the organization and its stakeholders.



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision May 19, 2005

<b>DATES</b>	<b>Assigned</b>	05-Sep-2006	<b>Screening</b>	08-Sep-2006	<b>EPA Due</b>	
	<b>PCW</b>	09-Sep-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Seymore Inn dba Kingwood Cleaners
<b>Reg. Ent. Ref. No.</b>	RN104087291
<b>Facility/Site Region</b>	12-Houston
<b>Major/Minor Source</b>	Minor Source

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	30692	<b>No. of Violations</b>	1
<b>Docket No.</b>	2006-1209-DCL-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Drycleaner	<b>Enf. Coordinator</b>	J. Craig Fleming
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 4
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$50

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$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.

<b>Compliance History</b>	0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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**Notes** No enhancement is recommended because there have been no enforcement actions in the past five years.

<b>Culpability</b>	No	0% Enhancement	<b>Subtotal 4</b>	\$0
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**Notes** The respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply</b>	25% Reduction	<b>Subtotal 5</b>	-\$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 on July 3, 2006 before the Notice of Enforcement was issued.

<b>Economic Benefit</b>	0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$10	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$889
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>		<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

**Notes**

<b>Final Penalty Amount</b>	\$889
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$889
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<b>DEFERRAL</b>	20% Reduction	<b>Adjustment</b>	-\$178
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Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

**Notes** Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$711
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<b>Screening Date</b>	08-Sep-2006	<b>Docket No.</b>	2006-1209-DCL-E	<b>PCW</b>
<b>Respondent</b>	Seymore Inn dba Kingwood Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30692			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN104087291			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	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 ( <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 (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 ( <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)**

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

**Adjustment Percentage (Subtotal 3)**

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

**Adjustment Percentage (Subtotal 7)**

>> **Compliance History Summary**

**Compliance History Notes**

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

<b>Screening Date</b>	08-Sep-2006	<b>Docket No.</b>	2006-1209-DCL-E	<b>PCW</b>
<b>Respondent</b>	Seymore Inn dba Kingwood Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30692			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN104087291			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	J. Craig Fleming			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	30 Tex. Admin. Code § 337.11(e)			
<b>Secondary Rule Cite(s)</b>	Tex. Health & Safety Code § 374.102			
<b>Violation Description</b>	The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility.			
<b>Base Penalty</b>	\$50			

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
			X			Percent <input type="text" value="10%"/>
<b>Matrix Notes</b>	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	X
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

**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.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
<b>Estimated EB Amount</b> <input type="text" value="\$10"/>	<b>Violation Final Penalty Total</b> <input type="text" value="\$889"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$889"/>	

### Economic Benefit Worksheet

Respondent: Seymore Inn dba Kingwood Cleaners  
 Case ID No: 30692  
 Reg. Ent. Reference No: RN104087291  
 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
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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	\$250	01-Sep-2005	03-Jul-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: **\$250**      **TOTAL** **\$10**

# Compliance History

Customer/Respondent/Owner-Operator: CN602524589 Fong Inn Enterprise, LLC Classification: Rating:  
Regulated Entity: RN104087291 KINGWOOD CLEANERS Classification: Site Rating:

ID Number(s): INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000073791  
GENERATION  
Location: 4369 KINGWOOD DR, HUMBLE, TX, 77339

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: September 18, 2006

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 14, 2001 to August 14, 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? Yes
3. If Yes, who is the current owner? Fong Inn Enterprises, LLC
4. If Yes, who was/were the prior owner(s)?  
Seymour Inn
5. When did the change(s) in ownership occur? 7/13/2006

## 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.)  
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  
ENFORCEMENT ACTION  
CONCERNING  
SEYMOUR INN DBA KINGWOOD  
CLEANERS  
RN104087283 AND RN104087291**

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§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2006-1209-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 Seymour Inn dba Kingwood Cleaners ("Mr. Inn") 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 Mr. Inn appear before the Commission and together stipulate that:

1. Mr. Inn owns and operates active dry cleaning facilities at the following locations (the "Facilities"):
  - a. Kingwood Cleaners, 3048 Northpark Drive, in Humble, Harris County, Texas (the "Facility 1"); and
  - b. Kingwood Cleaners, 4369 Kingwood Drive, in Humble, Harris County, Texas (the "Facility 2").
2. The TCEQ has general authority to regulate the Facility pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
3. The Commission and Mr. Inn agree that the Commission has jurisdiction to enter this Agreed Order, and that Mr. Inn is subject to the Commission's jurisdiction.
4. Mr. Inn received notice of the violations alleged in Section II ("Allegations") on or about August 2, and August 31, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Mr. Inn of any violation alleged in Section II ("Allegations"), nor of any statute or rule.



