

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**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:**

<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:** Zip Cleaners, 1801 Trimmier Road, Suite A6, Killeen, Bell County; 501 South Key Avenue, Lampasas, Lampasas County; and 301 South Main Street, Copperas Cove, Coryell County

**TYPE OF OPERATION:** Active dry cleaning drop stations

**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 March 12, 2007. No comments were received.

**CONTACTS AND MAILING LIST:**

**TCEQ Attorney/SEP Coordinator:** None

**TCEQ Enforcement Coordinator:** Ms. Shontay Wilcher, Enforcement Division, Enforcement Section IV, MC 128, (512) 239-2136; Mr. Steven Lopez, Enforcement Division, Enforcement Section I, (512) 239-1896

**TCEQ Field Investigator:** Mr. Jeff Kunze, Waco Regional Office, MC R-09, (254) 761-3000

**Respondent:** Mr. Robert Y. Min, President, Deluxe Enterprises, Inc. dba Zip Cleaners, 1801 Trimmier Road, Suite A6, Killeen, Texas 76541-8513

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

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b> <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p><b>Date of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigations Relating to this Case:</b> May 22, 2006, June 1, 2006, and June 6, 2006</p> <p><b>Date of NOEs Relating to this Case:</b> August 15 and 26, 2006 and July 29, 2006 (NOE)</p> <p><b>Background Facts:</b> There were routine scheduled investigations for compliance with the dry cleaner program. One significant program violation was observed</p> <p><b>WASTE:</b></p> <p>Failure to complete and submit the required registration form to the TCEQ for the Facilities [30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p>	<p><b>Total Assessed:</b> \$3,555</p> <p><b>Total Deferred:</b> \$711  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid (Due) to General Revenue:</b> \$237 (remaining \$2,607 due in 11 monthly payments of \$237 each)</p> <p><b>Site Compliance History Classification:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification:</b> <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Ordering Provisions</b></p> <p>The Order will require the Respondent to:</p> <p>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</p> <p>b) Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision a.</p>



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	<b>Assigned</b>	28-Aug-2006	<b>Screening</b>	28-Aug-2006	<b>EPA Due</b>	
	<b>PCW</b>	01-Nov-2006				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	Deluxe Cleaners, Inc. dba Zip Cleaners
<b>Reg. Ent. Ref. No.</b>	RN105010524
<b>Facility/Site Region</b>	9-Waco
<b>Major/Minor Source</b>	Minor Source

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	30971	<b>No. of Violations</b>	1
<b>Docket No.</b>	2006-1465-DCL-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Drycleaner	<b>Enf. Coordinator</b>	Shontay Wilcher
<b>Multi-Media</b>		<b>EC's Team</b>	Enforcement Team 7
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$50

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$1,185
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$0
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Notes: No adjustment for compliance history.

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

<b>Good Faith Effort to Comply</b>	0% Reduction	<b>Subtotal 5</b>	\$0
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	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with a small x)

Notes: The respondent does not meet the good faith criteria.

<b>Economic Benefit</b>	0% Enhancement*	<b>Subtotal 6</b>	\$0
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<b>Total EB Amounts</b>	\$18	<i>*Capped at the Total EB \$ Amount</i>
<b>Approx. Cost of Compliance</b>	\$250	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$1,185
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

<b>Final Penalty Amount</b>	\$1,185
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$1,185
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<b>DEFERRAL</b>	20% Reduction	<b>Adjustment</b>	-\$237
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$948
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<b>Screening Date</b>	28-Aug-2006	<b>Docket No.</b>	2006-1465-DCL-E	<b>PCW</b>
<b>Respondent</b>	Deluxe Cleaners, Inc. dba Zip Cleaners		Policy Revision 2 (September 2002)	
<b>Case ID No.</b>	30971	PCW Revision May 19, 2005		
<b>Reg. Ent. Reference No.</b>	RN105010524			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	Shontay Wilcher			

**Compliance History Worksheet**

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 0%

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

<input type="text" value="No"/>	<b>Adjustment Percentage (Subtotal 3)</b>	0%
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>> **Compliance History Person Classification (Subtotal 7)**

