EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-1465-DCL-E **TCEQ ID:** RN105010524, RN105020051, and RN105020192

CASE NO.: 30971

RESPONDENT NAME: Deluxe Enterprises, Inc. dba Zip Cleaners

ORDER TYPE:			
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	_AMENDED ORDER	_IMMINENT AND SUBSTANTIAL
_SHUTDOWN ORDER	FINDINGS DEFAULT ORDER	_EMERGENCY ORDER	ENDANGERMENT ORDER
CASE TYPE:			
AGRICULTURE	_AIR	INDUSTRIAL AND HAZARDOUS WASTE	MUNICIPAL SOLID WASTE
_OCCUPATIONAL CERTIFICATION	PETROLEUM STORAGE TANKS	PUBLIC WATER SUPPLY	RADIOACTIVE WASTE
MULTI-MEDIA (check all that apply)	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL	_USED OIL
USED OIL FILTER	WATER QUALITY	X_DRY CLEANER REGISTRATION	
TYPE OF OPERATION: Active dry SMALL BUSINESS: X Yes OTHER SIGNIFICANT MATTERS	No	cord of additional pending enforcement actions re	garding these facility locations.
INTERESTED PARTIES: No one of	ner than the ED and the Respondent has ex	spressed an interest in this matter.	
COMMENTS RECEIVED: The Texa	s Register comment period expired on Ma	arch 12, 2007. No comments were received.	
Enforcement Section I, (512) 2 TCEQ Field Investigator: M Respondent: Mr. Robert Y. M	ator: Ms. Shontay Wilcher, Enforcement D 239-1896 r. Jeff Kunze, Waco Regional Office, MC	a Zip Cleaners, 1801 Trimmier Road, Suite A6, k	

RESPONDENT'S NAME: Deluxe Enterprises, Inc. dba Zip Cleaners

DOCKET NO.: 2006-1465-DCL-E

VIOLATION SUMMARY CHART:

PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Total Assessed: \$3,555	Ordering Provisions
Total Deferred: \$711	The Order will require the Respondent to:
X Expedited Settlement	· ·
Financial Inability to Pay	a) Within 15 days after the effective date of this Agreed Order, complete and submit the required dry cleaner and/or drop station registration form for the Facilities; and
SEP Conditional Offset: \$0	,
Total Paid (Due) to General Revenue: \$237 (remaining \$2,607 due in 11 monthly payments of \$237 each)	b) Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision a.
Site Compliance History Classification:High _X_AvgPoor	
Person Compliance History Classification:High _X_AvgPoor	
Major Source: Yes X No	
Applicable Penalty Policy: September 2002	
	Total Assessed: \$3,555 Total Deferred: \$711 X Expedited Settlement _Financial Inability to Pay SEP Conditional Offset: \$0 Total Paid (Due) to General Revenue: \$237 (remaining \$2,607 due in 11 monthly payments of \$237 each) Site Compliance History Classification:High _X AvgPoor

Page 1 of			EnterprisesInc-ZipCleaners\20	006-1465-PCW.wb3
		nalty Calculation '	Worksheet (PCW)	BOW B
Policy Revision 2 (S	September 2002)			PCW Revision May 19, 2005
DATES Assigned 2	28-Aug-2006			
	01-Nov-2006	Screening 28-Aug-2006	EPA Due	
RESPONDENT/FACILI	TY INFORMAT	ION		
Respondent 🛚	Deluxe Cleaners	Inc. dba Zip Cleaners	CONTRACTOR CONTRACTOR OF THE PROPERTY OF THE P	
Reg. Ent. Ref. No.		Looking (sel. common Looking (sel. common Looking (sel. common	Major/Minor Source	Minor Source
Facility/Site Region 9	7-VV dCO		Major/Millor Source	IMILIOI SOUICE
CASE INFORMATION	10074			
Enf./Case ID No. 3	30971 2006-1465-DCL		No. of Violations Order Type	
Media Program(s)		and the second s	Enf. Coordinator	Shontay Wilcher
Multi-Media		.		Enforcement Team 7
Admin. Penalty \$ Lin	nit Minimum	\$0 Maximum	\$50	таруы құрады ұрында құрында қарады құрады құрында құрында құрында құрында құрында құрында құрында құрында құры
		Penalty Calcula	ation Section	:
0.7 0.000000000000000000000000000000000	COMMENT IN THE PROPERTY OF THE	_		
TOTAL BASE PEN	ALTY (Sum	of violation base pena	lties)	Subtotal 1 \$1,185
ADJUSTMENTS (+)	ATO SHRT	ΩΤΔΙ 1		
		g the Total Base Penalty (Subtotal 1) by the indicated percentage.	erson dan lage array ACS box (1000 for 1616). Fo
Compliance H	CONTRACTOR OF THE PROPERTY OF	PROCESSOR OF PROPERTY PROCESSOR OF STREET,		totals 2, 3, & 7 \$0
Notes		No adjustment for complia	nce history.	
L		-	-	<u>.</u>
Culpability	No	< 0%	Enhancement	Subtotal 4 \$0
Notes	120	espondent does not meet the		
INCLES	Bueate	CESTIGETH GOOS HOT HIGGI (I)C	, varpooning ontolla.	
Good Faith Eff	fort to Comply		Reduction	Subtotal 5 \$0
over murth	Andrews and the second	NOV to EDPRP/Settlement Offer	yanga arap arap garap di kabulan arab arab arab arab arab arab arab ar	
Extraordinary				
Ordinary N/A	X (mark with a small x)		
Notes			e good faith critoria	
Notes	ine re	espondent does not meet th	з good тапт оп т етта.	
Economic Ber	nefit	n%	Enhancement*	Subtotal 6 \$0
BC 15-22011-1-2	otal EB Amounts	\$18	*Capped at the Total EB \$ Amount	
Approx. Co	st of Compliance	\$250		
SUM OF SUBTOTA	AIS 1.7			Final Subtotal \$1,185
COMOL GODIOLA	171	nereessaa ja suudikkinka kalkalla kalka ja ja 1995	Harry College Color Carry Color Carry Color Carry Color Carry Color Carry Carr	
OTHER FACTORS	•• ***********************************			Adjustment \$0
Reduces or enhances the Fin	al Subtotal by the in	dicated percentage. (Enter number	only; e.g30 for -30%.)	٦
Notes				
			Final Po	enalty Amount \$1,185
STATUTORY LIMIT	TADJUSTM	ENT	Final Ass	essed Penalty \$1,185
DEFERRAL			20% Reduction	Adjustment -\$237
Control of the Contro	Penalty by the indic	ted percentage. (Enter number only		and the second s
Notes		Deferral offered for expedite	ed settlement.	

