EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2006-1641-DCL-E **TCEQ ID:** RN103955944 and RN103955936 **CASE NO.:** 31173 **RESPONDENT NAME:** Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2

ORDER TYPE:

X 1660 AGREED ORDERFINDINGS AGREED ORDER		_AMENDED ORDER	IMMINENT AND SUBSTANTIAL
SHUTDOWN ORDER	FINDINGS DEFAULT ORDER	EMERGENCY ORDER	ENDANGERMENT ORDER
CASE TYPE:			
AGRICULTURE	AIR	INDUSTRIAL AND HAZARDOUS WASTE	MUNICIPAL SOLID WASTE
_OCCUPATIONAL CERTIFICATION	PETROLEUM STORAGE TANKS	PUBLIC WATER SUPPLY	RADIOACTIVE WASTE
MULTI-MEDIA (check all that apply)	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL	USED OIL
USED OIL FILTER	WATER QUALITY	X DRY CLEANER REGISTRATION	

SITE WHERE VIOLATION(S) OCCURRED: Super Cleaners 1, 13032 Nacogdoches Road, Suite 101 ("Facility 1") and Super Cleaners 2, 2814 Thousand Oaks Drive ("Facility 2"), San Antonio, Bexar County

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

SMALL BUSINESS: <u>X</u> Yes No

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

INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.

COMMENTS RECEIVED: The Texas Register comment period expired on January 29, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Samuel Short, Enforcement Division, Enforcement Section II, MC 219, (512) 239-5363; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Mr. Craig Meppen, San Antonio Regional Office, MC R-13, (210) 403-4060

Respondent: Mr. J. Barolia, President, Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2, 13032 Nacogdoches Road, Suite 101, San Antonio, Texas, 78217

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

Attachment: Site Compliance History

execsum/5-17-04/execsum.wpd

RESPONDENT'S NAME: Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2 DOCKET NO .: 2006-1641-DCL-E na na sana ang sana Sang sana ang and a state of the state of the

Page 2 of 2

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED		
Type of Investigation: Complaint X Routine	Total Assessed: \$1,778	Corrective Actions Taken:		
Enforcement Follow-up Records Review Date of Complaint Relating to this Case: None	Total Deferred: \$356 X Expedited Settlement	The Executive Director recognizes that Naail Investments submitted the required registration form to the TCEQ for the Facilities on May 10, 2006.		
Dates of Investigations Relating to this Case: June 6, 2006 and June 9, 2006	Financial Inability to Pay SEP Conditional Offset: \$0			
Date of NOE Relating to this Case: August 29, 2006 (NOE) Background Facts: These were routine investigations. Two	Total Paid to General Revenue: \$1,422			
violations were documented.	Site Compliance History Classification:			
WASTE 1) Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 1 [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102].	Major Source: Yes X No Applicable Penalty Policy: September 2002			
2) Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 2 [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102].				
an an an 1979 an an an an tha tha an tao an an Air an Sarahar	in the second			
lande forske av state og som at som af state state som	a provincia de la companya de la com			
	ja se esta de la seconda de	$\mathcal{L} = \mathcal{L} + \frac{1}{2} \sum_{i=1}^{n-1} (1 - i) \sum_{i=1}^{n-1} (1 - i$		
		······································		
n an an an ann ann ann ann ann ann ann				

one i o essento de la segunita entratoria destructoria (2008-13). No 3600 e el la Victoria de la Serekontino (1001 - 1000 1002 - 1000 1002 - 1000 1002 - 1000 1002 - 1000 1002 -

