### **EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2006-1474-DCL-E **TCEQ ID:** RN100655356, RN105014724, RN105014682 and RN104152566 **C RESPONDENT NAME:** Sun Ha dba College Station Cleaners and dba Discount Cleaners

Page 1 of 2 CASE NO.: 31008

#### **ORDER TYPE:**

		the second secon	
X 1660 AGREED ORDER	_FINDINGS AGREED ORDERAMENDED ORDER		IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
SHUTDOWN ORDER	FINDINGS DEFAULT ORDER	EMERGENCY 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	

SITE WHERE VIOLATION(S) OCCURRED: College Station Cleaners, 505 University Drive, College Station, Brazos County; Discount Cleaners, 917 West Brown Street, Hearne, Robertson County; Discount Cleaners, 1683 East Washington Avenue, Navasota, Grimes County; and Discount Cleaners, 3300 East 29th Street, Bryan, Brazos County

TYPE OF OPERATION: Drycleaning drop stations and a drycleaner

SMALL BUSINESS: X 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: Mr. Thomas Greimel, Enforcement Division, Enforcement Section IV, MC 128, (512) 239-5690; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEO Field Investigator: Ms. Diane Massey, Waco Regional Office, MC R-09, (254) 761-3000

Respondent: Mr. Sun Ha, Owner, College Station Cleaners and Discount Cleaners, 505 University Drive, College Station, Texas 77840 Respondent's Attorney: Not represented by counsel on this enforcement matter

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### RESPONDENT'S NAME: Sun Ha dba College Station Cleaners and Discount Cleaners DOCKET NO.: 2006-1474-DCL-E

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: Complaint Routine Enforcement Follow-up Records Review	Total Assessed: \$4,740	Ordering Provisions:
	Total Deferred: \$948	The Order will require the Respondent to;
Date of Complaint Relating to this Case: None	X Expedited Settlement	- Within 15 June after the offersive date of this A gread Order
Dates of Investigations Relating to this Case: May 22, May 23 and May 31, 2006	Financial Inability to Pay	a. Within 15 days after the effective date of this Agreed Order, complete and submit the required drycleaner and/or drop station registration form for the Facilities; and
	SEP Conditional Offset: \$0	
Dates of NOEs Relating to this Case: August 18 and August 21, 2006 (NOEs)	Total Paid (Due) to General Revenue: \$117 (remaining \$3,675 due in 35 monthly payments of \$105 each)	b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision a.
Background Facts: These were routine investigations. One	monally paymonts of \$100 dates	
violation was documented.	Site Compliance History Classification:HighAvgPoor	
WASTE	Person Compliance History Classification:HighAvgPoor	
Failed to complete and submit the required registration form to	Major Source: Yes X No	·
the TCEQ for the Facilities [30 TEX. ADMIN. CODE § 337.10(a)	Although the second	
and TEX. HEALTH & SAFETY CODE § 374.102].	Applicable Penalty Policy: September 2002	
		•
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Attachment: Site Compliance History