PAYABLE PENALTY

\$948

Page 2 of 4 02/28/07 H:\Agreed Orders\DeluxeEnterprisesInc-ZipCleaners\2006-1465-PCW.wb3 Screening Date 28-Aug-2006 Docket No. 2006-1465-DCL-E Respondent Deluxe Cleaners, Inc. dba Zip Cleaners Policy Revision 2 (September 2002) Case ID No. 30971 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN105010524 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher **Compliance History Worksheet** >> Compliance History Site Enhancement (Subtotal 2) Component Number of... Adjust Enter Number Here Written NOVs with same or similar violations as those in the current 0 **NOVs** enforcement action (number of NOVs meeting criteria) 0% Other written NOVs 0 Any agreed final enforcement orders containing a denial of liability o 0% (number of orders meeting criteria) Any adjudicated final enforcement orders, agreed final enforcement orders Orders without a denial of liability, or default orders of this state or the federal 0 government, or any final prohibitory emergency orders issued by the commission Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of 0 0% Judgments judgements or consent decrees meeting criteria) and Any adjudicated final court judgments and default judgments, or Consent 0 0% Decrees non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government Any criminal convictions of this state or the federal government (number 0 Convictions 0% of counts) Emissions Chronic excessive emissions events (number of events) 0 0% Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 0 0% 74th Legislature, 1995 (number of audits for which notices were Audits Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for 0 0% which violations were disclosed) Please Enter Yes or No Environmental management systems in place for one year or more 0% No Voluntary on-site compliance assessments conducted by the executive No 0% director under a special assistance program. Other Participation in a voluntary pollution reduction program No 0% Early compliance with, or offer of a product that meets future state or No 0% federal government environmental requirements Adjustment Percentage (Subtotal 2) 0% >> Repeat Violator (Subtotal 3) 0% No Adjustment Percentage (Subtotal 3) >> Compliance History Person Classification (Subtotal 7)

No adjustment for compliance history.

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

N/A

>> Compliance History Summary

Compliance

History Notes

Adjustment Percentage (Subtotal 7)

0%

0%

H:\Agreed Orders\DeluxeEnterprisesInc-ZipCleaners\2006-1465-PCW.wb3 Page 3 of 4 02/28/07 Screening Date 28-Aug-2006 Docket No. 2006-1465-DCL-E **PCW** Respondent Deluxe Cleaners, Inc. dba Zip Cleaners Policy Revision 2 (September 2002) Case ID No. 30971 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN105010524 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher **Violation Number** 30 Tex. Admin. Code § 337.10(a) Primary Rule Cite(s) Tex: Health & Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to complete and submit the required registration Violation Description form to the TCEQ for a dry cleaning and/or drop station facility. **Base Penalty** \$50 >> Environmental, Property and Human Health Matrix Harm Release Major Moderate ÓR Actual Percent Potential Programmatic Matri Falsification Major Minor Percent 10% Matrix Notes 100% of the rule requirement was not met. -\$45 **Base Penalty Subtotal** \$5 **Violation Events** Number of Violation Events daliy \$1,185 **Violation Base Penalty** mark only one auariarly use a small x semiannua annual 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 \$18	Violation Final Penalty Total	\$1,185
This violation Final Ass	second Penalty (adjusted for limits)	\$1 185