学習 ひとしゃ ちょうよう ちょうかんちょくさい あいもうけがみ

Attachment: Site Compliance History

execsum/5-17-04/execsum.wpd

	Policy Revision 2 (September 2002) PCW Revision May 19, 2005
	ICEQ
	DATES Assigned 03-Sep-2006 PCW 15-Sep-2006 Screening 13-Sep-2006 EPA Due
	RESPONDENT/FACILITY INFORMATION Respondent Naail Investments, Inc. dba Super Cleaners 1
	Reg. Ent. Ref. No. RN103955944
	Facility/Site Region 13-San Antonio Kalor Major/Minor Source Minor Source
	CASE INFORMATION Enf./Case ID No. 31173 No. of Violations 1
	Docket No. 2006-1641-DCL-E Order Type 1660
	Media Program(s) Drycleaner Enf. Coordinator Samuel Short Multi-Media EC's Team Enforcement Team 4 Ket State
	Admin. Penalty \$ Limit Minimum \$0 Maximum \$50
	Penalty Calculation Section
	TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$1,18
	ADJUSTMENTS (+/-) TO SUBTOTAL 1
	Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History 0% Ennoncement Subtotals 2, 3, & 7
	Notes The respondent has not had any other enforcement actions within the
	last five years.
	Culpability No Subtotal 4
	Notes The respondent does not meet the culpability criteria.
1.1	Good Faith Effort to Comply 25% Reduction Subtotal 5 \$2
1.1	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
1	Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary X
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary X N/A (mark with a small x) The respondent came into compliance on May 10, 2006, before the
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
•••	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
•••	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
	Before NOV NOV to EDPRP/Settlement Offer Extraordinary
· · ·	Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary
•••	Before NOV NOV to EDPRP/Settlement Offer Extraordinary Vidiary (mark with a small x) N/A (mark with a small x) The respondent came into compliance on May 10, 2006, before the Notice of Enforcement was issued. Economic Benefit 0% Ennancement* Total EB Amounts \$9 Approx. Cost of Compliance \$250 SUM OF SUBTOTALS 1-7 Final Subtotal Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only: e.g30 for -30%.) Notes Final Penalty Amount \$8 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty
•••	Before NOV NOV to EDPRP/Settlement Offer Extraordinary Y Image: Sector of Compliance on May 10, 2006, before the Notes Notes The respondent came into compliance on May 10, 2006, before the Notice of Enforcement was issued. Economic Benefit Subtotal 6 Total EB Amounts \$9 Approx. Cost of Compliance \$9 SUM OF SUBTOTALS 1-7 Final Subtotal \$8 OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.) Notes Final Penalty Amount \$8 STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty \$3 DEFERRAL 20% reduction

.

		ng Date 13-Sep-2006 Docket No. 2006-1641-DCL-E			PCW
	and the second se	oondent Naail Investments, Inc. dba Super Cleaners 1	Policy Rev	vision 2 (Sep	tember 200
	Cas	e ID No. 31173	PC	W Revision	May 19, 20
Reg.	Ent. Refere	nce No. RN103955944		$=e^{i\omega t}\left(e^{i\omega t}\right)^{1/2}d^{2t}q$	
		Statute] Drycleaner		1 A. 4 &	
î		rdinator Samuel Short			
				skiid luist.	ni shati S
•	ar - 1 - 1	2014년 1947년 - 1949년 11 - 1948년 - 1948년 - 1971년 1947년 - 1947년 - 1948년 - 1948년 - 1948년 - 1971년 1947년 - 1948년 - 19		i en esperación de la la Consel dine consel	173.
	-	and user proved a Compliance History Worksheet		an Ríochtean Chuirte an Schu	्रा २०२२ २. २.२२
		tory Site Enhancement (Subtotal 2)		an a chairte	a versa
	Component	Number of Enter	Number Here	Adjust.	Sec. Sec. 1
	101	Written NOVs with same or similar violations as those in the current	0	0%°0%	
	NOVs	enforcement action (number of NOVs meeting criteria)		Les Manuella	Star Phil
	anna an inn an a	Other written NOVs 3 Any agreed final enforcement orders containing a denial of liability	0	<u>i'' 0% i ii</u>	
		Any agreed final enforcement orders containing a genial of liability (number of orders meeting criteria)	0	0%	
• • • •		Any adjudicated final enforcement orders, agreed final enforcement orders			
	Orders	without a denial of liability, or default orders of this state or the federal	hind and the		
		government, or any final prohibitory emergency orders issued by the	0	0%	
يري ال	18 J	commission		time e .	1 e
		Any non-adjudicated final court judgments or consent decrees containing			1
	Judgments	a denial of liability of this state or the federal government (number of	0	0%	
	and	judgements or consent decrees meeting criteria)		firminanturanunalaan	ji.
	Consent	Any adjudicated final court judgments and default judgments, or	l in the second	- 14 <u>1</u> 54 55	3.7
	Decrees	non-adjudicated final court judgments or consent decrees without a denial	0	Ó%	
		of liability, of this state of the ederal government second decision of the state		limitani	-
	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	0%	-
		Letters notifying the executive director of an intended audit conducted		V /0	1.1
		under the Texas Environmental, Health, and Safety Audit Privilege Act,	0		1
		74th Legislature, 1995 (number of audits for which notices were		1999 X (U	
	Audits	Disclosures of violations under the Texas Environmental, Health, and	t in the second s		1
		Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for	0	0%	
		which violations were disclosed)			
ſ			ter Yes or No	001	1
		Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive	no	<u></u>	
		director under a special assistance program	no	0%	
	Other	Participation in a voluntary pollution reduction program	no	0%	
		Early compliance with, or offer of a product that meets future state or			-
	1	federal government environmental requirements	no	0%	
·				dana dan bar	/100
		Adjustment Percen	tage (Su	ototal 2)	0
> Re	peat Violator	(Subtotal 3)	1.11.11		
Í	Na	Adjustment Percen	tona 10	hickel	0
	No	Adjustment Percen	nage (SU	มเบเล่ 3)	<u></u>
> Co	mpliance His	tory Person Classification (Subtotal 7)			
1	NI/A	Adjustment Percen	tana /c.	htotal 7	0
-	N/A		เล่าร (จน	sicial ()	<u> </u>
> Co	mpliance His	tory Summary			
	Compliance	i National provide provide the statement of the	www.accontract		
	istory Notes	The respondent has not had any other enforcement actions within the	e last five y	ears.	
् ग संद	Story notes	Line and the second s second second sec second second s second second second second second sec	ner iter	ana a set iy	ng nang tatan sa
		$\mathbf{T}_{\mathbf{a}} \mathbf{A}_{\mathbf{a}} \mathbf{A}$	an a spañ a' " Iode Ion 🗖		
		Total Adjustment Percentage (Subt	otais 2,	3, & 7)	0'
	1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 -	ten er en gatten en e		4. -	ADR D
		(4) 「「「「」」」、「」」、「」、「」、「」、「」、「」、「」、「」、「」、「」、「	North North States		
		20 Sector March 19 Sector March 20 Sector State		t	
	1				

