

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-1916-PST-E **TCEQ ID:** RN101815546 **CASE NO.:** 31630
RESPONDENT NAME: Ullah Brothers, Incorporated dba Sinton Travel Center

ORDER TYPE:

<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> EMERGENCY ORDER	

CASE TYPE:

<input type="checkbox"/> AGRICULTURE	<input type="checkbox"/> AIR	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE	<input type="checkbox"/> MUNICIPAL SOLID WASTE
<input type="checkbox"/> OCCUPATIONAL CERTIFICATION	<input checked="" type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> RADIOACTIVE WASTE
<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL	<input type="checkbox"/> USED OIL
<input type="checkbox"/> USED OIL FILTER	<input type="checkbox"/> WATER QUALITY		

SITE WHERE VIOLATION(S) OCCURRED: Sinton Travel Center, 8140 US Highway 77, Sinton, San Patricio County

TYPE OF OPERATION: Convenience store with retail sales of gasoline

SMALL BUSINESS: Yes No

OTHER SIGNIFICANT MATTERS: An undated complaint was received concerning water contaminated fuel at the facility. There is no record of additional pending enforcement actions regarding this facility location.

INTERESTED PARTIES: A complaint was received but the complainant has not expressed a desire to contest this action or to speak at Agenda.

COMMENTS RECEIVED: The *Texas Register* comment period expired on April 16, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Ms. Deana Holland, Enforcement Division, Enforcement Section IV, MC 128, (512) 239-2504; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

Respondent: Mr. Aman Ullah, President and Registered Agent, Ullah Brothers Incorporated dba Sinton Travel Center, 5220 Ayers Street, Corpus Christi, Texas 78415
Mr. Zubair Ullah, Vice President, Ullah Brothers Incorporated dba Sinton Travel Center, 5220 Ayers Street, Corpus Christi, Texas 78415

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

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None provided</p> <p>Date of Investigation Relating to this Case: September 19, 2006.</p> <p>Date of NOE Relating to this Case: October 24, 2006 (NOE)</p> <p>Background Facts: This was a complaint investigation. Four violations were documented.</p> <p>WASTE</p> <p>1) Failed to provide release detection for the piping associated with the underground storage tank ("UST") system. Specifically, Ullah Brothers did not conduct the annual piping tightness test [30 TEX. ADMIN. CODE § 334.50(b)(2) and TEX. WATER CODE § 26.3475(a)].</p> <p>2) Failed to test the line leak detectors at least once per year for performance and operational reliability. Specifically, the line leak detectors had not been performance tested annually. [30 TEX. ADMIN. CODE § 334.50(b)(2)(A)(i)(III) and TEX. WATER CODE § 26.3475(a)].</p> <p>3) Failed to report a suspected release to the TCEQ within 24 hours of the discovery. Specifically, automatic tank gauging results for May 2006 indicated a suspected release that was not reported [30 TEX. ADMIN. CODE § 334.72(3)(A)].</p> <p>4) Failed to immediately investigate and confirm a suspected release of regulated substances at a UST within 30 days [30 TEX. ADMIN. CODE § 334.74].</p>	<p>Total Assessed: \$16,000</p> <p>Total Deferred: \$3,200 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid (Due) to General Revenue: \$1,800 (remaining \$11,000 due in 11 monthly payments of \$1,000 each)</p> <p>Site Compliance History Classification: <input checked="" type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input checked="" type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Major Source: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Ordering Provisions:</p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order:</p> <ul style="list-style-type: none"> i. Establish and implement a process for reporting a suspected release; ii. Conduct an investigation of the suspected release and implement appropriate corrective measures; and iii. Implement a release detection method for the piping associated with the USTs and test the line leak detectors for performance and operational reliability. <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions a.i. through a.iii.</p>

Penalty Calculation Worksheet (PCW)

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



DATES	Assigned PCW	30-Oct-2006	Screening	06-Nov-2006	EPA Due <input type="text"/>
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RESPONDENT/FACILITY INFORMATION	
Respondent	Ullah Brothers, Incorporated dba Sinton Travel Center
Reg. Ent. Ref. No.	RN101815546
Facility/Site Region	14-Corpus Christi <input type="text"/> Major/Minor Source Minor Source <input type="text"/>