Page 4 of 4 U2/	28/07 H; v Agre	***************************************	and an exercise statement	more and a supplemental and a su	and the second s	3-1403-FGVV,V	ADO
	Ecc	nomic Ber	efit Wo	rkshee	t		
Respondent	Deluxe Cleaners						
Case ID No. :	30971			-: +: J'u-	n.		
Reg. Ent. Reference No. I	RN105010524						and the
Media [Statute] I	Drycleaner			10 ¹	ta dit die 📗	Percent	Years of
Violation No.	1				erit jurilg	Interest	Depreciation
						5.0	15
East 12 Control	ltem	Date	Final	Yrs	Interest	Onetime	EB
ltem .	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$						
					and the second s		in invest 1 11 Ans
Delayed Costs		Charles and Park		i i garanti yanti yanti d			
Equipment				0.0	\$0]	\$0	into \$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction	and the second second second second second			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 (0	1-Sep-2005 30)-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)	1			0,0	\$0	n/a	\$0
	The estimat	ed cost to regist	er a dry cle	aning or d	rop station fa	cility annually.	The date
Notes for DELAYED costs	required is the d	ate that the com	pleted reg	stration fo	rm was due a	and the final da	ate is the date
		the respond	ent is proje	ected to co	me into comp	ollance.	
					engranesiale estimatement		Beningen manner men and a
programme and the state of the							
Avoided Costs	ANNU	ALIZE [1] avoided o	osts before e	ntering item	(except for one	-time avoided co	ists)
Disposal				0.0	\$0	\$0	\$0
Personnel	T.			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
				xarcatatatarininananininana		a to for series and control and control and control and	
Notes for AVOIDED costs							
***************************************	roministrations (peropendiarismostari	TOTAL CONTROL OF THE PROPERTY		frame mannigo de controca		pirtychindesiambousomanusosom	dependentementement l'acceptant de l
Approx, Cost of Compliance	\$250					TOTAL	\$18
. Abrow seer or sembuarion [7-20				7888	on our over a fill the rest of the last of	

Compliance History

Custome	er/Respondent/Owner-Operator:	CN602462186 Deluxe	Enterprises, Inc.		DEFAULT	BY Rating: 3.01
Regulate	ed Entity:	RN105010524 ZIP CI	EANERS		Classification: AVERAGE E DEFAULT	BY Site Rating: 3.0
ID Numi	per(s):	INDUSTRIAL AND HAZAF	RDOUS WASTE	EPA 1D	· · · · · · · · · · · · · · · · · · ·	TXR000075713
Location	:	GENERATION 1801 TRIMMIER RD STE	A6, KILLEEN, TX, 7	76541	Rating Date: 9/1/2006 Re	peat Violator: NO
TCEQ F	Region:	REGION 09 - WACO				
Date Co	mpliance History Prepared:	November 02, 2006				
Agency	Decision Requiring Compliance History	: Enforcement				
Complia	nce Period:	November 02, 2001 to Nov	ember 02, 2006			
TCEQ S	staff Member to Contact for Additional In	formation Regarding this Comp	liance History			
Name:	Shontay Wilcher	Phone:	(512) 239-2136			
		Site Compliar	nce History Com	ponents		
1. Has t	he site been in existence and/or operati	on for the full five year compliar	ice period?	Yes		
2. Has t	here been a (known) change in ownersh	nip of the site during the complia	ance period?	No		
3. If Yes	, who is the current owner?			N/A		
4. if Ye	s, who was/were the prior owner(s)?			N/A		<u> </u>
5. Whe	n did the change(s) in ownership occur?	?		N/A		
Compo	onents (Multimedia) for the Site:					-
A.	Final Enforcement Orders, court judg	gements, and consent decrees	of the state of Texa	s and the federa	al government.	
	N/A					
В.	Any criminal convictions of the state	of Texas and the federal govern	nment.			
	N/A	.				
C.	Chronic excessive emissions events					
	N/A				ı.	
D.	The approval dates of investigations 1 08/24/2006 (485039)	. (CCEDS Inv. Track. No.)				
E.	Written notices of violations (NOV).	(CCEDS Inv. Track. No.)		•		
	N/A					
_			•	*		
F.	Environmental audits. N/A	<i>'</i>				
G.	Type of environmental management	systems (EMSs).				
	N/A	•				
Н.	Voluntary on-site compliance assess	sment dates.				
	N/A	Name of the second of the seco		ent e		
I.	Participation in a voluntary pollution	reduction program.				
	N/A					
J.	Early compliance.					
	N/A					
Sites O	utside of Texas					
- -	N/A					
						•