6. An administrative penalty in the amount of One Thousand Seven Hundred Seventy-Eight Dollars (\$1,778) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Mr. Inn has paid One Hundred Twenty-Two Dollars (\$122) of the administrative penalty and Three Hundred Fifty-Six Dollars (\$356) is deferred contingent upon Mr. Inn'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 Mr. Inn fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Mr. Inn to pay all or part of the deferred penalty.

The remaining amount of One Thousand Three Hundred Dollars (\$1,300) of the administrative penalty shall be payable in 13 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 Mr. Inn 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 Mr. Inn to meet the payment schedule of this Agreed Order constitutes the failure by Mr. Inn Ent 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 Mr. Inn 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 Mr. Inn registered the Facilities on July 3, 2006.
10. 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 Mr. Inn 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.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document outlines the various methods and systems that can be used to ensure the accuracy and reliability of financial records.

In addition, the document provides a detailed overview of the different types of financial statements that are commonly used in business. It explains the purpose and content of each statement, including the balance sheet, income statement, and cash flow statement. The document also discusses the importance of reconciling these statements and ensuring that they are consistent and accurate.

The document further explores the role of internal controls in maintaining accurate records and preventing fraud. It discusses the various types of internal controls that can be implemented, such as segregation of duties, authorization procedures, and regular audits.

Finally, the document provides a summary of the key points discussed and offers some practical advice on how to implement the principles and practices outlined in the document. It emphasizes that maintaining accurate records is an ongoing process that requires attention and care.

The document concludes by reiterating the importance of accurate record-keeping and the role of internal controls in ensuring the integrity of financial information. It encourages businesses to take the time and effort to implement the best practices discussed in the document, as this will ultimately lead to greater success and financial stability.

The document is intended to provide a comprehensive guide for businesses of all sizes and industries. It is hoped that the information provided will be helpful and informative, and that it will contribute to the overall success and growth of the business.

The document is a confidential document and its contents should not be disclosed to any third party without the express written consent of the author. It is intended for the use of the business and its management only.

## II. ALLEGATIONS

As owner and operator of the Facilities, Mr. Inn is alleged to have:

1. Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 1, 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 25, 2006.
2. Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 2, 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 24, 2006.

## III. DENIALS

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

## IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Mr. Inn pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Mr. Inn's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Mr. Seymore Inn dba Kingwood Cleaners, Docket No. 2006-1209-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 Mr. Inn. Mr. Inn is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
3. If Mr. Inn 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, Mr. Inn's failure to comply is not a violation of this Agreed Order. Mr. Inn shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Mr. Inn shall notify the Executive Director within seven days after Mr. Inn becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

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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 Mr. Inn shall be made in writing to the Executive Director. Extensions are not effective until Mr. Inn 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 Mr. Inn in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
6. This 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 Mr. Inn, or three days after the date on which the Commission mails notice of the Order to Mr. Inn, 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 emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The text also mentions the need for regular audits and the role of independent auditors in ensuring the reliability of financial statements.

In addition, the document highlights the significance of transparency and accountability in financial reporting. It states that stakeholders, including investors and the public, have a right to know how their money is being managed and to have confidence in the information provided. This requires a commitment to high standards of ethical conduct and a willingness to face scrutiny.

The document also addresses the challenges faced by organizations in implementing effective internal controls. It notes that while these controls are crucial for risk management and operational efficiency, they can be complex and costly to maintain. Therefore, it is important to strike a balance between the benefits of strong controls and the practical constraints of the organization.

Finally, the document concludes by reiterating the central theme of the importance of trust in financial markets. It argues that trust is the foundation upon which all financial activity is built, and that it can only be maintained through consistent adherence to the principles of honesty, integrity, and transparency. The document ends with a call to action for all participants in the financial system to uphold these values and to work together to create a more robust and resilient financial environment.

Seymour Inn dba Kingwood Cleaners  
DOCKET NO. 2006-1209-DCL-E  
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**SIGNATURE PAGE**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



2/8/07  
Date

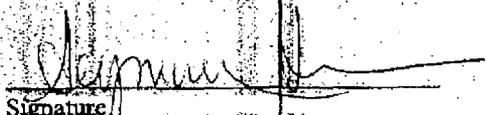
For the Executive Director

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

Feb 2 2007  
Date

SEYMOUR INN  
Name (Printed or typed)  
Authorized Representative of  
Seymour Inn dba Kingwood Cleaners

OWNER  
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.

10/10/2010

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