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Page 2 of 2

ge 1 of 4 03/07/07	H:\Agreed Orders\CollegeStationCleane	ersanddbaDiscountCleaners-SunHa\2006 nersRN100655355.wb3 WOrKSNEEt (PCW)	
Policy Revision 2 (	September 2002)	PCV	V Revision May 19, 2005
TES Assigned	28-Aug-2006 30-Aug-2006 Screening 29-Aug-2006	EPA Due	
Respondent	ITY INFORMATION Sun Ha dba College Station Cleaners		
Reg. Ent. Ref. No. acility/Site Region		Major/Minor Source Minor So	urce
SE INFORMATION Enf./Case ID No.	31008	No. of Violations 1	
Docket No. Media Program(s) Multi-Media	2006-1474-DCL-E Drycleaner	Order Type 1660 Enf. Coordinator Thomas EC's Team Enforcen	Greimel
Admin. Penalty \$ Li			
	Penalty Calcu	1	
	NALTY (Sum of violation base pena	alties) Subto	ital 1 \$1,185
Subtotals 2-7 are	+/-) TO SUBTOTAL 1 obtained by multiplying the Total Base Penalty (Subtotal	1) by the indicated percentage.	
Compliance I Notes	History 0% No adjustment for compli	6 Enhancement Subtotals 2, 3 ance history.	, & 7\$0
THE			
Culpability Notes	No 0% The respondent does not meet th		otal 4 \$0
			otal 5 \$0
Good Faith E	Before NOV NOV to EDPRP/Settlement Offer	& Reduction Subtr	otal 5\$0
Ordinary			-
Notes		he good faith criteria.	
Economic Be	······································		otal 6 \$0
Approx. (	Total EB Amounts \$20 Cost of Compliance \$250	*Capped at the Total EB \$ Amount	
UM OF SUBTOT	TALS 1-7	Final Sut	ototal \$1,185
	S AS JUSTICE MAY REQUIRE	Adjust	ment \$0
educes or enhances the P	inal Subtotal by the indicated percentage. (Enter numb	er only, e.g30 for -30 %.	
		Final Penalty An	nount \$1,185
TATUTORY LIN	IT ADJUSTMENT	Final Assessed Pe	malty \$1,185
	d Penalty by the indicted percentage. (Enter number or	20% Reduction Adjust	ment -\$237
educes the Final Assesse Notes			
AYABLE PENA	LTY		\$948
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			ba College Station Cleaners RN10065 006 <b>Docket No.</b> 200	)6-1474-DCL-E			PCW
	(a) (a) (a) (b) (b) (c) (c) (c) (c) (c) (c) (c) (c) (c) (c		ba College Station Cleaners	· •			tember 2002
<b>D</b>	22222222222222222222222222222222222222	e ID No. 31008			PC	W Revision	May 19, 200
Reg.		ence No. RN10065	and the second			n da dess Maria	a kiri i
		[Statute] Dryclean		• • • •			
	Ent. Coc	rdinator Thomas	Greimel	56° +11	A AND A		6. N. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
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		attive exercises design	<b>Compliance History Works</b>	heet			
>> Cc	mpliance Hi	story Site Enhancen	nent (Subtotal 2)				
		· · · ·				Antinat	
	Component	Number of Written NOVs with s	ame or similar violations as those in	the current	er Number Here	and an	٦ ( الم
	NOVs	enforcement action	(number of NOVs meeting criteria)		0	Ò%	1
		Other written NOVs			0	.0%	
			forcement orders containing a denial o	of liability	0	0%	1
	at a subscript	(number of orders n Any adjudicated fina	al enforcement orders, agreed final en	forcement order	s		4
	Orders	without a denial of li	ability, or default orders of this state of	or the federal		001	
		government, or any	final prohibitory emergency orders is		0	0%	
		commission					
	Judgments		d final court judgments or consent dec f this state or the federal government		)	. 0%	
	and		ent decrees meeting criteria)	TURNINGI OF	;0	U 70	418 · .
	Consent	Any adjudicated fina	al court judgments and default judgme			himmennettenskindelsen Distantisk	
	Decrees	non-adjudicated fina	al court judgments or consent decrees	without a denia	1 0	0.000 0%	
			ate or the federal government and the federal government and this state or the federal government and the federal goveernment and the federal government and			-14 s-1	4
,	Convictions	of counts)	ions of this state of the rederal govern	ment ( <i>number</i>	0	0%	
	Emissions		missions events (number of events)		0	0%	
	;	Letters notifying the	executive director of an intended aud				
		under the Texas En	vironmental, Health, and Safety Audit	Privilege Act,	0	0%	
	Audits		95 ( <i>number of audits for which notice</i> lons under the Texas Environmental,				4
		Safety Audit Privileg	e Act, 74th Legislature, 1995 (numbe		0	0%	
		which violations we	re disclosed)			- 10	
		Environmental man	agement systems in place for one yea	Please E	Enter Yes or No No	0%	1
		Voluntary on-site co	mpliance assessments conducted by	the executive			4
	Other	director under a spe	cial assistance program		No	0%	
	Outer		luntary pollution reduction program		No	0%	1
.	· · ·		th, or offer of a product that meets ful environmental requirements	ure state or	No	0%	
		hederar government	nan and a second se A second secon				
			Adjus	stment Perce	ntage (Su	btotal 2)	0%
>> Re	peat Violator	(Subtotal 3)					
	No	and a second	Adius	stment Perce	ntage (Su	btotal 3)	0%
		story Person Classif			U 1		·
				200 A - 1	- 19 (Mar)	مليوني الرابغ	
	<u>N/A</u>		Adjus	stment Perce	ntage (Su	btotal 7)	0%
>> Co	mpliance His	story Summary			30.50		
	Compliance						
H	istory Notes		No adjustment for compliance	e history.			
		la a superior de la consecuencia d		annean ann an	kan pangan kan kan sa	<u>nitions(i)jijij</u>	<b>W</b> , 1997 (1997)
			Total Adjustment Perce	ntage (Sub	ototals 2.	3, & 7)	0%
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Page 3 of 4 03/07/07 H:\Agre	ed Orders\CollegeStationCleanersanddbaDiscountCleaners-Sun	Ha\2006-1474-dcl-e-qcp-Sun Ha
Screening Date	ed Orders/CollegeStationCleanersanddbaDiscountCleaners-Sun dba College Station CleanersRN100655356.wb3 29-Aug-2006 Docket No. 2006-1474-DCL-E	PCW
Respondent	Sun Ha dba College Station Cleaners	Policy Revision 2 (September 2002)
Case ID No.		PCW Revision May 19, 2005
Reg. Ent. Reference No.		
Media [Statute]		
Enf. Coordinator Violation Number	Thomas Greimel	
Primary Rule Cite(s)	30 Tex. Admin. Code § 337.10(a)	
Secondary Rule Cite(s)	Tex. Health & Safety Code § 374.102	
Violation Description	The respondent failed to complete and submit the required reg form to the TCEQ for a dry cleaning and/or drop station fac	stration lity.
	Bas	e Penalty \$50
	a satura a Ultrana Una lite Materia	
>> Environmental, Pro	perty and Human Health Matrix Harm	
Release	Major Moderate Minor	
OR Actual	Percent	
Potential	Percent	
>> Programmatic Mat		
Falsification	Major Moderate Minor	
	X Percent 10%	
		]
Matrix Notes	100% of the rule requirement was not met.	
	Adjustment	-\$45
	Base Penalt	v Subtotal \$5
Violation Events		
Number of Violat	on Events 237	
	daliy X	
	monthly Material	
mark only one	guarterity Violation Bas	se Penalty \$1,185
use a small x	semionnuol	
	Single event	
[mmanumananan		al
Two I	undred thirty-seven daily events are recommended from the	
Septemb	er 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	[est
Estimated E	B Amount \$20 Violation Final Pe	nalty Total \$1,185
	This violation Final Assessed Penalty (adjusted	for limits) \$1,185
	This fination i fill Assessed i chary (aujusted	

Case ID No. 31	1008	ollege Station.(	leaners	1911	n de la constant Alexandre	1、青榆树、牡竹。 1. 叶子和 风云 一人	
Reg. Ent. Reference No. R Media [Statute] D Violation No. 1					veren (42) Veren (42) Vanst veren (		Years of Depreciation
ltem Description м	ltem Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
	o comnas or a		·		·	eyanə chaqyə	da o.
Delayed Costs					¢0.	¢ol	
Equipment Buildings	ter et al la ferra per a la ferra p	eren en didiger	a the second design of the second	0.0	<u>، الحجر</u> \$0	<u>unianoa (</u> \$0) i \$0	\$0 \$0
Other (as needed)		hereite en service and		0.0	\$0 \$0	\$0 \$0	چر \$0
Engineering/construction				0.0	\$0 \$0	\$0	\$0 \$0
Land				0.0	\$0	n/a	φC \$C
Record Keeping System				0.0	\$0 \$0	n/a	\$0
Training/Sampling		and the second second		0.0	\$0	n/a	\$C
Remediation/Disposal				0.0	\$0	n/a	\$C
Permit Costs	\$250	01-Sep-2005	31-Mar-2007	1.6	\$20	n/a	\$20
Other (as needed)		(		0.0	\$0	n/a	\$0
	The estimation	ated cost to rec	ister a dry clea	nina or	drop station fa	cility annually.	The date
Notes for DELAYED costs re	equired is the	date that the c	ompleted regis	tration f	orm was due a	and the final da	te is the date
			ondent is projec				
Unin	******	en a tradición electron electron de la companya de	າວກໍລາວເຫັນເປັນເປັນເປັນເປັນເປັນເປັນເປັນເປັນເປັນເປ	adaanininininaanini.			
Avoided Costs	ANNI ANNI	IALIZE EL AVALUA	d costs before en		1	- <b>1</b> - 1	
Disposal		DAEIZE [1] avoide	a costs before en		so	\$0	sis) \$0
Personnel	gerighter and the second			0.0	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling			oliteraturale constant and the second se	0.0	\$0	\$0	\$0 \$0
Supplies/equipment				0.0	\$0	\$0	\$0 \$0
	ana	an a contranscension		0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				narrariatistististet areas		\$0	\$0
Electron Solution				0.0	\$0		ុក្រ