<input type="text" value="N/A"/>	<b>Adjustment Percentage (Subtotal 7)</b>	0%
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>> **Compliance History Summary**

<b>Compliance History Notes</b>	No adjustment for compliance history.
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**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 0%

<b>Screening Date</b>	28-Aug-2006	<b>Docket No.</b>	2006-1465-DCL-E	<b>PCW</b>
<b>Respondent</b>	Deluxe Cleaners, Inc. dba Zip Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30971			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN105010524			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	Shontay Wilcher			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	30 Tex. Admin. Code § 337.10(a)			
<b>Secondary Rule Cite(s)</b>	Tex. Health & Safety Code § 374.102			
<b>Violation Description</b>	The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility.			
	<b>Base Penalty</b>			\$50

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
			X			Percent <input type="text" value="10%"/>
<b>Matrix Notes</b>	100% of the rule requirement was not met.					

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

	daily	X
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

*mark only one use a small x*

**Violation Base Penalty**

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

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$18"/>	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: Deluxe Cleaners, Inc. dba Zip Cleaners  
 Case ID No: 30971  
 Reg. Ent. Reference No: RN105010524  
 Media [Statute]: Drycleaner  
 Violation No: 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance \$250 **TOTAL** \$18

# Compliance History

Customer/Respondent/Owner-Operator:	CN602462186 Deluxe Enterprises, Inc.	Classification: AVERAGE BY Rating: 3.01 DEFAULT
Regulated Entity:	RN105010524 ZIP CLEANERS	Classification: AVERAGE BY Site Rating: 3.01 DEFAULT
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID TXR000075713
Location:	1801 TRIMMIER RD STE A6, KILLEEN, TX, 76541	Rating Date: 9/1/2006 Repeat Violator: NO
TCEQ Region:	REGION 09 - WACO	
Date Compliance History Prepared:	November 02, 2006	
Agency Decision Requiring Compliance History:	Enforcement	
Compliance Period:	November 02, 2001 to November 02, 2006	

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

Name: Shontay Wilcher Phone: (512) 239-2136

## 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 08/24/2006 (485039)
  - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)  
N/A
  - F. Environmental audits.  
N/A
  - G. Type of environmental management systems (EMSs).  
N/A
  - H. Voluntary on-site compliance assessment dates.  
N/A
  - I. Participation in a voluntary pollution reduction program.  
N/A
  - J. Early compliance.  
N/A
- Sites Outside of Texas  
N/A

# Introduction

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

The project was initiated in response to the need for a more efficient and effective way to manage the company's resources. The primary goal was to identify the key areas of the business that required improvement and to develop a plan to address these needs. The project was organized into several phases, each with its own set of objectives and tasks. The methodology used for the project was a combination of qualitative and quantitative research methods, including interviews, surveys, and data analysis.

The project's findings indicate that there are several key areas that require attention, including the company's financial performance, its operational efficiency, and its customer service. The project team has developed a plan to address these areas, and the results of the project are expected to be significant. The project's success will be measured by the extent to which the company's resources are managed more effectively and the extent to which the company's performance is improved.

The project's findings also indicate that there are several key areas that require attention, including the company's financial performance, its operational efficiency, and its customer service. The project team has developed a plan to address these areas, and the results of the project are expected to be significant. The project's success will be measured by the extent to which the company's resources are managed more effectively and the extent to which the company's performance is improved.

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Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	Assigned	05-Sep-2006		
	PCW	01-Nov-2006	Screening	06-Sep-2006
			EPA Due	

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Deluxe Enterprises, Inc. dba Zip Cleaners
Reg. Ent. Ref. No.	RN105020192
Facility/Site Region	9-Waco
Major/Minor Source	Minor Source

<b>CASE INFORMATION</b>			
Enf./Case ID No.	30971	No. of Violations	1
Docket No.	2006-1465-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Shontay Wilcher
Multi-Media		EC's Team	Order Compliance Team
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	Subtotal 1	\$1,185
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

<b>Compliance History</b>	0% Enhancement	Subtotals 2, 3, & 7	\$0
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Notes: No adjustment for compliance history.