construction of the second s	and a second	sesInc-SuperCleaners1anddbaSuperCle	eaners2\RN103955944PCW.w
Screening Date		Docket No. 2006-1641-DCL-E	PCW
	Naail Investments, Inc. d	ba Super Cleaners 1	Policy Revision 2 (September 200
Case ID No.			PCW Revision May 19, 20
Reg. Ent. Reference No.			
Media [Statute]			
Enf. Coordinator			
Violation Number	1		
Primary Rule Cite(s)		ex. Admin. Code § 337.11(e)	
Secondary Rule Cite(s)	Tex, F	lealth & Safety Code § 374.102	
Violation Description	submitting the required	renew the facility's registration by comp registration form to the TCEQ for a dry ind/or drop station facility.	
		Bas	se Penalty \$
>> Environmental, Pro	perty and Human H	eaith Matrix	
	Harm		
Release	Major Moderate	Minor	
OR Actual Potential		Percent	1
			1
>> Programmatic Mat	rix.		
Falsification		Minor	-
	X	Percent 10%	J
			٦
Matrix Notes	100% of the rule re	quirement was not met.	
		Adjustment	-\$45
			۵
		Base Penalt	y Subtotal
Violation Events			
Number of Violat	ion Events 237		
	staily X		
	monthly		
. mark only one		Violation Bas	se Penalty \$1,1
use a small x	semiannual annual		
	single event		
			• • • • • • • • • • • • • • • • • • •
Two I Septemb	er 1, 2005 deadline to the	events are recommended from the April 26, 2006 deadline established by fated March 24, 2006	
Economic Benefit	(EB) for this violatic	on Statutory Limit	Test
Estimated E	B Amount \$9	Violation Final Pe	nalty Total \$8
	This visio	ion Final Assessed Penalty (adjusted	for limits) \$8
	THIS VIOLAL	ion i mai Assessed Fenany (aujusteu	ψυ

age 4 of 4 02/05/07 H:\Agr		ailEnterprisesIn				ners2\RN103	955944PCW,w
		onomic Be					
		nts, Inc. dba Sur	per Cleaners	1	e de la destructura de		
Case ID No. 3						$(x_1, x_2, \dots, x_n) \in \mathbb{R}^n$	
Reg. Ent. Reference No. F				÷ .		Deves	Very of
Media [Statute] [Violation No. 1						Percent Interest	Years of Depreciation
violation No.					191	5.0	15
	ltem	Date	Final	Yrs I	nterest	Onetime	EB
ltem	Cost	Required	Date		Saved	Costs	Amount
Description							
		i de la composición d			- A		and a second
Delayed Costs							
Equipment			ti pingka jing pang	0.0	\$0	\$0 2	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	en de constant	ta vastatsterit	e e contra c	0.0	\$0	\$0	<u>\$0</u>
Engineering/construction		ter eterriteret eter	en angen an angen an angen an	0.0	\$0 ©0	\$0	\$0 \$0
Land		<u> </u>		0.0	\$0 ©	n/a	\$0 \$0
Record Keeping System				0.0	\$0	n/a	<u>\$0</u> \$0
Training/Sampling				0.0	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal Permit Costs	\$250	01-Sep-2005 1	0 May 2006	รัตวิวามเข้าที่แรงสามรู้อาการและการ	40 \$9	h/a	
Other (as needed)		01-060-2000 11	0=May=2000	0.0	\$0	n/a	<u>Ψ</u> ອ] \$0
	The estimat	ted cost to regio	for o dru do	a stand a stand a second stand as a second stand st			นองและสาวและเหตุสาวเร <u>ิ</u> ระสาร
Notes for DELAYED costs		ted cost to regis					
Notes for DEEATED COSts	equired to the		respondent			ia are miai aa	
	ananananananananananananananan manananan			terterioriane terterioriane fert	antara tarana tara tarana tarana tar	n an	ອັດແດນເປັນການເຮັດເຊັ່ງແຕ່ເຫັນ
		over 1				en an en en en	
Avoided Costs	ANNU	ALIZE [1] avoided	osts before e	nterina item (except for one.	time avoided co	sts)
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling		la de la composición		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
ONE-TIME avoided costs [3]	an an an an tarth an		10.000 (0.000) (0.000)	0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3] Other (as needed)							
Other (as needed)			-				é Shaki 👔
							of streat¥
Other (as needed)	\$250		101100000000000000000000000000000000000	autocomica de la compactación de la Carrier de la compactación de la com	มนารอาการราชราชราชราชราชราช สามารอาการราชราชราชราชราชราชราช		61-1-14 11 5 9

