

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-1424-DCL-E TCEQ ID: RN104102587 and RN103996351 CASE NO.: 30946

RESPONDENT NAME: Navico Corp dba Dixie Cleaners and dba Hi Tech 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: Dixie Cleaners, 3108 Dixie Farm Road, Suite 102, Pearland, Brazoria County ("Facility 1") and Hi Tech Cleaners, 6203 Stewart Beach Road, Galveston, Galveston County ("Facility 2")

TYPE OF OPERATION: Dry cleaning and/or drop station facility

SMALL BUSINESS: Yes No

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

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

TCEQ Field Investigator: Mr. Robert Brock, Houston Regional Office, MC R-12, (713) 767-3500

Respondent: Mr. Don Nguyen, President/Registered Agent, Navico Corp dba Dixie Cleaners and dba Hi Tech Cleaners, 2128 Lofting Wedge Drive, Houston, Texas 77089

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 checked="" type="checkbox"/> Records Review.</p> <p>Date of Complaint Relating to this Case: None</p> <p>Dates of Investigations Relating to this Case: May 23, May 24 and August 30, 2006</p> <p>Dates of NOEs Relating to this Case: August 15 and August 17, 2006 (NOEs)</p> <p>Background Facts: These were routine investigations. Three violations were documented.</p> <p>WASTE</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 & 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 & SAFETY CODE § 374.102].</p> <p>3) Failed to pay Dry Cleaner registration fees for TCEQ Financial Administration Account No. 24001220 for fiscal years 2005 and 2006 [30 TEX. ADMIN CODE § 337.14(c) and TEX. WATER CODE § 5.702].</p> | <p>Total Assessed: \$2,370</p> <p>Total Deferred: \$474 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$158 (remaining \$1,738 due in 11 monthly payments of \$158 each)</p> <p>CN602483232, RN103996351 Site Compliance History Classification: <input checked="" 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>CN602483232, RN104102587 Site Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>CN602483232, RN103996351, RN104102587 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>1) The Executive Director recognizes that Navico Corp renewed the drycleaner registration for both Facilities on or about July 14, 2006.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, submit payment for all outstanding fees, including any associated penalties and interest; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a.</p> |



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

| | | | | | |
|--------------|----------|-------------|-----------|-------------|---------|
| DATES | Assigned | 21-Aug-2006 | | | |
| | PCW | 23-Aug-2006 | Screening | 23-Aug-2006 | EPA Due |

| | | | | | |
|--|----------------------------------|--------------------|--------------|--|--|
| RESPONDENT/FACILITY INFORMATION | | | | | |
| Respondent | Navico Corp dba Hi Tech Cleaners | | | | |
| Reg. Ent. Ref. No. | RN103996351 | | | | |
| Facility/Site Region | 12-Houston | Major/Minor Source | Minor Source | | |

| | | | | | |
|---------------------------------|-----------------|-------------------|--------------------|--|--|
| CASE INFORMATION | | | | | |
| Enf./Case ID No. | 30946 | No. of Violations | 1 | | |
| Docket No. | 2006-1424-DCL-E | Order Type | 1660 | | |
| Media Program(s) | Drycleaner | Enf. Coordinator | Suzanne Walrath | | |
| 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: The respondent does not have any other enforcement actions within the last five years.

| | | | | |
|--------------------|----|----------------|------------|-----|
| 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 respondent does not meet the good faith criteria.

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

| | | |
|----------------------------|-------|-----------------------------------|
| Total EB Amounts | \$11 | *Capped at the Total EB \$ Amount |
| 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 | 23-Aug-2006 | Docket No. | 2006-1424-DCL-E | PCW |
| Respondent | Navico Corp dba HI Tech Cleaners | | | <i>Policy Revision 2 (September 2002)</i> |
| Case ID No. | 30946 | | | <i>PCW Revision May 19, 2005</i> |
| Reg. Ent. Reference No. | RN103996351 | | | |
| Media [Statute] | Drycleaner | | | |
| Enf. Coordinator | Suzanne Walrath | | | |

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% |
| 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 does not have any other enforcement actions within the last five years.