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Page 1 of				<u>-</u> _	sheet (PCW)		o.wb3
Policy Revision 2 (S	September 2002)					PCW Revis	sion May 19, 2005
TCEQ	or o 0000		2000				
	05-Sep-2006 01-Nov-2006	Screening	06-Sep-2006	EP <i>A</i>	\ Due		
RESPONDENT/FACIL	TY INFORMA	TION					
		ises, Inc. dba Z	in Cleaners	-			
Reg. Ent. Ref. No.							
Facility/Site Region				< 1	/lajor/Minor Source	e Minor Source	S
CASE INFORMATION							
Enf./Case ID No.	30971			::::::::::::::::::::::::::::::::::::::	No. of Violations	s 1	<u> </u>
	2006-1465-DC	LÆ			Order Type	e 1660	<
Media Program(s)	Drycleaner			<	Enf. Coordinato	Mark Control of the Control of the Control	THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TW
Multi-Media						n Order Complia	nce Team
Admin. Penalty \$ Lir	nit Minimum	\$0	Maximum	\$50)	www.	e a constante en esta esta esta esta esta esta esta esta
		Penal	ty Calcula	ation	Section		
				·			
TOTAL BASE PEN	ALTY (Sum	of violation	base penal	ties)		Subtotal 1	\$1,185
ADJUSTMENTS (+	/-) TO SUB	TOTAL 1					
		ing the Total Base F	Penalty (Subtotal 1)) by the ind	icated percentage.		
Compliance H	istory		0%	Enhancem	ent Sul	ototals 2, 3, & 7	\$0
Notes		No adjustme	ent for compliar	nce histo	ory.		
			LONGROTTA KAONANIA SAN	diamenta orti decesi			
Culpability	No	<	0%	Enhancen	ent	Subtotal 4	\$0
Notes	The	respondent doe	s not meet the	culpabil	ity criteria.		
Good Faith Ef	fort to Compl	v	ሰ ባ/-	Reduction		Subtotal 5	\$0
Good Faith Li	Before NOV	Y NOV to EDPRP/Se		reduction		Junioidio	
Extraordinary [Doloio No.						
Ordinary					*		
N/A	X	(mark with a small	x) .				•
Notes	The	respondent doe	es not meet the	good fa	ith criteria.		
<u> </u>		******************************	000000000000000000000000000000000000000	**********			
Economic Bei		C40	0%		ient*		\$0
1	Total EB Amounts	\$18 \$250		Capped	at the Total EB \$ Amoui		
Approx. Go	ost of Compliance	\$250					
SUM OF SUBTOT	ALS 1-7					Final Subtotal	\$1,185
OTHER FACTORS	AS JUSTIC	E MAY REC	UIRE			Adjustment	\$0
Reduces or enhances the Fir				only; e.g	30 for -30%.)	TOTAL OF STATE OF STA	•
. [
Notes							
-					Final I	Penalty Amount	\$1,185
STATUTORY LIMI	T ADJUSTN	MENT			Final As	sessed Penalty	\$1,185

DEFERRAL

Notes

PAYABLE PENALTY

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

Deferral offered for expedited settlement.

20% Reduction Adjustment

-\$237

\$948

Case ID No. 30971

Reg. Ent. Reference No. RN105020192

Media [Statute] Drycleaner

Enf. Goordinator Shontay Wilcher

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

Compliance History Worksheet

Component		nter 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%	i sii
	Other written NOVs	0	0%	1
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%	
Orders	Any adjudicated final enforcement orders, agreed final enforcement ord 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	ers 0	0%	
Judgments and	Any non-adjudicated final court judgments or consent decrees containin a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	ig :	0%	
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a den of liability, of this state or the federal government	ial 0	0%	
Convictions	Any criminal convictions of this state or the federal government (number of counts)	r	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	Ō	0%	
Audits	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%	
		e Enter Yes or No	0%	1
	Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No No	0%	
Other	Participation in a voluntary pollution reduction program	No I	Ó%	1
-	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	,

>> Repeat Violator (Su	btotal 3)		
No	S	Adjustment Percentag	e (Subtotal 3) 0%
>> Compliance History	Person Classif	fication (Subtotal 7)	
Average Performe	er 🧲	Adjustment Percentag	e (Subtotal 7) 0%
>> Compliance History	Summary		
Compliance History Notes		No adjustment for compliance history.	
		Total Adjustment Percentage (Subtota	Je 2 3 8 7\ 0%

Page 3 of 4 02/28/07 H:\Agreed Orders\DeluxeEnterprisesInc-ZipCleaners\2006-1465-PCW3.wb3