and the state of the second second

Leven Mainie and

(1) If a stability of the stability o

and the second second second second

Compliance History

Customer	Respondent/Owner-Operator:	CN602457517	Naail Investments, Inc.		Classification:	Rating:
Regulated	Entity:	RN103955944	SUPER CLEANERS 1		Classification:	Site Rating:
			·····			
ID Numbe	r(s):	INDUSTRIAL AN GENERATION	D HAZARDOUS WASTE	EPA ID		FXR000075630
Location:			OCHES RD STE 101, SAN A	NTONIO, TX,	Rating Date: September 01 06	Repeat Violator: NO
TCEQ Re	gion:	REGION 13 - SAI	N ANTONIO			
Date Com	pliance History Prepared:	September 18, 20	006			
Agency D	ecision Requiring Compliance History:	Enforcement				
Compliand	e Period:	September 18, 20	001 to September 18, 2006			
TCEQ Sta	ff Member to Contact for Additional Infor	mation Regarding t	his Compliance History			
Name:	Samuel Short	Ph	one: 239-5363			
		Site C	ompliance History Com	ponents		
1. Has the	site been in existence and/or operation t	for the full five year	compliance period?	Yes		
2. Has the	re been a (known) change in ownership	of the site during th	e compliance period?	No		
	who is the current owner?			N/A		
4. if Yes,	who was/were the prior owner(s)?			N/A		
5. When	did the change(s) in ownership occur?	6		N/A		
Compon	ents (Multimedia) for the Site :					
Α.	Final Enforcement Orders, court judgem	ents, and consent	decrees of the state of Texas	s and the federal	government.	
	N/A					
B.	Any criminal convictions of the state of	Foxa's and the fode	ral government			
В.	N/A	exas and the leve	rai government.			
C.	Chronic excessive emissions events.					
	N/A					
D	The approval dates of investigations. (C 1 08/29/2006 (509626)	CEDS Inv. Track. I	No.)			
E.	Written notices of violations (NOV). (CC	EDS Inv. Track, No	5.)			
			- ,			
	N/A					
F.	Environmental audits. N/A					
G.	Type of environmental management sys	stems (EMSs).				
	N/A					
Н.	Voluntary on-site compliance assessme	ent dates.				
	N/A					
Ι.	Participation in a voluntary pollution red	uction program.				
	N/A					
J.	Early compliance.					
	N/A					
Sites Out	side of Texas					
	N/A		·			

.

er and the second constrained and

a de transmission de la sector la definicación de la sector de la la definicación de la sector de la la definicación destructura de la sector de la

ระดำบับการในการไฟฟ เรื่องไป และไปเหมืองการไฟฟ คระการไปของเหตุการเหตุการเป็นการเกิดที่ได้เป็นการเกิดที่ได้มากการไปการ เพร

a and Deservations a second a construction of a construction of a construction of a construction Bartis Deservations and a construction of a co

a secondaria da secondaria 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 -1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 -

a da anti-arresta da anti-arresta da anti-arresta da anti-arresta da anti-arresta da anti-arresta da anti-arres Arresta da anti-arresta da anti-arresta da arresta da arresta da arresta da arresta da arresta da arresta da arr

r - Creaters Agricultur (Creater - Crucicae) Station - Creaters -Each - Creaters - C Barris - Creaters -- Creaters - Creaters

a de la factoria de la companya de l La companya de la comp La companya de la comp