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

| | | | | |
|--------------------------------|---|---------------------------|------------------------------------|------------|
| Screening Date | 23-Aug-2006 | Docket No. | 2006-1424-DCL-E | PCW |
| Respondent | Navico Corp dba Hi Tech Cleaners | | Policy Revision 2 (September 2002) | |
| Case ID No. | 30946 | PCW Revision May 19, 2005 | | |
| Reg. Ent. Reference No. | RN103996351 | | | |
| Media [Statute] | Drycleaner | | | |
| Enf. Coordinator | Suzanne Walrath | | | |
| Violation Number | 1 | | | |
| Primary Rule Cite(s) | 30 Tex. Admin. Code § 337.11(e) | | | |
| Secondary Rule Cite(s) | Tex. Health & Safety Code § 374.102 | | | |
| Violation Description | 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. | | | |
| Base Penalty | | | \$50 | |

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

| Release | Harm | | | Percent |
|-----------|-------|----------|-------|---------|
| | Major | Moderate | Minor | |
| Actual | | | | |
| Potential | | | | |

OR

>> **Programmatic Matrix**

| Falsification | Major | Moderate | Minor | Percent |
|---------------|-------|----------|-------|---------|
| | X | | | 10% |

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

Adjustment -\$45

Base Penalty Subtotal \$5

Violation Events

Number of Violation Events: 237

| | |
|--------------|---|
| daily | X |
| monthly | |
| quarterly | |
| semiannual | |
| annual | |
| single event | |

mark only one use a small x

Violation Base Penalty \$1,185

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

| | |
|---|---------------------------------------|
| Economic Benefit (EB) for this violation | Statutory Limit Test |
| Estimated EB Amount \$11 | Violation Final Penalty Total \$1,185 |
| This violation Final Assessed Penalty (adjusted for limits) \$1,185 | |

Economic Benefit Worksheet

Respondent: Navico Corp dba HI Tech Cleaners
 Case ID No. 30946
 Reg. Ent. Reference No. RN103996351
 Media [Statute] Drycleaner
 Violation No. 1

| | |
|------------------|-----------------------|
| Percent Interest | Years of Depreciation |
| 5.0 | 15 |

| Item Description | Item Cost <small>No commas or \$</small> | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
|------------------|---|---------------|------------|-----|----------------|---------------|-----------|
|------------------|---|---------------|------------|-----|----------------|---------------|-----------|

| Delayed Costs | | | | | | | |
|--------------------------|-------|-------------|-------------|-----|------|-----|------|
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | n/a | \$0 |
| Permit Costs | \$250 | 01-Sep-2005 | 14-Jul-2006 | 0.9 | \$11 | n/a | \$11 |
| 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 submitted the dry cleaning registration form.

| 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 \$11

Compliance History

| | | | |
|---|--|-------------------------|---------------------|
| Customer/Respondent/Owner-Operator: | CN602483232 Navico Corp | Classification: AVERAGE | Rating: 1.50 |
| Regulated Entity: | RN103996351 HI TECH CLEANERS | Classification: HIGH | Site Rating: 0.00 |
| ID Number(s): | INDUSTRIAL AND HAZARDOUS WASTE GENERATION | EPA ID | TXR000072744 |
| Location: | 6203 STEWART RD, GALVESTON, TX, 77551 | Rating Date: 9/1/2006 | Repeat Violator: NO |
| TCEQ Region: | REGION 12 - HOUSTON | | |
| Date Compliance History Prepared: | December 11, 2006 | | |
| Agency Decision Requiring Compliance History: | Enforcement | | |
| Compliance Period: | August 23, 2001 to August 23, 2006 | | |

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

Name: Libby Hogue Phone: 512-239-1165

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
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 08/17/2006 (485870)
 - 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

Mathematical Analysis

The first part of the course deals with the theory of functions of a real variable. It begins with the definition of a function and its properties, such as continuity and differentiability. The concept of a limit is introduced, and the epsilon-delta definition is used to prove theorems about limits. The derivative is defined as the limit of the difference quotient, and the rules of differentiation are derived. The integral is defined as the limit of a Riemann sum, and the Fundamental Theorem of Calculus is proved. The course also covers the theory of series, including the convergence of sequences and series of numbers and functions.