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# Compliance History

Customer/Respondent/Owner-Operator:	CN603083262 HA, SUN	Classification:	Rating:
Regulated Entity:	RN100655356 COLLEGE STATION CLEANERS	Classification:	Site Rating:
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE	PA ID TXR000074971	
Location:	505 UNIVERSITY DR, COLLEGE STATION, TX, 77840	Rating Date: 9/1/2005 F	Repeat Violator: NO
TCEQ Region:	REGION 09 - WACO		
Date Compliance History Prepared:	August 30, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 30, 2001 to August 30, 2006		
TCEQ Staff Member to Contact for Additional In	formation Regarding this Compliance History		
Name: Thomas Greimel	Phone: (512) 239	-5690	
	Site Compliance History Components		
1. Has the site been in existence and/or operation		Yes	
2. Has there been a (known) change in ownersh	· · ·	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 judgem	ents, and consent decrees of the state of Texas and the fe	deral government.	
N/A			
B. Any criminal convictions of the state of T	exas and the federal government.		
N/A			
C. Chronic excessive emissions events.			
N/A			
D. The approval dates of investigations. (C	CEDS Inv. Track. No.)		
1 08/24/2006 (492051)			
E. Written notices of violations (NOV). (CC	EDS Inv. Track. No.)		
N/A			
F. Environmental audits. N/A			
G. Type of environmental management sys	stems (EMSs).	ч.,	
N/A			
H. Voluntary on-site compliance assessme	nt dates.		1999 - P.
N/A		·	
I. Participation in a voluntary pollution redu	ction program.		
N/A		•	
J. Early compliance.			
N/A			
Sites Outside of Texas			
N/A			

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	05-Sep-2006 09-Sep-2006	Screening	11-Sep-2006	EPA Due			
RESPONDENT/FACI Respondent Reg. Ent. Ref. No. Facility/Site Region	t Sun Ha dba Di RN105014724			Major/Mind	or Source N	Ainor Source	
CASE INFORMATIO Enf./Case ID No. Docket No. Media Program(s)	. 31008 . 2006-1474-DC			O Enf. Co	/iolations [] rder Type [] ordinator []	660 homas Greimel	
Multi-Media Admin. Penalty \$ L	3	\$0	Maximum	<b>5</b> 0	C's Team 🗄	Enforcement Tean	n 7 🔄
	A	Penalt	y Calculati	on Sectio	n		
TOTAL BASE PE	NALTY (Sum	of violation	base penaltie	s)		Subtotal 1	\$1,18
ADJUSTMENTS	(+/-) TO SUB <sup>-</sup>	OTAL 1					
Subtotals 2-7 are Compliance		ng the Total Base F	enalty (Subtotal 1) by 0% Enf	the indicated percei ancement		tals 2, 3, & 7	\$(
Notes	s	No adjustme	nt for compliance	history.			
Culpability Note:	No s The	<pre>espondent doe</pre>	0% Ent s not meet the cu	nancement Ipability criteria.		Subtotal 4	\$
Good Faith	Effort to Compl			Juction		Subtotal 5	\$
Extraordinar Ordinar N/.	ſŸ	NOV to EDPRP/Se					
Note	s The	respondent doe	s not meet the g	ood faith criteria			
Economic B Approx.	Benefit Total EB Amounts Cost of Compliance	\$20 \$250		nancement* Capped at the Total	EB \$ Amount	Subtotal 6	\$
SUM OF SUBTO	TALS 1-7				F	inal Subtotal	\$1,18
OTHER FACTOR						Adjustment	\$
Reduces or enhances the Note		indicated percentag	e. (Enter number onl)	/; e.g30 for -30%.	, 		
					Final Pe	nalty Amount	\$1,18
STATUTORY LI	WIT ADJUSTN	IENT			Final Asse	ssed Penalty	\$1,18
	ad Parally by the ind	icted percentage	Enfer number only: a	20% Rei	0000033536000500995569595	Adjustment	-\$2:
DEFERRAL							
DEFERRAL Reduces the Final Assess Note	s	Deferral offer	ed for expedited a				

	Screen	ing Date 11-Sep-2006	unt CleanersRN105014724.wb3 Docket No. 2006-1474-DCL-E			PCV
		pondent Sun Ha dba Discoun		Policy Rev	Ision 2 (Sept	ember :
		e ID No. 31008		PC	W Revision I	May 19,
Reg.	Media	ence No. RN105014724 Statute] Drycleaner	na stander fra de Boord		1997 - 1997 -	
	Enf. Coc	rdinator Thomas Greimel				
	,				184 (J. 1947) 1970 - 1970	
		generative de la Compl	iance History Worksheet		2.51	
>> C(	ompliance Hi	story Site Enhancement (Subto	otal 2)			
	Component	Number of and the to the	Enter	Number Here	Adjust.	
	NOVs	Written NOVs with same or sim enforcement action (number of Other written NOVs	ilar violations as those in the current NOVs meeting criteria)	0	0% 0%	
			rders containing a denial of liability	0		
		(number of orders meeting crite	ria)		0%	
	Orders		ent orders, agreed final enforcement orders efault orders of this state or the federal			
		government, or any final prohib	itory emergency orders issued by the	0	0%	
Fish a		commission	Judgments or consent decrees containing		11.203	194 19
	Judgments and		or the federal government (number of	0 ;	0%	t province State
	Consent Decrees	Any adjudicated final court judg	ments and default judgments, or ments or consent decrees without a denial	ò	0%	
			deral government of a construction and		a tad	
	Convictions	Any criminal convictions of this of counts)	state or the federal government (number	0	0%	
	Emissions	Chronic excessive emissions ev	vents (number of events)	0	0%	1.4
		under the Texas Environmental	lirector of an intended audit conducted , Health, and Safety Audit Privilege Act, of audits for which notices were	0	0%	
	Audits	Disclosures of violations under	the Texas Environmental, Health, and Legislature, 1995 (number of audits for	0	0% 0%	. 5. j
	L	Summer and a summer and a summer and a summer and a summer summer summer summer summer summer summer summer sum	Please En	ter Yes or No		
			stems in place for one year or more ssessments conducted by the executive	No	0%	
	0.4	director under a special assista		No	0%	
***	Other	Participation in a voluntary pollu	ition reduction program	No	0%	
		Early compliance with, or offer of federal government environmer	of a product that meets future state or tal requirements	No	0%	¥., <sup>1</sup>
		•	Adjustment Percen	tage (Su	btotal 2)	
>> Re	epeat Violator	(Subtotal 3)				
	No	· · · · · · · · · · · · · · · · · · ·	Adjustment Percen	tage (Su	btotal 3)	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
>> Cr		tory Person Classification (Su	and the second			
	N/A		Adjustment Percen	tage (Su	btotal 7)	
>> Co	ompliance His	tory Summary				
	Compliance					]
ŀ	listory Notes	Nc	adjustment for compliance history.			
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Page 3 of 4 03/07/07 H:\Agree	ed Orders\CollegeStationCleane	rsanddbaDiscountCleaners-Sun	Ha\2006-1474-dcl-e-qcp-Sun Ha
Screening Date 1	dba Discount Cleaner 11-Sep-2006	RN105014724.wb3 ket No. 2006-1474-DCL-E	PCW
Respondent s	Sun Ha dba Discount Cleaners		Policy Revision 2 (September 2002)
Case ID No. 3			PCW Revision May 19, 2005
Reg. Ent. Reference No. F			
Media [Statute]			
Enf. Coordinator			
Primary Rule Cite(s)		iin. Code § 337.10(a)	
Secondary Rule Cite(s)		Safety Code § 374.102	
Violation Description	The respondent failed to comp form to the TCEQ for a dry	ete and submit the required reg cleaning and/or drop station fac	istration lity.
		Bas	e Penalty \$50
>> Environmental, Pro	perty and Human Health M	Antriu	
>> Environmental, Proj	Harm	naunx	
Release	Major Moderate Minor		
OR Actual		Percent	
Potential		Feicent	
>> Programmatic Matri	X		
Falsification	Major Moderate Minor	B	
	X	Percent 10%	
Matrix Notes	100% of the rule requireme	nt was not met.	
		Adjustment	-\$45
		Base Penalty	y Subtotal \$5
Violation Events			
Number of Violatio	on Events 237		
mark only one use a smail x		Violation Bas	se Penaity \$1,185
	single event		
	undred thirty-seven daily events r 1, 2005 deadline to the April 26 the TCEQ letter dated Ma	5, 2006 deadline established by	
Economic Benefit (	EB) for this violation	Statutory Limit	<b>Fest</b>
Estimated E	3 Amount \$20	Violation Final Pe	nalty Total \$1,185
	This violation Fina	al Assessed Penalty (adjusted	for limits) \$1,185