Page 1 of 4 02/05/07	H:\Agreed Orders\NaailEnterprisesInc-S		leaners2\RN103955936PCW.wb3
Policy Revision 2 (Sept	Penalty Calculation	Worksheet (PCW)	PCW Revision May 19, 2005
TCEQ			
DATES Assigned 03-	-Sep-2006 Screening 13-Sep-2006	EPA Due	
RESPONDENT/FACILITY	INFORMATION all Investments, Inc. dba Super Cleaners	and the second se	
Reg. Ent. Ref. No. RN			
Facility/Site Region 13-		Major/Minor Source	Minor Source
CASE INFORMATION			
Enf./Case ID No. 311 Docket No. 200		No. of Violations Order Type	
Media Program(s) Dry		Enf. Coordinator	Samuel Short
Multi-Media			Enforcement Team 4
Admin. Penalty \$ Limit	Minimum \$0 Maximum	\$50	
· · ·	Penalty Calcul	ation Section	
TOTAL BASE PENAL	LTY (Sum of violation base pena	llties)	Subtotal 1 \$1,185
ADJUSTMENTS (+/-)	TO SUBTOTAL 1		
Subtotals 2-7 are obtai	ined by multiplying the Total Base Penalty (Subtotal	1) by the indicated percentage.	
Compliance Hist			totals 2, 3, & 7 \$0
Notes	he respondent has not had any other en last five years		
Culpability	No < 0%	Enhancement	Subtotal 4 \$C
Notes	The respondent does not meet th	e culpability criteria.	
Good Faith Effor	rt to Comply 25%	Reduction	Subtotal 5 -\$296
Extraordinary	Before NOV NOV to EDPRP/Settlement Offer		
Ordinary	×		
N/A	(mark with a small x)		-
Notes	The respondent came into compliance o Notice of Enforcement v	n May 10, 2006, before the	
		100150000	
Economic Benel	···	Enhancement* *Capped at the Total EB \$ Amount	Subtotal 6 \$0
	al EB Amounts \$9 of Compliance \$250	Capped at the rotal EB \$ Amoun	
SUM OF SUBTOTAL	S 1-7		Final Subtotal \$889
			Adjustment \$
	AS JUSTICE MAY REQUIRE Subtotal by the indicated percentage. (Enter numbe	r only; e.g30 for -30%.)	Adjustnent
		<u></u>	
Notes			enalty Amount \$88
	Landon Jackson (1997) - De van Hage (1997) - De van de v		
STATUTORY LIMIT	ADJUSTMENT	Final Ass	sessed Penalty \$88
DEFERRAL		20% Reduction	Adjustment -\$17
Reduces the Final Assessed Pe	enalty by the indicted percentage. (Enter number on	ly; e.g. 20 for 20% reduction.)	
Notes	Deferral offered for expedit	ted settlement.	
PAYABLE PENALT	l and a second		\$71

		ing Date 13-Sep-2006 Docket No. 2006-1641-DCL-E		ŝ. • ,	PCW
		pondent Naail Investments, Inc. dba Super Cleaners 2	Policy Rev	ision 2 (Sept	omber 200
		e ID No. 31173	PC	W Revision i	May 19, 200
Reg.		ence No. RN103955936	+ 11.		3.9b
		[Statute] Drycleaner		1. 34 1. 24	
	Enf. Coo	ordinator Samuel Short		e de la Colorada	1
			n in bei si	t te stationer e	
	•	Compliance History Worksheet		jeli til ∙nati til	is National
>> Cc	mpliance Hi	story Site Enhancement (Subtotal 2)			
	Component	Number of	Number Here	Adjust.	
		Written NOVs with same or similar violations as those in the current		0%	
	NOVs	enforcement action (number of NOVs meeting criteria)		a har ditta di a di ca ha di mata	
		Other written NOVs Any agreed final enforcement orders containing a denial of liability	0	0%	
	-	(number of orders meeting criteria)	0	0%	1997 - 1997 1997 - 1997 - 1997 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders	-		1
	Orders	without a denial of liability, or default orders of this state or the federal	0	0%	
		government, or any final prohibitory emergency orders issued by the		070	
		commission Any non-adjudicated final court judgments or consent decrees containing			
	Judgments	a denial of liability of this state or the federal government (number of	0	0%	214.5
	and	judgements or consent decrees meeting criteria)			15.00
~	Consent	Any adjudicated final court judgments and default judgments, or		Carlos 1975 In Sec.] .
	Decrees	non-adjudicated final court judgments or consent decrees without a denial	0	° 0%'	1.1.4
		of llability, of this state or the federal government Any criminal convictions of this state or the federal government <i>(number</i>		assission de la commune de	ł
	Convictions	of counts)	Ó I	0%	
	Emissions	Chronic excessive emissions events (number of events)	0	.0%	
		Letters notifying the executive director of an intended audit conducted		ennensijnutor totoo bijon	i.
		under the Texas Environmental, Health, and Safety Audit Privilege Act,	0	0%	
	Audits	74th Legislature, 1995 (number of audits for which notices were Disclosures of violations under the Texas Environmental, Health, and			
142	1. A.	Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for	0	0% 0	1.1
		which violations were disclosed)	4		
· ·	·····	Please Er	nter Yes or No		7
		Environmental management systems in place for one year or more Voluntary on-site compliance assessments conducted by the executive	no	0%	
		director under a special assistance program	no	0%	
	Other	Participation in a voluntary pollution reduction program	no	0%	
		Early compliance with, or offer of a product that meets future state or	no	0%	1
		federal government environmental requirements			l - 1
		Adjustment Percer	ntage (Su	btotal 2)	0
>> Re	peat Violator	r (Subtotal 3)	en se stander. Na		
	No	Adjustment Percer	ntage (Su	btotal 3)	0
>> Co	mpliance His	story Person Classification (Subtotal 7)			
		Adjustment Percer	itane (Su	htotal 7	0
	N/A		naye (SU	มเบเล <i>เ 7)</i>	<u> </u>
>> Co	mpliance His	story Summary			
	Compliance		-) 4 P		
	listory Notes	The respondent has not had any other enforcement actions within the	e last five ye	ears.	
	- ខេត្តទំរ		interior de la constante de la		0
	· .	Total Adjustment Percentage (Sub	totals 2,	3, & 7)	0
		5			
ang kalang sana sana		an a	gi an an	an a	
		a description of the second	da serie a ser	enta Antonio de Mite	an an an An Anna
ung intergramme		n ann a' an that net the transmission of anti-sector sector of a angle to be the sector of a grant and a sector of a sector of the s	en service en en Service en	and Anna an an Anna An Anna an Anna	an a