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

<b>Good Faith Effort to Comply</b>	0% Reduction	Subtotal 5	\$0
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	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.

<b>Economic Benefit</b>	0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$18	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

<b>SUM OF SUBTOTALS 1-7</b>	Final Subtotal	\$1,185
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes:

<b>Final Penalty Amount</b>	\$1,185
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<b>STATUTORY LIMIT ADJUSTMENT</b>	Final Assessed Penalty	\$1,185
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<b>DEFERRAL</b>	20% Reduction	Adjustment	-\$237
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Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$948
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<b>Screening Date</b>	06-Sep-2006	<b>Docket No.</b>	2006-1465-DCL-E	<b>PCW</b>
<b>Respondent</b>	Deluxe Enterprises, Inc. dba Zip Cleaners		Policy Revision 2 (September 2002)	
<b>Case ID No.</b>	30971	PCW Revision May 19, 2005		
<b>Reg. Ent. Reference No.</b>	RN105020192			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	Shontay Wilcher			

### Compliance History Worksheet

**>> Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2) 0%**

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

No	<b>Adjustment Percentage (Subtotal 3) 0%</b>
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**>> Compliance History Person Classification (Subtotal 7)**

Average Performer	<b>Adjustment Percentage (Subtotal 7) 0%</b>
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**>> Compliance History Summary**

<b>Compliance History Notes</b>	No adjustment for compliance history.
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**Total Adjustment Percentage (Subtotals 2, 3, & 7) 0%**

<b>Screening Date</b>	06-Sep-2006	<b>Docket No.</b>	2006-1465-DCL-E	<b>PCW</b>
<b>Respondent</b>	Deluxe Enterprises, Inc. dba Zip Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30971			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN105020192			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	Shontay Wilcher			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	30 Tex. Admin. Code § 337.10(a)			
<b>Secondary Rule Cite(s)</b>	Tex. Health & Safety Code § 374.102			
<b>Violation Description</b>	The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility.			
	<b>Base Penalty</b>			\$50

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Percent <input type="text" value="10%"/>
<b>Matrix Notes</b>	100% of the rule requirement was not met.					

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

mark only one use a small x	daily	<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.

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$18"/>	Violation Final Penalty Total <input type="text" value="\$1,185"/>
<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$1,185"/>	

### Economic Benefit Worksheet

Respondent: Deluxe Enterprises, Inc. dba Zip Cleaners  
 Case ID No: 30971  
 Reg. Ent. Reference No: RN105020192  
 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	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance \$250

**TOTAL** \$18

# Compliance History

Customer/Respondent/Owner-Operator:	CN602462186 Deluxe Enterprises, Inc.	Classification: AVERAGE BY DEFAULT	Rating: 3.01
Regulated Entity:	RN105020192 ZIP CLEANERS	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):			
Location:	501 S KEY AVE, LAMPASAS, TX, 76550	Rating Date: September 01 06	Repeat Violator: NO
TCEQ Region:	REGION 09 - WACO		
Date Compliance History Prepared:	March 08, 2007		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	November 02, 2001 to November 02, 2006		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	N/A	Phone:	(512) 239-2136

## 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 08/30/2006 (509728)
- 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

# Mathematical Induction

Mathematical induction is a method for proving that a statement is true for all natural numbers. It consists of two main steps: the base case and the inductive step.

**Base Case:** Prove that the statement is true for the smallest natural number, usually 1.

**Inductive Step:** Assume the statement is true for a natural number  $n$ . Prove that it is also true for  $n+1$ .

Once both steps are completed, the statement is proven true for all natural numbers.

Example: Prove that the sum of the first  $n$  natural numbers is  $\frac{n(n+1)}{2}$ .

**Base Case:** For  $n=1$ , the sum is 1, and  $\frac{1(1+1)}{2} = 1$ . The statement is true.

**Inductive Step:** Assume the sum of the first  $n$  numbers is  $\frac{n(n+1)}{2}$ . Then the sum of the first  $n+1$  numbers is  $\frac{n(n+1)}{2} + (n+1) = \frac{(n+1)(n+2)}{2}$ . The statement is true for  $n+1$ .