Case ID No.	Sun Ha dba Dis 31008	count Cleaner	S and a second sec		a shi a gate T		
Reg. Ent. Reference No.	RN105014724				(51 · _ · · _ ·		
Media [Statute]					e di subi asi a	Percent	Years of
Violation No.	1						epreciation
						5.0	1
lterre	ltem	Date	Final	Yrs	Interest	Onetime	EB
Item	Cost	Required	Date		Saved	Costs	Amount
Description	-No commas or \$	- Karalan ang Karalan				مې دهه د به	keter er e
Delayed Costs	х.						
Equipment		1		0.0	\$0	\$0 i	s., si
Buildings				0.0	\$0	\$0	\$(
Other (as needed)		1		0,0	\$0	\$0	\$
Engineering/construction	l.	1		0.0	\$0	\$0	\$
Land				0.0	\$0	n/a	\$
Record Keeping System				0.0	\$0	n/a	\$
Training/Sampling				0.0	\$0	n/a	<b>\$</b>
Remediation/Disposal				0.0	\$0	n/a	\$
Permit Costs	\$250 (	01-Sep-2005	31-Mar-2007	1.6	\$20	n/a	<u>\$2</u>
Other (as needed)		1		0.0	\$0	n/a	\$
Notes for DELAYED costs						cility annually. T ind the final date	
			ndent is projec				
	ABTERGETE TERGETE AND			nadiationation		in the second	
	11111 11101					•	
Avoided Costs	ANNU		t costs before en	tering iter	m (except for one	-time avoided cost	5)
Avoided Costs Disposal	ANNU		1 costs before en	tering iter 0,0	n (except for one \$0	-time avoided cost \$0	*****
	ANNU		t costs before en	service and the service	ertette strette en ander at den gevenden gebe		\$
Disposal	ANNU		1 costs before en	0.0 0.0 0.0	\$0 \$0 \$0	\$0	\$ \$ \$
Disposal Personnel			l costs: before en	0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$ \$ \$
Disposal Personnel nspection/Reporting/Sampling Supplies/èquipment Financial Assurance [2]			t costs before en	0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$ \$ \$ \$
Disposal Personnel nspection/Reporting/Sampling Supplies/équipment Financial Assurance [2] ONE-TIME avoided costs [3]			t costs before en	0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
Disposal Personnel nspection/Reporting/Sampling Supplies/èquipment Financial Assurance [2]			f costs before en	0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$
Disposal Personnel nspection/Reporting/Sampling Supplies/équipment Financial Assurance [2] ONE-TIME avoided costs [3]			d costs before en	0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$ \$ \$ \$
Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			d costs hefore en	0.0 0.0 0.0 0.0 0.0 0.0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$

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# **Compliance History**

Customer/Respondent/Owner-Operator:	CN603083262 HA, SUN		Classification:	Rating:
Regulated Entity:	RN105014724 DISCOUNT CLEAN	NERS	Classification:	Site Rating:
ID Number(s):	INDUSTRIAL AND HAZARDOUS WAS	TE EPA ID	· · ·	TXR000074963
Location:	917 W BROWN ST, HEARNE, TX, 778	59	Rating Date: 9/1/2005	Repeat Violator: NO
TCEQ Region:	REGION 09 - WACO			
Date Compliance History Prepared:	August 30, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	August 30, 2001 to August 30, 2006			
TCEQ Staff Member to Contact for Additional Int				
Name: Thomas Greimel	Phone: (512)	239-5690	· · · · · · · · · · · · · · · · · · ·	
	Site Compliance History	Components		
1. Has the site been in existence and/or operation	on for the full five year compliance period?	Yes		
2. Has there been a (known) change in ownersh	ip 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 :		· · · · · · · · · · · · · · · · · · ·		
	ents, and consent decrees of the state of T	fexas and the federal	government.	
N/A				
				•
<ul> <li>B. Any criminal convictions of the state of T N/A</li> </ul>	exas and the rederal government.			
C. Chronic excessive emissions events.		и 1		
N/A				
D. The approval dates of investigations. (C	CEDS Inv. Track. No.)			
1 08/30/2006 (509055)				
E. Written notices of violations (NOV). (CC	EDS Inv. Track. No.)			
N/A				
	•			
F. Environmental audits. N/A				
G. Type of environmental management sys	tems (EMSs).			
N/A				
H. Voluntary on-site compliance assessme	nt dates.			
N/A				
1. Participation in a voluntary pollution redu	ction program.			
N/A				
J. Early compliance.				
N/A				
Sites Outside of Texas				
N/A				