Screening Date		The Contract of State of State of State of the State of S	lo. 2006-1465-DCL-E		PCW
Respondent Case ID No.	Deluxe Enterprises,	Inc. dba Zip Cleane	ers	•	nn 2 (September 2002) Revision May 19, 2005
Reg. Ent. Reference No.				, 0,,,	
Media [Statute]					volume MANA
Enf. Coordinator Violation Number	Shontay Wilcher				Contamina
Primary Rule Cite(s)		30 Tex. Admin. Co	de § 337.10(a)		
Secondary Rule Cite(s)		ex. Health & Safety	Code § 374.102		·
Violation Description			d submit the required reg ng and/or drop station fac		· ·
			Bas	e Penalty	\$50
>> Environmental, Pro		in Health Matrix			e de la constante de la consta
Release	Harm Major Moderate	Minor			and the second s
OR · Actual			Percent		
Potential			Fercent		
>> Programmatic Mat					
Falsification Falsification	Major Moderate	Minor	Percent 10%	e.	
History / Acares				1	
Matrix Notes	100% of the ru	ile requirement was	not met.		
The state of the s			Adjustment	-\$45	
			Base Penalty	/ Subtotal	\$5
Violation Events		a property and the second			
Number of Violat	ion Events 237				
respondent of the second	dally X	·			
	monthly			·	
mark only one use a small x			Violation Bas	se Penalty	\$1,185
	annual		•		
	single event	!!!		_	
			commended from the		•
Septemb		o the April 26, 2006 Itter dated March 24	deadline established by 1, 2006.		
				1	
Economic Benefit	(EB) for this vio	lation	Statutory Limit 1	est	
Estimated E	B Amount \$1	8	Violation Final Per	nalty Total	\$1,185
	This v	riolation Final Ass	essed Penalty (adjusted	for limits)	\$1,185
Contraction of the second of t			100		Committee of the commit

	Ec	onomic B	enefit Wor	kshee	et		
Respondent D		ises, Inc. dba	Zip Cleaners		:		
Case ID No. 3					4.5		
Reg. Ent. Reference No. R					(%)	-	
Media [Statute] D Violation No. 1				. ,		Percent Interest	Years of Depreciation
Violation No. 1						5.0	Depreciation 15
100	ltem	Date	Final	Yrs	Interest	Onetime	EB.
Item	Cost	Required	Date		Saved	Costs	Amount
Description N	processor of a first contract of the first o						
Delayed Costs							
Equipment				0.0	\$0	റാ \$0	\$C
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	romovinom process	ra Sangura a managan managan managan m		0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)	استستست			0.0	\$0	n/a	\$0
			jister a dry clea				
Notes for DELAYED costs	aquired is the						ate is the date
		tne respo	ondent is projec	tea to co	ome into comi	aliance	
	Annual of the second se	when the second				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Mon	minimana and minimana and and and and and and and and and	alar nija arvatnija vatariari in arvatanata , :	intenutatora <u>lia</u> envisiaristaant ik toraast	nemanemoratero			ananananananananananananananananananan
Avoided Costs			d costs before en	(0.00,0.0.0.0000.0.0.0.0000		tampusuun noon muun aluu aan t	osets)
Avoided Costs Disposal			d costs before en	(0.00,0.0.0.0000.0.0.0.0000		tampusuun noon muun aluu aan t	osts) \$0
677			d costs before en	ering Iten 0.0	(except for one	s-time avoided of \$0 \$0	\$(\$(
Disposal			d costs before en	ering (ten 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0	r-time avoided of \$0 \$0 \$0	\$(\$(\$(
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment			d costs before en	ering Item 0.0 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0	-time avoided & \$0 \$0 \$0 \$0	\$(\$(\$(\$(
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			d costs before en	ering tem 0.0 0.0 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0 \$0 \$0	*-time avoided & \$0 \$0 \$0 \$0 \$0	\$(\$(\$(\$(
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			d costs before en	ering ften 0.0 0.0 0.0 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0 \$0 \$0 \$0	*-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]			d costs before en less services en a research and characteristics and characteristics and the control of the control control of the control of the	ering tem 0.0 0.0 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0 \$0 \$0	*-time avoided & \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]			d costs before en	ering ften 0.0 0.0 0.0 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0 \$0 \$0 \$0	*-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			d costs before en	ering ften 0.0 0.0 0.0 0.0 0.0 0.0	(except for one \$0 \$0 \$0 \$0 \$0 \$0 \$0	*-time avoided of \$0 \$0 \$0 \$0 \$0 \$0	