Therefore, by mathematical induction, the sum of the first  $n$  natural numbers is  $\frac{n(n+1)}{2}$ .

Another example: Prove that  $2^n > n$  for all natural numbers  $n$ .

**Base Case:** For  $n=1$ ,  $2^1 = 2 > 1$ . The statement is true.

**Inductive Step:** Assume  $2^n > n$ . Then  $2^{n+1} = 2 \cdot 2^n > 2n$ . Since  $2n > n+1$  for  $n \geq 1$ , we have  $2^{n+1} > n+1$ . The statement is true for  $n+1$ .

Therefore, by mathematical induction,  $2^n > n$  for all natural numbers  $n$ .



Policy Revision 2 (September 2002)

# Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

<b>DATES</b>	Assigned	05-Sep-2006		
	PCW	01-Nov-2006	Screening	08-Sep-2006
			EPA Due	

RESPONDENT/FACILITY INFORMATION	
Respondent	Deluxe Enterprises, Inc. dba Zip Cleaners
Reg. Ent. Ref. No.	RN105020051
Facility/Site Region	9-Waco
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	30971	No. of Violations	1
Docket No.	2006-1465-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Shontay Wilcher
Multi-Media		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** Subtotal 1 **\$1,185**

### ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

**Compliance History** 0% Enhancement Subtotals 2, 3, & 7 **\$0**

Notes: No adjustment for compliance history.

**Culpability** No 0% Enhancement Subtotal 4 **\$0**

Notes: The respondent does not meet the culpability criteria.

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

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

Notes: The respondent does not meet the good faith criteria.

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

Total EB Amounts	\$18	*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**

<b>Screening Date</b>	08-Sep-2006	<b>Docket No.</b>	2006-1465-DCL-E	<b>PCW</b>
<b>Respondent</b>	Deluxe Enterprises, Inc. dba Zip Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30971			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN105020051			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	Shontay Wilcher			

**Compliance History Worksheet**

>> **Compliance History Site Enhancement (Subtotal 2)**

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action <i>(number of NOVs meeting criteria)</i>	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability <i>(number of orders meeting criteria)</i>	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government <i>(number of judgements or consent decrees meeting criteria)</i>	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government <i>(number of counts)</i>	0	0%
Emissions	Chronic excessive emissions events <i>(number of events)</i>	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which notices were)</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 <i>(number of audits for which violations were disclosed)</i>	0	0%
<i>Please Enter Yes or No</i>			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

**Adjustment Percentage (Subtotal 2)** 0%

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

<input type="text" value="No"/>	<b>Adjustment Percentage (Subtotal 3)</b>	0%
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>> **Compliance History Person Classification (Subtotal 7)**

<input type="text" value="Average Performer"/>	<b>Adjustment Percentage (Subtotal 7)</b>	0%
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>> **Compliance History Summary**

<b>Compliance History Notes</b>	No adjustment for compliance history.
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**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 0%



<b>Screening Date</b>	08-Sep-2006	<b>Docket No.</b>	2006-1465-DCL-E	<b>PCW</b>
<b>Respondent</b>	Deluxe Enterprises, Inc. dba Zip Cleaners			<i>Policy Revision 2 (September 2002)</i>
<b>Case ID No.</b>	30971			<i>PCW Revision May 19, 2005</i>
<b>Reg. Ent. Reference No.</b>	RN105020051			
<b>Media [Statute]</b>	Drycleaner			
<b>Enf. Coordinator</b>	Shontay Wilcher			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	30 Tex. Admin. Code § 337.10(a)			
<b>Secondary Rule Cite(s)</b>	Tex. Health & Safety Code § 374.102			
<b>Violation Description</b>	The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility.			
	<b>Base Penalty</b>			\$50

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
			X			Percent <input type="text" value="10%"/>
<b>Matrix Notes</b>		100% of the rule requirement was not met.				