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S.W.	Policy Revision 2 (S		nalty Calc	uni Cleaners Culation V	Vorks	heet (P	CW)	PCW Revision	n May 19, 2005	
TCEG DATE:	S Assigned	05-Sep-2006 09-Sep-2006	Screening 1	1-Sep-2006	EPA	Due				
Re	ONDENT/FACIL Respondent g. Ent. Ref. No. ity/Site Region	Sun Ha dba Dis RN105014682	ION count Cleaners		< <u> </u>	ajor/Minor \$	Source	Ainor Source		ESSE
· Me	INFORMATION nf./Case ID No. Docket No. dia Program(s) Multi-Media nin. Penalty \$ Liu	31008 2006-1474-DCI Drycleaner	-E \$0	Maximum	\$50	Enf. Coord	r Type 1 linator 1			
	, , , , , , , , , , , , , , , , ,		Penalt	y Calcula	ition S	Section				
тот,	AL BASE PEN	IALTY (Sum	of violation	base penal	ties)			Subtotal 1	\$1,18	5
ADJI	JSTMENTS (+ Subtotals 2-7 are o Compliance H	btained by multiplyi	OTAL 1 ng the Total Base Pr	enalty (Subtotal 1) 0%		cated percentag		tais 2, 3, & 7	S(	D
	Notes		No adjustmer	nt for compliar	nce histor	ry.				
	Culpability Notes	No The r	<		Enhancerne culpabilii			Subtotal 4	\$	D
		ffort to Comply Before NOV	NOV to EDPRP/Set	MONEY CONTRACTOR CONTRACTOR NO.	Reduction			Subtotal 5	\$	Ð
	Extraordinary Ordinary N/A	x	(mark with a small x	;) #11.11.11.11.11.11.11.11.11.11.11.11.11.						
	Notes	Their	espondent doe:	s not meet the	good fai	th criteria.				
• 100 100 100 100 100 100 100 100 100 10		<b>nefit</b> Total EB Amounts [ ost of Compliance ]	\$20 \$250	0%	Enhancem *Capped	ent* at the Total EB .	\$ Amount	Subtotal 6	\$	0
SUN	I OF SUBTOT	ALS 1-7					F	inal Subtotal	\$1,18	5
	ER FACTORS				only; e.g3	30 for -30%.)		Adjustment	\$	0
	Notes			···			Final Per	nalty Amount	\$1,18	5
STA	TUTORY LIM	T ADJUSTN	ENT			Fi	nal Asse	ssed Penalty	\$1,18	5
		I Dopolity is the in-di	ated percentage //	inter number och:	a a 20 for	20% Reduct	a Charles Harden and Address	Adjustment	-\$23	7
Reduc	es the Final Assessed Notes	I Penaity by the indu	Deferral offere			1. A.				
ΡΑΥ	ABLE PENAL	.TY							\$94	8

	Screen	ing Date 11-Sep-	dba Discount CleanersRN105014682.wb3 2006 Docket No. 2006-1474-DCL-E			P(
			dba Discount Cleaners		ision 2 (Sep	temt
		e ID No. 31008		PC	W Revision	May
Reg.		ence No. RN1050			्र अप्रै भग	
		[Statute] Dryclear		n de la composition d La composition de la c		
	Enf. Coo	rdinator Thomas	Greimel			, i ç
	÷		n an	$ \psi_{i}(x)  =  \psi_{i}(x)  +  \psi_$	Sec. 1	· · ·
		est institu	Compliance History Worksheet		ale i ante e	1
					an stadt i ei	: Asian
22 66		story Site Enhance			an i shi kes	
	Component	Number of	same or similar violations as those in the current	ter Number Here		
	NOVs		(number of NOVs meeting criteria)	0	0%	
		Other written NOV:		0	0%	
			nforcement orders containing a denial of liability	0	0%	1
		(number of orders I	meeting criteria) al enforcement orders, agreed final enforcement orde	[		-
	Orders	without a denial of	liability, or default orders of this state or the federal			
			/ final prohibitory emergency orders issued by the	O O	0%	
		commission				1
			ed final court judgments or consent decrees containin			
	Judgments and		of this state or the federal government (number of sent decrees meeting criteria)	,0 	0%	
	Consent		al court judgments and default judgments, or			
	Decrees	non-adjudicated fin	al court judgments or consent decrees without a den	al 0	0%	-940
			ate or the federal government at some Backerburg		2. 19 <u>. 1</u>	
	Convictions	Any criminal convic	ctions of this state or the federal government (number	- o	0%	
	Emissions		emissions events (number of events)	0	0%	
	Linicolono		e executive director of an intended audit conducted		070	ł.
		under the Texas Er	nvironmental, Health, and Safety Audit Privilege Act,	0	0%	
	Audits		995 (number of audits for which notices were			
н. 			ations under the Texas Environmental, Health, and ge Act, 74th Legislature, 1995 <i>(number of audits for</i>	0	00/	
		which violations we		. O	0%	
			Please	Enter Yes or No		1 .,
			nagement systems in place for one year or more	No	0%	
			ompliance assessments conducted by the executive eclal assistance program	No	0%	
	Other		pluntary pollution reduction program	No	0%	1
3		Early compliance w	vith, or offer of a product that meets future state or	No	0%	1
	3 E	federal government	t environmental requirements		U 70	] · .
		A 124 a CAL	Adjustment Perc	entage (Sul	btotal 2)	
SS PA	peat Violator	(Subtotal 2)		A Leige V		ه بالارونية
		(ounioial o)		1 - <u>1985 - 19</u> 85		
	No	S	Adjustment Perc	entage (Sul	btotal 3)	l
>> Cc	mpliance His	story Person Class	ification (Subtotal 7)			
	N/A		Adjustment Perc	entage (Sul	htotal 7	[
1				Sinage (OU)	- (J (a) 7)	
>> Cc	mpliance His	story Summary				
	Compliance		No adjustment for compliance history.			
н	listory Notes		and adjustment of compliance history.			
						~ , {''''''''''
		in the second	Total Adjustment Percentage (Su	btotals 2,	3, & 7)	L
				ag ta la gasta	i y i i i	
		·	and the second	· · · · ·		
		:	a per en en la seguina de presidencia de la seguina de En la seguina de la seguina	e un a satur 🕴		
				and the second		