18 July 18 South State of Control

Compliance History

Customer	/Respondent/Owner-Operator:	CN602462186	Deluxe Enterprises, Inc.		Classification	n: AVERAGE BY	Rating: 3.01
Regulated	I Entity:	RN105020192	ZIP CLEANERS		Classificatio DEFAULT	n; AVERAGE BY	Site Rating: 3.0
ID Numbe	er(s):						
Location:		501 S KEY AVE,	LAMPASAS, TX, 76550		Rating Date	: September 01 06	Repeat Violator
TCEQ Re	gion:	REGION 09 - WA	ACO			_	
Date Com	pliance History Prepared:	March 08, 2007					
Agency D	ecision Requiring Compliance History:	Enforcement					7
Complian	ce Period:	November 02, 20	001 to November 02, 2006				
TCEQ Sta	aff Member to Contact for Additional Info N/A		this Compliance History	5			
		Sito (Compliance History Con	nnononte			
1 Has the	e site been in existence and/or operation		-	Yes			•
	ere been a (known) change in ownership			No			
	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	•		
Compo	nents (Multimedia) for the Site :						
A.	Final Enforcement Orders, court judges N/A	ments, and consen	t decrees of the state of Texa	as and the federa	al government.		
В.	Any criminal convictions of the state of N/A	Texas and the fed	eral government.				
C.	Chronic excessive emissions events.						
	N/A						
D.	The approval dates of investigations: (c 1 08/30/2006 (509728)	CCEDS Inv. Track.	No.)				
E.	Written notices of violations (NOV). (Co	CEDS Inv. Track. N	lo.)			,	
F.	Environmental audits. N/A						
G.	Type of environmental management sy	ystems (EMSs).					
	N/A	•		•			
H.	Voluntary on-site compliance assessm	ent dates.					
	N/A						
h · · ·	Participation in a voluntary pollution re	duction program.					
	N/A						
J.	Early compliance.			,			
	N/A						
Sites Ou	tside of Texas N/A				•		
	IN/A						

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Page 1 o		H:\Agreed Orders\		 				
Policy Revision 2 (ILIOIT VVO	I NOTICE	· (F C V V)	PCW Revis	ion May 19, 20	05
	05-Sep-2006 01-Nov-2006	Screening 08-Se	p-2006 I	EPA Due				
RESPONDENT/FACIL	ITV INFORMAT	ION		-				
Respondent	Deluxe Enterpris	ses, Inc. dba Zip Cle						
Reg. Ent. Ref. No. Facility/Site Region	er williams to serve and terrement many		V	Major/M	inor Source	Minor Source		V
CASE INFORMATION								
Enf./Case ID No.				No. o				
<u> </u>	2006-1465-DCL			۳٤	Order Type			<
Media Program(s) Multi-Media	Drycleaner			Ent.		Shontay Wilch Enforcement T		
Admin. Penalty \$ Li	mit Minimum	\$0 Ma	ximum	\$50	LO 3 TCUIII	<u>Linordoment 1</u>		
		Penalty C	alculatio	n Secti	on		•	
	141 TV /O	e e e e e	-121	•		0.44.4.14		C4 40E
TOTAL BASE PEN	IALTY (Sum	of violation base	e penaities)		Subtotal 1		\$1,185
ADJUSTMENTS (+	-/-) TO SUBT	OTAL 1						
Subtotals 2-7 are o	btained by multiplyin	g the Total Base Penalty						
Compliance H	listory		0% Enhar	rcement	Sub	totals 2, 3, & 7		\$0
Notes		No adjustment for	compliance h	istory.				
Culpability	No I	3	0% Enhai	icement		Subtotal 4		\$0
Notes	The re	spondent does not i	neet the culo	ability crite	ria.			
Good Faith Ei	fort to Comply		0% Redu	ction		Subtotal 5		\$0
	Before NOV N	OV to EDPRP/Settlemen	t Offer					
Extraordinary								
Ordinary N/A	X (mark with a small x)						
Notes		espondent does not	meet the goo	d faith crite	ria			
·	111611	espondent does not	meer the goo	G faith Gifte	l.Ja.			
Economic Be	nefit _		0% Enha			Subtotal 6		\$0
	Total EB Amounts	\$18	*Caj	oped at the To	tal EB \$ Amount			
Approx. C	ost of Compliance	\$250						
SUM OF SUBTOT	ALS 1-7					Final Subtotal		\$1,185
OTHER FACTORS	S AS JUSTICI	F MAY REQUIRE	•			Adjustment		\$0
Reduces or enhances the Fi				e.g30 for -30	7%.)	-		
Notes			•					
					Final P	_ enalty Amount		\$1,185
OTATUTONY!	T AB HIOTE	- VII				essed Penalty		\$1,185
STATUTORY LIM	I ADJUSIM	⊏N I			Final ASS	esseu Penany		φ1,105
DEFERRAL				20%	Reduction	Adjustment		-\$237
Reduces the Final Assessed	I Penalty by the indic	ted percentage. (Enter no	ımber only; e.g.		20,000	AND THE PROPERTY OF THE PROPER		

Deferral offered for expedited settlement.