The second part of the course deals with the theory of functions of a complex variable. It begins with the definition of a complex function and its properties, such as analyticity and conformality. The Cauchy-Riemann equations are derived, and the Cauchy integral formula is proved. The theory of residues is introduced, and the residue theorem is used to evaluate real integrals. The course also covers the theory of conformal mappings and the theory of Riemann surfaces.

The third part of the course deals with the theory of differential equations. It begins with the theory of ordinary differential equations, including the existence and uniqueness theorems and the method of variation of parameters. The theory of partial differential equations is also covered, including the method of separation of variables and the theory of harmonic functions. The course also covers the theory of integral equations and the theory of matrix differential equations.

The fourth part of the course deals with the theory of optimization. It begins with the theory of linear programming, including the simplex method and the duality theorem. The theory of nonlinear programming is also covered, including the Karush-Kuhn-Tucker conditions and the method of Lagrange multipliers. The course also covers the theory of dynamic programming and the theory of game theory.



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision May 19, 2005

| | | | | | | |
|--------------|----------|-------------|-----------|-------------|---------|--|
| DATES | Assigned | 19-Aug-2006 | Screening | 23-Aug-2006 | EPA Due | |
| | PCW | 31-Aug-2006 | | | | |

| RESPONDENT/FACILITY INFORMATION | |
|---------------------------------|--------------------------------|
| Respondent | Navico Corp dba Dixie Cleaners |
| Reg. Ent. Ref. No. | RN104102587 |
| Facility/Site Region | 12 - Houston |
| Major/Minor Source | Minor Source |

| CASE INFORMATION | | | |
|---------------------------------|-----------------|-------------------|--------------------|
| Enf./Case ID No. | 30946 | No. of Violations | 2 |
| Docket No. | 2006-1424-DCL-E | Order Type | 1660 |
| Media Program(s) | Drycleaner | Enf. Coordinator | Suzanne Walrath |
| 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: The respondent does not have any other enforcement actions within the last five years.

| | | | | |
|--------------------|----|----------------|-------------------|------------|
| 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 respondent does not meet the good faith criteria.

| | | | |
|-------------------------|----------------|-------------------|------------|
| Economic Benefit | 0% Enhancement | Subtotal 6 | \$0 |
|-------------------------|----------------|-------------------|------------|

| | | |
|----------------------------|-------|-----------------------------------|
| Total EB Amounts | \$11 | *Capped at the Total EB \$ Amount |
| 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 indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

| | |
|------------------------|--------------|
| PAYABLE PENALTY | \$948 |
|------------------------|--------------|

| | | | | |
|--------------------------------|--------------------------------|---------------------------|------------------------------------|------------|
| Screening Date | 23-Aug-2006 | Docket No. | 2006-1424-DCL-E | PCW |
| Respondent | Navico Corp dba Dixie Cleaners | | Policy Revision 2 (September 2002) | |
| Case ID No. | 30946 | PCW Revision May 19, 2005 | | |
| Reg. Ent. Reference No. | RN104102587 | | | |
| Media [Statute] | Drycleaner | | | |
| Enf. Coordinator | Suzanne Walrath | | | |

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 disclosed) | 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% |

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 The respondent does not have any other enforcement actions within the last five years.

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

| | | | | |
|--------------------------------|--|-------------------|-----------------|---|
| Screening Date | 23-Aug-2006 | Docket No. | 2006-1424-DCL-E | PCW |
| Respondent | Navico Corp dba Dixie Cleaners | | | <i>Policy Revision 2 (September 2002)</i> |
| Case ID No. | 30946 | | | <i>PCW Revision May 19, 2005</i> |
| Reg. Ent. Reference No. | RN104102587 | | | |
| Media [Statute] | Drycleaner | | | |
| Enf. Coordinator | Suzanne Walrath | | | |
| 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 respondent 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 | Harm | | | | Percent <input type="text"/> |
| | Release | Major | Moderate | Minor | |
| | Actual | <input type="text"/> | <input type="text"/> | <input type="text"/> | |
| Potential | <input type="text"/> | <input type="text"/> | <input type="text"/> | | |