Page 3 of 4 03/07/07 H:\Agr	reed Orders\CollegeStationClean	ersanddbaDiscountCleaners-Sun	Ha\2006-1474-dcl-e-qcp-Sun Ha
Screening Date	dba Discount Cleane 11-Sep-2006 <b>Do</b>	rsRN105014682.wb3 cket No. 2006-1474-DCL-E	PCW
Respondent	Sun Ha dba Discount Cleaners		Policy Revision 2 (September 2002)
Case ID No.			PCW Revision May 19, 2005
Reg. Ent. Reference No.	RN105014682		
Media [Statute]	2 -		
Enf. Coordinator			
Violation Number		min. Code § 337.10(a)	
Primary Rule Cite(s) Secondary Rule Cite(s)	and a second and a second and a second s	Safety Code § 374.102	
Violation Description	The respondent failed to comp	blete and submit the required reg cleaning and/or drop station faci	stration lity.
	The second s	Bas	e Penalty \$50
>> Environmental. Pro	operty and Human Health	Matrix	
Littleintentai, i is	Harm		
OR Actual Potential		Percent	
>> Programmatic Mat	riy		
Falsification		·······	· · · · · · · · · · · · · · · · · · ·
		Percent 10%	
[			1
Matrix Notes	100% of the rule requireme	ent was not met.	
		Adjustment	-\$45
		Base Penalty	
		Daserenany	
Violation Events			
Number of Viola	tion Events 237		
mark only one use a small x	Saliy monthly quarterly semiannuct annuat single event	Violation Bas	e Penalty \$1,185
	hundred thirty-seven daily events ber 1, 2005 deadline to the April 2 the TCEQ letter dated M	6, 2006 deadline established by	
Economic Benefit	(EB) for this violation	Statutory Limit T	est
Estimated E	EB Amount \$20	Violation Final Per	nalty Total \$1,185
	This violation Fin	al Assessed Penalty (adjusted	for limits) \$1,185

ge 4 of 4 03/07/07 H:\Agre Respondent S Case ID No. 3 Reg. Ent. Reference No. F Media [Statute] D Violation No. 1	Eco Sun Ha dba Disc 1008 20105014682 Drycleaner	Discount Clea nomic B	enefit Wo	Discoun 4682 <b>rkshe</b>	(Cleaners-Sun 23 24 20 20 20 20 20 20 20 20 20 20 20 20 20	Percent	dcl-e-qcp-Sun Years of Depreciation 15
ltem Description ►	ltem Cost Jo commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB
Delayed Costs		-				e gana na kara ka ka	
Equipment				0.0	\$0]	\$0	\$0
Buildings				0.0	\$0	· \$0	<b>\$</b> 0
Other (as needed)				0.0	<u>\$0</u>	\$0	\$0
Engineering/construction	oder en	energi anti anti	and the straight st	0.0	\$0	\$0	\$0
Land				0.0	\$0 ¢0	n/a	\$0  \$0
Record Keeping System				0.0	\$0 \$0	n/a n/a	\$0 \$0
Training/Sampling Remediation/Disposal		2		0.0	ېنې چې د او د ا	n/a	\$0 \$0
Permit Costs	\$250 0	1-Sep-2005	31-Mar-2007	1.6	\$20	n/a	<del>ψ</del> 0 \$20
Other (as needed)	Ψ200,0	1 000 2000		0.0	\$0	n/a	\$0
Notes for DELAYED costs		ate that the c	ompleted regis	stration 1	drop station fa orm was due a come into comp	ind the final da	
	en Jacob	Ĵ <sup>V</sup>					
Avoided Costs	ANNUA	LIZE [1] avoide	d costs before er		m (except for one	and the second secon	
Disposal				0,0	\$0	<u>\$0 </u>	\$0
Personnel				0.0	\$0	<u>\$0</u>	. \$0
Inspection/Reporting/Sampling	nan anan marakan ana	enner de la presentad		0.0	<u>\$0</u>	\$0	\$0
Supplies/equipment				0.0	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance [2] ONE-TIME avoided costs [3]				0.0	\$0 \$0	\$0 \$0	\$0 \$0
ONE-TIME avoided costs [3]				0.0	\$0 \$0		<del>ې ۵</del> ۵ \$0
Notes for AVOIDED costs		ana an		<u>u v.vl</u>	¥∨I.	₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩	ΨU
Approx. Cost of Compliance	\$250	. men freggen pensepantspipping				TOTAL	\$20

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# Compliance History

Customer/Respondent/Owner-Operator:	CN603083262	HA, SUN		Classification:	Rating:	
Regulated Entity:	RN105014682	DISCOUNT CLEANERS		Classification:	Site Rat	ting:
ID Number(s):	INDUSTRIAL AND GENERATION	D HAZARDOUS WASTE	EPA ID		TXR00007	74989
Location:		GTON AVE, NAVASOTA, TX,	77868	Rating Date: Septen	nber 01 2005 Repe	at Violator: N
		CO				
TCEQ Region:	REGION 09 - WA					
Date Compliance History Prepared:	August 30, 2006					
Agency Decision Requiring Compliance History:	Enforcement					
Compliance Period:		to August 30, 2006				
TCEQ Staff Member to Contact for Additional Info						
Name: Thomas Greimel	PI	hone: (512) 239-569	90			
	S	Site Compliance History C	Components		•	
1. Has the site been in existence and/or operatio		-	Yes			
2. Has there been a (known) change in ownershi			No	, · · · · · · · · · · · · · · · · · · ·		
3. If Yes, who is the current owner?			N/A			
<ol><li>if Yes, who was/were the prior owner(s)?</li></ol>			N/A			
5. When did the change(s) in ownership occur?			N/A			
Components (Multimedia) for the Site : A. Final Enforcement Orders, court judgeme	onte and consent de	crees of the state of Texas an	d the federal o	overnment		
	ints, and consent de	cices of the state of Texas a	ia the leacharg			
N/A						
<ul> <li>B. Any criminal convictions of the state of Te</li> <li>N/A</li> </ul>	exas and the federal	government.				
C. Chronic excessive emissions events.						
N/A						
D. The approval dates of investigations. (CC	CEDS Inv. Track. No	).)				
1 08/30/2006 (509048)						
		· · · · · · · · · · · · · · · · · · ·				
E. Written notices of violations (NOV). (CCE	EDS Inv. Track. No.)					
N/A						
F. Environmental audits.						
N/A						
G. Type of environmental management system	tems (EMSs).					
N/A						
H. Voluntary on-site compliance assessmer	nt dates.					
N/A						
I. Participation in a voluntary pollution reduc	ction program.					
N/A						
J. Early compliance.	<i>4</i>		,			
N/A						
Sites Outside of Texas						
N/A		· · · · · ·				