\$948

Notes

PAYABLE PENALTY

>> Repeat Violat	or (Subtotal 3)		Aujustinene	rerocmage	(Gastotal 2)	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
No			Adjustment	Percentage	(Subtotal 3)	0%
>> Compliance H	listory <i>Person</i> Classificat	ion (Subtotal 7)				
Average Pe	erformer	The State of the S	Adjustment	Percentage	(Subtotal 7)	0%
>> Compliance H	listory Summary					
Complianc History Note		No adjustment	for compliance histor	у.		
• ** • • • • • • • • • • • • • • • • • •	T	otal Adjustm	ent Percentage	(Subtotal	s 2 3 & 7)	0%

H:\Agreed Orders\DeluxeEnterprisesInc-ZipCleaners\2006-1465-PCW2.wb3 Page 3 of 4 02/28/07 Screening Date 08-Sep-2006 Docket No. 2006-1465-DCL-E PCW Respondent Deluxe Enterprises, Inc. dba Zip Cleaners Policy Revision 2 (September 2002) Case ID No. 30971 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN105020051 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher Violation Number 30 Tex. Admin. Code § 337.10(a) Primary Rule Cite(s) Tex. Health & Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to complete and submit the required registration Violation Description form to the TCEQ for a dry cleaning and/or drop station facility. \$50 Base Penalty Environmental, Property and Human Health Matrix Harm Release Moderate OR Actual Percent Potential >> Programmatic Matrix Falsification Major Moderate Minor Percent 10% Matrix Notes 100% of the rule requirement was not met. Adjustment -\$45 \$5 **Base Penalty Subtotal** Violation Events Number of Violation Events dally \$1,185 Violation Base Penalty mark only one quarterly use a small : emlannua annual 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. Statutory Limit Test Economic Benefit (EB) for this violation

Estimated EB Amount

\$1,185

\$1,185

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet							
	Deluxe Enterpr	ises, Inc. dba	Zip Cleaners	٠.	. •		
Case ID No. Reg. Ent. Reference No.							•
Media [Statute]						Percent	Years of
Violation No.							epreciation
The particular of the second						5.0	15
	ltem	Date	Final	Yrs	Interest	Onetime	EB
Item	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$			5.00		r sedar tems	3 J.
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	00E0	01-Sep-2005	20 100 2007	0.0	\$0 \$18	n/a n/a	\$0 \$18
Permit Costs Other (as needed)	⊉ ∠3U	0-1-8ep-2005	30-3an-2007	0.0	\$10 \$0	n/a	\$10 \$0
Other (as needed)	TL 1		l 1. 1	Comproversive printers			
Notes for DELAYED costs	required is the				drop station fac		
NOTES TO DELATED COSTS	required to use				ome into comp		c is the date
		anotera (eta anotorea o moralita (nicorea)	povinem en articum en presidente a constanta propriorio.	consultativa por sono consultativa		edrabetatururum eterrerini urum oni	entiroristatistarioristarioristation (
	. 01 - 7Hin						
Avoided Costs	ANNU	JALIZE [1] avoide	d costs before en	tering iter	n (except for one-	time avoided cos	ts)
Disposa!				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment	approximate and the second			0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0 \$0	\$0 \$0	\$0 #0
ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0] \$0	\$0 \$0
Other (as needed)			Laria processi de la companione de la comp			401	ΦU
Notes for AVOIDED costs							
•		POTÁT POTESTA DE TOTO DE LA COMPONION DE LA CO	MINISTER PROGRAMMENT AND	anan madanbert academ	rianistrobinismusiaminisministraturami institut	Madde for a determinant to the constraint of the	
Approx. Cost of Compliance	\$250					TOTAL	\$18
			···		annintellungunganintengan	***************************************	***************************************

Compliance History

Custome	er/Respondent/Owner-Operator:	CN602462186 Delux	e Enterprises, Inc.		Classification: DEFAULT	AVERAGE BY	Rating: 3.01
Regulated Entity:		RN105020051 ZIP 0	CLEANERS		Classification: DEFAULT	AVERAGE BY	Site Rating: 3.0
ID Numb	per(s):	INDUSTRIAL AND HAZA GENERATION	RDOUS WASTE	EPA ID			TXR000075929
Location:		301 S MAIN ST, COPPER	RAS COVE, TX, 765	22	Rating Date: S	September 01 06	Repeat Violator:
TCEQ R	egion:	REGION 09 - WACO					
Date Cor	mpliance History Prepared:	November 02, 2006		,			
Agency I	Decision Requiring Compliance History:	Enforcement					
Complia	nce Period:	November 02, 2001 to No	ovember 02, 2006				
TCEQ S	taff Member to Contact for Additional Info	rmation Regarding this Com	pliance History				
Name:	Shontay Wilcher	Phone:	(512) 239-2136				
		Site Complia	nce History Com	ponents			
1. Has th	ne site been in existence and/or operation	<u>-</u>	•	Yes			
	nere been a (known) change in ownership	•		No		•	
3. If Yes	, who is the current owner?			N/A			
4. if Yes	s, who was/were the prior owner(s)?			N/A			
5. When	n did the change(s) in ownership occur?			N/A			
Compo	onents (Multimedia) for the Site :	•			•		4
A.	Final Enforcement Orders, court judge	ments, and consent decrees	of the state of Texa	s and the federa	al government.		
	N/A	•					
D	A a distinct and distinct of the otate of	F Tayan and the foderal gaya	rnmont				
В.	Any criminal convictions of the state of N/A	r rexas and the lederal gove	mment.				
C.	Chronic excessive emissions events.						
	N/A						
D.	The approval dates of investigations.	(CCEDS Inv. Track. No.)					
	1 08/30/2006 (509736)			•			
E.	Written notices of violations (NOV). (C	CEDS inv. Track. No.)					
							b
	N/A						
F.	Environmental audits. N/A	•					
G.	Type of environmental management s	vstems (EMSs).					
	N/A	, , ,					
Н.	Voluntary on-site compliance assessn	nent dates.					
	N/A		•				
1.	Participation in a voluntary pollution re	eduction program.					
٠	N/A			•			
J.	Early compliance.						
	N/A						
Sites O	utside of Texas						
	N/A						