**Adjustment**

**Base Penalty Subtotal**

**Violation Events**

Number of Violation Events

mark only one use a small x	daily	X
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	

**Violation Base Penalty**

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

<b>Economic Benefit (EB) for this violation</b>	<b>Statutory Limit Test</b>
Estimated EB Amount <input type="text" value="\$18"/>	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: Deluxe Enterprises, Inc. dba Zip Cleaners  
 Case ID No: 30971  
 Reg. Ent. Reference No: RN105020051  
 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	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance.

**Avoided Costs**

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250

**TOTAL** \$18

# Compliance History

Customer/Respondent/Owner-Operator:	CN602462186 Deluxe Enterprises, Inc.	Classification: AVERAGE BY Rating: 3.01 DEFAULT
Regulated Entity:	RN105020051 ZIP CLEANERS	Classification: AVERAGE BY Site Rating: 3.01 DEFAULT
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID TXR000075929
Location:	301 S MAIN ST, COPPERAS COVE, TX, 76522	Rating Date: September 01 06 Repeat Violator: NO
TCEQ Region:	REGION 09 - WACO	
Date Compliance History Prepared:	November 02, 2006	
Agency Decision Requiring Compliance History:	Enforcement	
Compliance Period:	November 02, 2001 to November 02, 2006	

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

Name: Shontay Wilcher Phone: (512) 239-2136

### 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 08/30/2006 (509736)
  - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)  
N/A
  - F. Environmental audits.  
N/A
  - G. Type of environmental management systems (EMSs).  
N/A
  - H. Voluntary on-site compliance assessment dates.  
N/A
  - I. Participation in a voluntary pollution reduction program.  
N/A
  - J. Early compliance.  
N/A
- Sites Outside of Texas  
N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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

## **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



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.

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 procedures for handling discrepancies and the role of the accounting department in providing timely reports to management.

In addition, the document highlights the need for regular audits to identify any potential issues or fraud. It states that the audit process should be thorough and unbiased, involving all relevant departments. The findings of the audit should be used to improve internal controls and prevent future occurrences. The document also mentions the importance of staying updated with the latest accounting standards and regulations to ensure the accuracy and reliability of the financial statements.

Finally, the document concludes by reiterating the commitment to transparency and accountability in all financial reporting. It encourages all employees to adhere to the highest standards of ethical conduct and to report any concerns or irregularities immediately. The document is signed by the Chief Financial Officer and the Controller, underscoring their responsibility for the overall integrity of the organization's financial data.



### 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:

...the ... of ...

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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.

THE  
OFFICE OF THE  
ATTORNEY GENERAL  
STATE OF TEXAS  
AUGUST 15, 1901

TO THE HONORABLE THE COMMISSIONERS OF THE GENERAL LAND OFFICE  
DALLAS, TEXAS

SIR: I have the honor to acknowledge the receipt of your letter of the 14th inst. in relation to the application of the State of Texas for a writ of habeas corpus in the case of the State of Texas vs. the State of Texas, and in reply to inform you that the same has been referred to the proper authorities for their consideration.

I am, Sir, very respectfully,  
Yours truly,  
ATTORNEY GENERAL

Very truly,  
J. W. [Name]

Very truly,  
J. W. [Name]

Very truly,  
J. W. [Name]

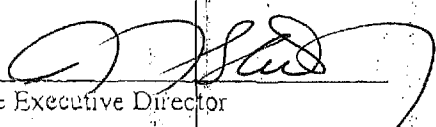
Very truly,  
J. W. [Name]

Deluxe Enterprises, Inc. dba Zip Cleaners  
DOCKET NO. 2006-1465-DCL-E  
Page 5

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

3/11/07

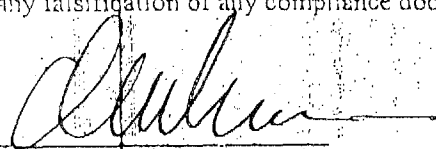
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by me;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against me;
- Automatic referral to the Attorney General's Office of any future enforcement actions against me; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.



Signature

Robert Y. Min

11-8-06

Date

President

Name (Printed or 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 Order.