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<b>ICEQ</b>	licy Revision 2 (September 2002) PCW Revision May 19, 2005	5
DATES	Assigned         05-Sep-2006           PCW         09-Sep-2006         Screening         11-Sep-2006         EPA Due	
12222-222242-4949494949	DENT/FACILITY INFORMATION espondent Sun Ha dba Discount Cleaners	
	nt. Ref. No. RN104152566 Site Region 9-Waco	
En Med	ORMATION         Case ID No. 31008         Docket No. 2006-1474-DCL-E         Program(s)         Drycleaner         Aulti-Media         Penalty \$ Limit Minimum       \$0         Maximum       \$50	
	Penalty Calculation Section	
τοτα		1,185
	TMENTS (+/-) TO SUBTOTAL 1	
	btotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. ompliance History 0% Enhancement Subtotals 2, 3, & 7	\$0
	Notes No adjustment for compliance history.	
	ulpability No Subfotal 4	\$0
	Notes The respondent does not meet the culpability criteria.	
	ood Faith Effort to Comply 0% Reduction Subtotal 5	\$0
	Extraordinary Ordinary	
	N/A x (mark with a small x) Notes The respondent does not meet the good faith criteria	
		\$0
	Conomic Benefit     0% Enhancement*     Subtotal 6       Total EB Amounts     \$20     *Capped at the Total EB \$ Amount       Approx. Cost of Compliance     \$250	
SUM		i <b>1,185</b>
	FACTORS AS JUSTICE MAY REQUIRE Adjustment	\$0
Reduces	enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.) Notes	
		1,185
STAT	TORY LIMIT ADJUSTMENT Final Assessed Penalty	51,185
	Reduction         Adjustment           e Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)         Adjustment	-\$237
	Notes Deferral offered for expedited settlement.	
PAY		\$948