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
DELUXE ENTERPRISES, INC. DBA	§	TEXAS COMMISSION ON
ZIP CLEANERS	§	
RN105010524	§	
RN105020051	§	
RN105020192	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-1465-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 Deluxe Enterprises, Inc. dba Zip Cleaners ("DEI") 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. Min appear before the Commission and together stipulate that:

- 1. DEI owns and operates active dry cleaning drop stations at 1801 Trimmier Road, Suite A6 in Killeen, Bell County, 501 South Key Avenue in Lampasas, Lampasas County, and 301 South Main Street in Copperas Cove, Coryell County, Texas (the "Facilities").
- 2. The TCEQ has general authority to regulate the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
- 3. The Commission and DEI agree that the Commission has jurisdiction to enter this Agreed Order, and that DEI is subject to the Commission's jurisdiction.
- 4. DEI received notices of the violation alleged in Section II ("Allegations") on or about August 20, 2006, August 30, 2006, and September 3, 2006.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by DEI of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Three Thousand Five Hundred Fifty-Five Dollars (\$3,555) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). DEI has paid Two Hundred Thirty-Seven Dollars (\$237) of the administrative penalty and Seven Hundred Eleven Dollars (\$711) is deferred contingent upon DEI's timely and

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Deluxe Enterprises, Inc. dba Zip Cleaners DOCKET NO. 2006-1465-DCL-E Page 2

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 DEI fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require DEI to pay all or part of the deferred penalty.

The remaining amount of Two Thousand Six Hundred Seven Dollars (\$2,607) of the administrative penalty shall be payable in 11 monthly payments of Two Hundred Thirty-Seven Dollars (\$237) 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 DEI 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 DEI to meet the payment schedule of this Agreed Order constitutes the failure by DEI 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 DEI have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that DEI has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facilities, DEI is alleged to have failed to complete and submit the required registration form to the TCEQ for the Facilities, in violation of 30 Tex. ADMIN. CODE § 337.10(a) and Tex. Health & Safety Code § 374.102, as documented during investigations conducted on May 22, 2006, June 1, 2006, and June 6, 2006.

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III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that DEI pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and DEI'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: Deluxe Enterprises, Inc. dba Zip Cleaners, Docket No. 2006-1465-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 DEI shall undertake the following technical requirements:
 - a. Within 15 days after the effective date of this Agreed Order, complete and submit the required dry cleaner and/or drop station registration form for the Facilities, in accordance with 30 Tex. ADMIN. CODE ch. 337 to:

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

b. Within 30 days after the effective date of this Agreed Order, submit 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:

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Deluxe Enterprises, Inc. dba Zip Cleaners DOCKET NO. 2006-1465-DCL-E Page 4

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 Waco Regional Office Texas Commission on Environmental Quality 6801 Sanger Avenue, Suite 2500 Waco, Texas 76710-7826

- 3. The provisions of this Agreed Order shall apply to and be binding upon DEI. DEI 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 DEI 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, DEI's failure to comply is not a violation of this Agreed Order. DEI shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. DEI shall notify the Executive Director within seven days after DEI 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 DEI shall be made in writing to the Executive Director. Extensions are not effective until DEI 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 DEI 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 DEI, or three days after the date on which the Commission mails notice of the Order to DEI, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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08 2006 05:43PM P2 6343322 Nov. : 817+5547914 DELUXE, ENTERPRISE, INC Fax:512-239-0134 P. 07 Deluxe Emerprises, Inc. dba Zio Cleaners DOCKET NO. 2006-1465-DCL-E Page 5 SIGNATURE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY For the Commission For the Executive Direct 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 scruting of any permit applications submitted by me; Referral of this case to the Attorney General's Office for contempt, inflinctive relief, additional penalties, and/qr 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 crifo cement actions against me; and TCEO seeking other relief as authorized by law. In addition, any falsifidation of any compliance documents may result in criminal prosecution. PR&Sidod Signature Date

Name (Printed of typed)

Authorized Representative of

Deluxe Enterprises, Inc. dba Zip Cleaners

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 Dider.