•

And a start of the second s

		nc-SuperCleaners1anddbaSuperCle	
Screening Date		Jocket No. 2006-1641-DCL-E	PCW
	Naail Investments, Inc. dba S	Super Cleaners 2	Policy Revision 2 (September 2002)
Case ID No.			PCW Revision May 19, 2005
Reg. Ent. Reference No.			
Media [Statute] Enf. Coordinator	-		
Violation Number			
Primary Rule Cite(s)		Admin. Code § 337.11(e)	
Secondary Rule Cite(s)	Tex. Healt	h & Safety Code § 374.102	
Violation Description	submitting the required regi	w the facility's registration by comp stration form to the TCEO for a dry or drop station facility.	leting and cleaning
		Bas	se Penalty \$50
. Environmental Dec	operty and Human Heal	h Matrix	
>> Environmental, Pro	Harm	in Mattix	
Release	Major Moderate Minor		
OR Actual		Percent	1
Potential		Percent]
>> Programmatic Mat	rix		
Falsification	Major Moderate Minor		1
	X	Percent 10%	Jan 1997 - Anna Anna Anna Anna Anna Anna Anna An
Matrix Notes	100% of the rule require	ement was not met.	
		Adjustment	-\$45
		Base Penalt	y Subtotal \$5
Violation Events			
Number of Violat	ion Events 237		
mark only one use a small x	galy X monthly quarterly semannuet arriwat single event	Violation Ba	se Penalty \$1,185
		nts are recommended from the il 26, 2006 deadline established by i March 24, 2006.	
Economic Benefit	(EB) for this violation	Statutory Limit	Test
Estimated E	B Amount \$9	Violation Final Pe	nalty Total \$889
· ·	This violation	Final Assessed Penalty (adjusted	for limits) \$889

Respondent Naa Case ID No. 311	Economic B all Investments, Inc. dba S 73	2 ° 26 ° 20 ° 20 ° 20 ° 20 ° 20 ° 20 ° 2	30,000,000,000,000,000,000			
Reg. Ent. Reference No. RN Media [Statute] Dry Violation No. 1			н., Н			ears of preciation
	liem Dato	Final	Yrs	Interest	5.0 Onetime	, 15 ЕВ
Item Description Not	Cost Required	Date		Saved	Costs	Amount
Description No.	ionnnas or ø				$X \in \mathbb{P}^{\times \times $	1.0
Delayed Costs				• - 1	÷-1	
Equipment	anta 200 mandra anna anna anna anna anna anna anna		0.0	\$0	<u>\$0</u>]	\$C
Buildings			0.0	\$0 \$0	\$0	\$(\$(
Other (as needed)			0.0	\$0 \$0	\$0 \$0	<u>\$(</u> \$(
Engineering/construction	and the second		0.0	\$0 \$0	າ/a	<u>هر</u> \$(
Record Keeping System			0.0	\$0	n/a	\$(
Training/Sampling			0.0	\$0 \$0	n/a	\$(
Remediation/Disposal	an a		0.0	\$0	n/a	\$(
Permit Costs	\$250 01-Sep-2005	10-May-2006	0.7	\$9	n/a	\$9
Other (as needed)	en de marine production de la companya de la company La companya de la comp		0.0	\$0	n/a	\$0
Notes for DELAYED costs req	t di serie d	ne respondent o	ame int	o compliance.	an a	
Avoided Costs	ANNUALIZE [1] avoide	ed costs before en	terina iter	n (except for one+	lime avoided costs)	
Disposal			0.0	\$0	\$0	\$0
Personnel			0.0	\$0	\$0	\$(
Inspection/ReportIng/Sampling			0.0	\$0	\$0	\$(
position of the second s			0.0	\$0	\$0	\$0
Supplies/equipment		In connection of all the later	0.0	\$0	\$0	ውር
Supplies/equipment		I marked a second s	Amaran manager and			
	e fontalistaria i Anton Connectore e Contemportati interna Connectore		0.0	<u>\$0 </u>	\$0	\$0
Financial Assurance [2]	in production for the second		Amaran manager and	\$0 \$0	\$0 \$0	\$(
Financial Assurance [2] ONE-TIME avoided costs [3]			0.0			\$(
Financial Assurance [2] ONE-TIME avoided costs [8] Other (as needed)	\$250		0.0	\$0		\$(\$(\$(} \$(} \$(