>> **Programmatic Matrix**

| | | | | | |
|--|----------------------|-------------------------------------|----------------------|----------------------|------------------------------|
| | Falsification | Major | Moderate | Minor | Percent <input type="text"/> |
| | <input type="text"/> | <input checked="" type="checkbox"/> | <input type="text"/> | <input type="text"/> | |

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 | <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="\$11"/> | Violation Final Penalty Total <input type="text" value="\$1,185"/> |
| This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$1,185"/> | |

Economic Benefit Worksheet

Respondent Navico Corp dba Dixie Cleaners
 Case ID No. 30946
 Reg. Ent. Reference No. RN104102587
 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 |
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|---------------|-----------|

| Delayed Costs | | | | | | | |
|--------------------------|-------|-------------|-------------|-----|------|-----|------|
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | n/a | \$0 |
| Permit Costs | \$250 | 01-Sep-2005 | 14-Jul-2006 | 0.9 | \$11 | n/a | \$11 |
| 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 submitted the dry cleaning registration form.

| 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 \$11

| | | | | |
|--------------------------------|--|-------------------|-----------------|---|
| Screening Date | 23-Aug-2006 | Docket No. | 2006-1424-DCL-E | PCW |
| Respondent | Navico Corp dba Dixie Cleaners | | | <i>Policy Revision 2 (September 2002)</i> |
| Case ID No. | 30946 | | | <i>PCW Revision May 19, 2005</i> |
| Reg. Ent. Reference No. | RN104102587 | | | |
| Media [Statute] | Drycleaner | | | |
| Enf. Coordinator | Suzanne Walrath | | | |
| 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 respondent failed to pay Dry Cleaner registration fees for TCEQ Financial Administration Account No. 24001220 and associated late fees for fiscal years 2005 and 2006. | | | |
| | Base Penalty | | | \$50 |

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

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

OR

>> **Programmatic Matrix**

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

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

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

| Economic Benefit (EB) for this violation | Statutory Limit Test |
|---|--|
| Estimated EB Amount <input type="text" value="\$0"/> | Violation Final Penalty Total <input type="text" value="\$0"/> |
| This violation Final Assessed Penalty (adjusted for limits) <input type="text" value="\$0"/> | |

Economic Benefit Worksheet

Respondent Navico Corp dba Dixie Cleaners
 Case ID No. 30946
 Reg. Ent. Reference No. RN104102587
 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

TOTAL

Compliance History

Customer/Respondent/Owner-Operator: CN602483232 Navico Corp Classification: Rating:
Regulated Entity: RN104102587 DIXIE CLEANERS Classification: Site Rating:

ID Number(s):
Location: 3108 DIXIE FARM RD STE 102, PEARLAND, TX, 77581

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: February 07, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: August 30, 2001 to August 30, 2006

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

Name: S. Walrath Phone: 512-239-2134

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 08/15/2006 (487494)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- 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
NAVICO CORP DBA DIXIE
CLEANERS AND DBA HI TECH
CLEANERS
RN104102587 AND RN103996351

§
§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-1424-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 Navico Corp dba Dixie Cleaners and dba Hi Tech Cleaners ("Navico Corp") under the authority of TEX. HEALTH & SAFETY CODE ch. 374, TEX. WATER CODE chs. 5 and 7. The Executive Director of the TCEQ, through the Enforcement Division, and Navico Corp appear before the Commission and together stipulate that:

1. Navico Corp owns and operates either a dry cleaning and/or drop station facility at the following locations (the "Facilities")
 - a. Dixie Cleaners, 3108 Dixie Farm Road, Suite 102, in Pearland, Brazoria County, Texas ("Facility 1").
 - b. Hi Tech Cleaners, 6203 Stewart Road in Galveston, Galveston County, Texas ("Facility 2").
2. The TCEQ has general authority to regulate the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
3. The Commission and Navico Corp agree that the Commission has jurisdiction to enter this Agreed Order, and that Navico Corp is subject to the Commission's jurisdiction.
4. Navico Corp received notices of the violations alleged in Section II ("Allegations") on or about August 20, 2006 and August 22, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Navico Corp of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of Two Thousand Three Hundred Seventy Dollars (\$2,370) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Navico Corp has paid One Hundred Fifty-Eight Dollars (\$158) of the administrative penalty and Four Hundred Seventy-Four Dollars (\$474) is deferred contingent upon Navico Corp'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 Navico Corp fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Navico Corp to pay all or part of the deferred penalty.