	Screen	dba Discount CleanersRN104152566.wb3 Ing Date 11-Sep-2006 Docket No. 2006-1474-DC	CL-E			PCW
	Res	pondent Sun Ha dba Discount Cleaners		licy Rev	lsion 2 (Septe	mber 200
		e ID No. 31008		PC	W Revision M	ay 19, 200
Reg.		ence No. RN104152566				
		Statute] Drycleaner			set di	
	Enf. Coc	rdinator Thomas Greimei	an parta series	2 1		
					$\mathcal{F}_{i,j} = \{i,j\} \in \mathcal{F}_{i,j}$	
		Compliance History Worksheet				
>> C	ompliance Hi	story Site Enhancement (Subtotal 2)	14. 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 - 1910 -			
per tradicia Ma		Number of whether a subscription of the su	E. A. M. A		Adust	
	Component	Written NOVs with same or similar violations as those in the current	Enter Numb		and and a second s	
	NOVs	enforcement action (number of NOVs meeting criteria)		0	Ů%	
		Other written NOVs		0	0%	
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)		0	0%	
	Onders	Any adjudicated final enforcement orders, agreed final enforcement	orders			
	Orders	without a denial of liability, or default orders of this state or the feder	al	0	0%	
		government, or any final prohibitory emergency orders issued by the commission		U.	0 /0	
		Any non-adjudicated final court judgments or consent decrees conta	Inina			
	Judgments	a denial of liability of this state or the federal government (number of		0	0%	
	and	judgements or consent decrees meeting criteria)				
	Consent	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a	deniel	~	00	
	Decrees	of liability, of this state or the federal government concern as		0	0%	
	Constations	Any criminal convictions of this state or the federal government (nun	nber	, A		
	Convictions	of counts)		0	0%	
	Emissions	Chronic excessive emissions events (number of events)		0	0%	
		Letters notifying the executive director of an intended audit conducte under the Texas Environmental, Health, and Safety Audit Privilege A	a Act	0	0%	
	Audits	74th Legislature, 1995 (number of audits for which notices were	,	·	070	
	Audits	Disclosures of violations under the Texas Environmental, Health, an				
		Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits which violations were disclosed)	for	0	0%	
	<u> </u>		lease Enter Ye	s or No	<u>la an</u> 1	
	[	Environmental management systems in place for one year or more		No	0%	
		Voluntary on-site compliance assessments conducted by the execut director under a special assistance program	ive	No ···	0%	
	Other	Participation in a voluntary pollution reduction program		No	0%	
		Early compliance with, or offer of a product that meets future state o	r Extension		0%	
	tanatanatanatanatanatanatanatanatanatan	federal government environmental requirements		No	0%	• •
		Adjustment P	ercentag	e (Su	btotal 2)	0
>> R(	epeat Violator	(Subtotal 3)			- bu	
	No	Adjustment P	orcontar	a /¢	htotal 21	00
~~~~			cicentay			V
ان مرمر ا	····-	tory Person Classification (Subtotal 7)			t ja en genal 🕶	
	N/A.	Adjustment P	ercentag	e (Su	btotal 7)	0°
>> C(	ompliance His	tory Summary			Úċ.	
	Compliance					
H	listory Notes	No adjustment for compliance history.				
	1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 -			1999 Augustania	i haanaanaanaanaa ina ina ina ina ina ina i	
<b>j</b>		Total Adjustment Percentage (	0	1- 0	A A	0%

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Reg. Ent. Reference No.			
Media [Statute]			
Enf. Coordinator			
Violation Number			
Primary Rule Cite(s)		nin. Code § 337.10(a)	
Secondary Rule Cite(s)	Tex. Health &	Safety Code § 374.102	
Violation Description		lete and submit the required regi cleaning and/or drop station faci	
, i		Bas	e Penalty \$50
<ul> <li>Environmental, Pro</li> </ul>	perty and Human Health I	Matrix	
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Matrix Notes	100% of the rule requireme	ant was not met.	
		• • • • •	+ · ·
		Adjustment	-\$45
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	nundred thirty-seven daily events		
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		aidi 24, 2000.	
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			alty Total \$1,18
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						5.0	15
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ltem Description N	Cost Io commas or \$	Required	Date		Saved	Costs	Amount
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Equipment				0.0	\$0	\$0	star \$(
Buildings				0.0	\$0	\$0	\$(
Other (as needed)				0.0	\$0	\$0	\$(
Engineering/construction				0.0	\$0	\$0	\$(
Land				0.0	\$0	n/a	<b>\$</b> (
Record Keeping System				0.0	<u>\$0</u>	n/a	\$(
Training/Sampling			a an	0.0	\$0	n/a	\$(
Remediation/Disposal	Accol o			0.0	\$0	n/a	\$(
Permit Costs	\$250 01	I-Sep-2005 3	1-Ma <b>r-</b> 2007	1.6	\$20	n/a	\$20
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Notes for DELAYED costs		te that the con	npleted regis	stration f	orm was due a	nd the final date	
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# Compliance History

Customer/Respondent/Owner-Operator:	CN603083262	HA, SUN		Classification:	Rating:
Regulated Entity:	RN104152566	DISCOUNT CLEANERS		Classification:	Site Rating:
ID Number(s):	INDUSTRIAL AND GENERATION	) HAZARDOUS WASTE	EPA ID		TXR000074971
Location:	3300 E 29TH ST,	BRYAN, TX, 77802		Rating Date: 9/1/20	05 Repeat Violator: NO
TCEQ Region:	REGION 09 - WA	CO			. 7
Date Compliance History Prepared:	August 30, 2006				
Agency Decision Requiring Compliance History:	Enforcement				
Compliance Period:	August 30, 2001 t	o August 30, 2006			
TCEQ Staff Member to Contact for Additional Inf	ormation Regarding	this Compliance History			
Name: Thomas Greimel	F	Phone: (512) 239-56	90	<u></u>	
	Site C	ompliance History Comp	onents		
1. Has the site been in existence and/or operatic		•	Yes		
2. Has there been a (known) change in ownershi			No		
0. If Ves, who is the surrent surreng			N/A		
<ul><li>3. If Yes, who is the current owner?</li><li>4. if Yes, who was/were the prior owner(s)?</li></ul>			N/A	· · · · · · · · · · · · · · · · · · ·	
<ul><li>5. When did the change(s) in ownership occur?</li></ul>			` N/A		
					· · · · · · · · · · · · · · · · · · ·
Components (Multimedia) for the Site :	•				
A. Final Enforcement Orders, court judgeme	ents, and consent de	crees of the state of Texas and	d the federal g	overnment.	
N/A					•
B. Any criminal convictions of the state of T	exas and the federal	government.			
N/A					
C. Chronic excessive emissions events.					
N/A					•
D. The approval dates of investigations. (C	CEDS Inv. Track. No	.)			
1 08/30/2006 (509148)					
E. Written notices of violations (NOV). (CCI	EDS INV. TRACK. NO.)				. · · ·
N/A					
F. Environmental audits. N/A					
G. Type of environmental management sys	tems (EMSs).				
N/A					
H. Voluntary on-site compliance assessme	nt dates.				
N/A			,		
I. Participation in a voluntary pollution redu	ction program.				
N/A		· ·			
J. Early compliance.					
N/A					
Sites Outside of Texas	•				
N/A					

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### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING SUN HA DBA COLLEGE STATION CLEANERS AND DBA DISCOUNT CLEANERS RN100655356, RN105014724, RN105014682, RN104152566 **BEFORE THE** 

TEXAS COMMISSION ON

#### ENVIRONMENTAL QUALITY

#### AGREED ORDER DOCKET NO. 2006-1474-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 Sun Ha dba College Station Cleaners and dba Discount Cleaners ("Mr. Ha") 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. Ha appear before the Commission and together stipulate that:

- 1. Mr. Ha owns and operates dry cleaning drop stations at 505 University Drive in College Station, Brazos County, Texas, 917 West Brown Street in Hearne, Robertson County, Texas, and 1683 East Washington Avenue in Navasota, Grimes County, Texas, and a drycleaner at 3300 East 29<sup>th</sup> Street in Bryan, Brazos 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 Mr. Ha agree that the Commission has jurisdiction to enter this Agreed Order, and that Mr. Ha is subject to the Commission's jurisdiction.
- 4. Mr. Ha received notices of the violations alleged in Section II ("Allegations") on or about August 23, 2006 and August 26, 2006.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Mr. Ha of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

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Sun Ha dba College Station Cleaners and dba Discount Cleaners DOCKET NO. 2006-1474-DCL-E Page 2

6. An administrative penalty in the amount of Four Thousand Seven Hundred Forty Dollars (\$4,740) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Mr. Ha has paid One Hundred Seventeen Dollars (\$117) of the administrative penalty and Nine Hundred Forty-Eight Dollars (\$948) is deferred contingent upon Mr. Ha's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Mr. Ha fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Mr. Ha to pay all or part of the deferred penalty.

The remaining amount of Three Thousand Six Hundred Seventy-Five Dollars (\$3,675) of the administrative penalty shall be payable in 35 monthly payments of One Hundred Five Dollars (\$105) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If Mr. Ha fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of Mr. Ha to meet the payment schedule of this Agreed Order constitutes the failure by Mr. Ha to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 8. The Executive Director of the TCEQ and Mr. Ha 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 Mr. Ha 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, Mr. Ha 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, May 23, 2006, and May 31, 2006.

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Sun Ha dba College Station Cleaners and dba Discount Cleaners DOCKET NO. 2006-1474-DCL-E Page 3

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#### **III. DENIALS**

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

#### IV. ORDERING PROVISIONS

It is, therefore, ordered by the TCEQ that Mr. Ha pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Mr. Ha'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: Sun Ha dba College Station Cleaners and dba Discount Cleaners, Docket No. 2006-1474-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

It is further ordered that Mr. Ha shall undertake the following technical requirements:

Within 15 days after the effective date of this Agreed Order, complete and submit the required drycleaner 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

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 این در این میکند. <sup>م</sup>اردیک این در در دولومی این بین این میزونیک مؤرد و دیکن این و و مکن این دورونیک این در میرو این و این این می این می این در دارد ایک ترک

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Sun Ha dba College Station Cleaners and dba Discount Cleaners DOCKET NO. 2006-1474-DCL-E Page 4

are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Waste Section Manager 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 Mr. Ha. Mr. Ha 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 Mr. Ha fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Mr. Ha's failure to comply is not a violation of this Agreed Order. Mr. Ha shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Mr. Ha shall notify the Executive Director within seven days after Mr. Ha 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 Mr. Ha shall be made in writing to the Executive Director. Extensions are not effective until Mr. Ha 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 Mr. Ha 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.

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Sun Ha dba College Station Cleaners and dba Discount Cleaners DOCKET NO. 2006-1474-DCL-E Page 5

8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Mr. Ha, or three days after the date on which the Commission mails notice of the Order to Mr. Ha, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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Sun Ha dba College Station Cleaners and dba Discount Cleaners DOCKET NO. 2006-1474-DCL-E Page 6

### SIGNATURE PAGE

#### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission the Executive Director Fint

10/02

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

Title

Name (Printed or typed) Authorized Representative of Sun Ha dba College Station Cleaners and dba Discount Cleaners

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.





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