H:\Agreed Orders\NaailEnterprisesInc-SuperCleaners1anddbaSuperCleaners2\RN103955936PCW.wb3

* 4 - 4 - 5

Page 4 of 4

02/05/07

Contraction and second and

 $\left\| f_{1}^{(2)} \int_{0}^{1} \left(\left\| g_{1}^{(2)} + g_{2}^{(2)} + g_{2}^{(2)} \right\|_{2}^{2} \right) \left\| g_{1}^{(2)} - g_{2}^{(2)} + g_{2}^{(2)} \right\|_{2}^{2} + \left\| g_{1}^{(2)} - g_{2}^{(2)} + \left\| g_{1}^{(2)} - g_{2}^{(2)} + g_{2}^{(2)} + \left\| g_{1}^{(2)} - g_{2$

Compliance History

Customer	Respondent/Owner-Operator:	CN602457517	Naail In	vestments, Inc.		Classification:	Rating:
Regulated	Entity:	RN103955936	SUPER	CLEANERS 2		Classification:	Site Rating:
ID Numbe	r(s):	INDUSTRIAL AN GENERATION	ID HAZARI	DOUS WASTE	EPA ID		TXR000075648
Location:			D OAKS DI	R, SAN ANTONIO,	TX, 78232	Rating Date: Septemb	per 01 06 Repeat Violator: NO
TCEQ Re	gion:	REGION 13 - SA	N ANTONI	0			<u>,</u>
Date Com	pliance History Prepared:	September 18, 20	006		· · · · · · · · · · · · · · · · · · ·		
Agency D	ecision Requiring Compliance History:	Enforcement					
Compliand	e Period:	September 18, 20	001 to Sep	tember 18, 2006			
TCEQ Sta	ff Member to Contact for Additional Infor	mation Regarding t	his Compli	ance History			
Name:	Samuel Short	Ph	one:	239-5363			
		Sita C	ompliand	ce History Comp	ononte		
1 Has the	site been in existence and/or operation		•				
	re been a (known) change in ownership	-			Yes No		
	who is the current owner?				N/A	-	
4. if Yes,	who was/were the prior owner(s)?				N/A	··· · ···	
5. When	did the change(s) in ownership occur?				N/A		
	ents (Multimedia) for the Site :					· ·	
А.	Final Enforcement Orders, court judgen	nents, and consent	decrees of	the state of Texas	and the federal	government.	
•••	N/A			х			
B.	Any criminal convictions of the state of	Texas and the fede	ral govern	nent			
D.	N/A	Texas and the rede	adi governi	None.			
C.	Chronic excessive emissions events.						
	N/A						
D.	The approval dates of investigations. (0 1 08/29/2006 (509625)	CCEDS Inv. Track.	No.)				
E. '	Written notices of violations (NOV). (CO	CEDS Inv. Track. N	0.)				
	N/A						
F.	Environmental audits. N/A						
G.	Type of environmental management sy	/stems (EMSs).					
	N/A		r				
H.	Voluntary on-site compliance assessm	ent dates.					
	N/A						
I.	Participation in a voluntary pollution red	duction program.					
	N/A						
J.	Early compliance.						
	N/A						
Sites Out	side of Texas			x			
	N/A						
			-				

ng 143 ang 16 ∰ ng taon 10 mili. Taon 14 ang taon 10 mili. Taon 14 ang taon 10 mili.

ente la que a la traban de entre las las trabans de las tra

the second second second

مى يېلىمى بىلىنىڭ ئېلىكى ئە ئىلىمى ئېلىكى ئېلىكى

and the gradient states and the states of the second states and the

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



လ လ လ လ တ

§

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING NAAIL INVESTMENTS, INC. DBA SUPER CLEANERS 1 AND DBA SUPER CLEANERS 2 RN103955944 AND RN103955936 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-1641-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 Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2 ("Naail Investments") 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 Naail Investments appear before the Commission and together stipulate that:

- 1. Naail Investments owns and operates either a drycleaning and/or drop station facility at the following locations (the "Facilities"):
 - a. Super Cleaners 1, 13032 Nacogdoches Road, Suite 101, San Antonio, Bexar County, Texas ("Facility 1")
 - b. Super Cleaners 2, 2814 Thousand Oaks Drive, San Antonio, Bexar County, Texas ("Facility 2")
- 2. The TCEQ has general authority to regulate the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
- 3. The Commission and Naail Investments agree that the Commission has jurisdiction to enter this Agreed Order, and that Naail Investments is subject to the Commission's jurisdiction.
- 4. Naail Investments received notice of the violations alleged in Section II ("Allegations") on or about September 3, 2006.