The remaining amount of One Thousand Seven Hundred Thirty-Eight Dollars (\$1,738) of the administrative penalty shall be payable in eleven monthly payments of One Hundred Fifty-Eight Dollars (\$158) 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 Navico Corp 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 Navico Corp to meet the payment schedule of this Agreed Order constitutes the failure by Navico Corp 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 Navico Corp 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 Navico Corp renewed the drycleaner registration for both Facilities on or about July 14, 2006.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Navico Corp 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 every entry should be supported by a valid receipt or invoice. This not only helps in tracking expenses but also ensures compliance with tax regulations. The document further outlines the steps for recording these transactions, from identifying the source to categorizing the expense correctly.

The second part of the document provides a detailed guide on how to handle receipts. It explains that receipts should be kept in a safe place and organized chronologically. It also discusses the importance of verifying the details on each receipt, such as the date, amount, and the name of the vendor. This section includes a checklist for ensuring that all necessary information is captured and recorded accurately.

The third part of the document addresses the issue of receipts that are missing or illegible. It offers practical advice on how to handle such situations, including contacting the vendor for a duplicate receipt or using alternative methods to verify the transaction. It also mentions the importance of keeping a log of such incidents for future reference.

The fourth part of the document discusses the importance of regular reconciliation. It explains that reconciling accounts regularly helps in identifying any discrepancies or errors in the records. This process involves comparing the company's records with the bank statements and ensuring that they match. The document provides a step-by-step guide on how to perform a reconciliation effectively.

The fifth and final part of the document provides a summary of the key points discussed. It reiterates the importance of accurate record-keeping, proper receipt handling, and regular reconciliation. It concludes by encouraging the reader to follow these guidelines to ensure the integrity and accuracy of their financial records.

II. ALLEGATIONS

As owner and operator of the Facilities, Navico Corp 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 23, 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.
3. Failed to pay Dry Cleaner registration fees for TCEQ Financial Administration Account No. 24001220 for fiscal years 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 30, 2006.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Navico Corp pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Navico Corp'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: Navico Corp dba Dixie Cleaners and dba Hi Tech Cleaners, Docket No. 2006-1424-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. It is further ordered that Navico Corp shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, Navico Corp shall submit payment for all outstanding fees, including any associated penalties and interest with the notation, "Navico Corp dba Dixie Cleaners and dba Hi Tech Cleaners, Financial Administration Account No. 24001220", to:

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Third line of handwritten text.

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Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

- b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a. 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
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Suite H
Houston, Texas 77023-1452

3. The provisions of this Agreed Order shall apply to and be binding upon Navico Corp. Navico Corp 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.
4. If Navico Corp 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, Navico Corp's failure to comply is not a violation of this Agreed Order. Navico Corp shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Navico Corp shall notify the Executive Director within seven days after Navico Corp

becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. 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 Navico Corp shall be made in writing to the Executive Director. Extensions are not effective until Navico Corp receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Navico Corp 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.
7. 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.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Navico Corp, or three days after the date on which the Commission mails notice of the Order to Navico Corp, 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 document also highlights the need for transparency and accountability in all financial activities.

In addition, the document outlines the various methods used to collect and analyze financial data. It describes the role of different departments in the organization and how they work together to ensure that all financial information is properly recorded and reported. The document also discusses the importance of regular audits and reviews to ensure that the financial system is operating effectively and efficiently.

Finally, the document provides a summary of the key findings and recommendations. It concludes that the current financial system is generally sound but that there are several areas where improvements can be made. The document recommends that the organization should focus on enhancing its internal controls and improving its communication and reporting processes to ensure that all financial activities are properly recorded and reported.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

3/7/07
~~10/26/06~~ 

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

10/26/06

Date

DON NBUYER

Name (Printed or typed)

PRESIDENT

Title

Authorized Representative of
Navico Corp dba Dixie Cleaners and dba Hi Tech Cleaners

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.

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Handwritten signature or name on the right side of the page.

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Second paragraph of handwritten text.

Third paragraph of handwritten text.

Fourth paragraph of handwritten text.

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