·

Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2 DOCKET NO. 2006-1641-DCL-E Page 2

- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Naail Investments of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of One Thousand Seven Hundred Seventy-Eight Dollars (\$1,778) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Naail Investments has paid One Thousand Four Hundred Twenty-Two Dollars (\$1,422) of the administrative penalty and Three Hundred Fifty-Six Dollars (\$356) is deferred contingent upon Naail Investments' 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 Naail Investments fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Naail Investments to pay all or part of the deferred penalty.
- 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 Naail Investments have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. The Executive Director recognizes that Naail Investments submitted the required registration form to the TCEQ for the Facilities on May 10, 2006.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Naail Investments has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As owner and operator of the Facilities, Naail Investments is alleged to have:

1. Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 1, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an inspection conducted on June 9, 2006.

A manifester en la companya de la co

- . 1
- and the second of the first second the second second of the second s the state of the s an shanni ta sa a
- n vin Mithelin (Marcola Marcola) and a second since the state of the Marcola second provide the Marcola second a series and the series of t Where has deep
- i en la companya de la la deserva da compaña da serva de caracter da companya de companya da companya da compa
- and a second provide a second the failed provide a second subscript of the the ended of the second of the definition of the second states of the second second second second second second
- des interestes de temperation de la construction de la construction de la defendade a production de la constru La de la defenda construction de la construction de la construction de la defenda de la construction de la const
- na se se altra calendare en la companya de la comp Recentra de la companya de la company
 - . The contract the equation of the theory of the state p_{1}^{2} is the state p_{2}^{2} is the state of the state p_{2}^{2} , p_{3}^{2} an the second meriods that we define a second to see it is a second
- can be a the address of spectral contradication who must fight a fit can did be a second spectra of a fit. an a bar a separation and a care a second a second and the second bar and the second bar and the second bar and Barsen and provide second consecret conferences
- and a first of a second second and second second and a second second second second second second second second The second se

Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2 DOCKET NO. 2006-1641-DCL-E Page 3

2. Failed to renew the registration by completing and submitting the required registration form to the TCEQ for Facility 2, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an inspection conducted on June 6, 2006.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Naail Investments pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Naail Investments' 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: Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2, Docket No. 2006-1641-DCL-E" to:

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

- 2. The provisions of this Agreed Order shall apply to and be binding upon Naail Investments. Naail Investments is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
- 3. This Agreed Order, issued by the Commission, shall not be admissible against Naail Investments 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.
- 4. 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.
- 5. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Naail Investments, or three days after the date on which the Commission mails notice of the Order to Naail Investments, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

1660/4-12-05/fixedorder.wpd

n an an Albert (1997) an tha an ann an Albert (1997). An tha an Albert (1997) an tha an an Albert (1997) an an tha an an tha an an tha an an an an an an an an an an

الا المانية من المانية المانية المؤلَّف المانية في المانية في المانية من المانية والمعالمين المانية المانية الم المانية المانية من المانية من المانية من المانية من المانية من المانية المانية المانية المانية المانية المانية المانية المانية ال

and the second second second

.

 $(1,2,2) = \left(\frac{1}{2} + \frac$

a se a la segna de la presenta figlia dentingen en la seu plan presenta de la figlia presenta presenta a la pre La presenta de la figlia de la presenta de la prese La presenta de la pres La presenta de la pres La presenta de la presenta La presenta de la

(a) a set of the basis of the set of th

A set of the general state of the states of the states of the state of the state of the state of the states and states of the states of th

TCEQ

Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2 DOCKET NO. 2006-1641-DCL-E Page 4

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission For the Executive Director

126/07

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 penaltics, 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

Name (Printed or typed)

Date

CDN SNI

Title

Authorized Representative of Naail Investments, Inc. dba Super Cleaners 1 and dba Super Cleaners 2

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.

一些"小说,当时还"的"这些"小说"的"说。

•

La/Ache

e services à la defense de la companya de la compan A de la companya de la service de la service de la service à statut de la companya de la companya de la company A statut de la desarro de la service de la service desarro **desarro de la companya de la companya de la companya** A statut de la statut de la companya de la service de services de la companya de la companya de la companya de

and the second

a second and a second of the second second

Although the second s Second seco

 $\sum_{i=1,\dots,N} (1-\frac{N_i}{N_i})^{i} dt_{i} dt_{i}^{i}$

a second a second second a second second