CASE INFORMATION			
Enf./Case ID No.	31630	No. of Violations	3
Docket No.	2006-1916-PST-E	Order Type	1660
Media Program(s)	Petroleum Storage Tank <input type="text"/>	Enf. Coordinator	Deana Holland
Multi-Media	<input type="text"/>	EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History **Subtotals 2, 3, & 7**

Notes 0% Enhancement

Culpability **Subtotal 4**

Notes 0% Enhancement

Good Faith Effort to Comply **Subtotal 5**

	<small>Before NOV</small>	<small>NOV to EDRP/Settlement Offer</small>	
Extraordinary	<input type="text"/>	<input type="text"/>	<small>(mark with a small x)</small>
Ordinary	<input type="text"/>	<input type="text"/>	
N/A	x		
Notes	<input type="text" value="The respondent does not meet the good faith criteria."/>		

Economic Benefit **Subtotal 6**

<small>Total EB Amounts</small> <input type="text" value="\$1,185"/>	<small>*Capped at the Total EB \$ Amount</small>
<small>Approx. Cost of Compliance</small> <input type="text" value="\$1,600"/>	

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty**

DEFERRAL **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date 06-Nov-2006 **Docket No.** 2006-1916-RST-E **PCW**
Respondent Ullah Brothers, Incorporated dba Sinton Travel Center *Policy Revision 2 (September 2002)*
Case ID No. 31630 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN101815546
Media [Statute] Petroleum Storage Tank
Enf. Coordinator Deana Holland

Compliance History Worksheet

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

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

Adjustment Percentage (Subtotal 2) 0%

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

No

Adjustment Percentage (Subtotal 3) 0%

>> **Compliance History Person Classification (Subtotal 7)**

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes No enhancement due to compliance history.

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

Screening Date 06-Nov-2006	Docket No. 2006-1916-PST-E	PCW
Respondent Ullah Brothers, Incorporated dba Sinton Travel Center	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 31630	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN101815546		
Media [Statute] Petroleum Storage Tank		
Enf. Coordinator Deana Holland		
Violation Number	1	
Primary Rule Cite(s)	30 Tex. Admin. Code § 334.50(b)(2) and 334.50(b)(2)(A)(i)(III)	
Secondary Rule Cite(s)	Tex. Water Code § 26.3475(a)	
Violation Description	Failed to provide release detection for the piping associated with the UST system. Specifically, the respondent did not conduct the annual piping tightness test. In addition, the respondent failed to test the line leak detectors at least once per year for performance and operational reliability. Specifically, the line leak detectors had not been performance tested annually.	

Base Penalty

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

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width: 50px;" type="text" value="25%"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent <input style="width: 50px;" type="text"/>
Matrix Notes	Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.				

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

One annual event is recommended for the 12-month period preceding the September 19, 2006 investigation date.

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Ullah Brothers, Incorporated dba Sinton Travel Center
 Case ID No. 31630
 Reg. Ent. Reference No. RN101815546
 Media [Statute] Petroleum Storage Tank
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	One/Time Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs: n/a

Item Description	Cost	Date Required	Final Date	Yrs	Interest Saved	One/Time Costs	EB Amount
Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)	\$1,000	19-Sep-2005	19-Sep-2006	1.0	\$50	\$1,000	\$1,050

Notes for AVOIDED costs: Estimated cost for annual piping tightness test and line leak detector test. The Date Required is one year prior to the Investigation date and the Final Date is the Investigation date.

Approx. Cost of Compliance **\$1,000** TOTAL **\$1,050**

Screening Date 06-Nov-2006 **Docket No.** 2006-1916-PST-E **PCW**

Respondent Ullah Brothers, Incorporated dba Sinton Travel Center *Policy Revision 2 (September 2002)*

Case ID No. 31630 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN101815546

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Deana Holland

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

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

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

>> **Programmatic Matrix**

		Falsification	Major	Moderate	Minor	
		<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="10%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Ullah Brothers, Incorporated dba Sinton Travel Center
Case ID No. 31630
Reg. Ent. Reference No. RN101815546
Media [Statute] Petroleum Storage Tank
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Percent Interest		Years of Depreciation	
						Overtime Costs	EB Amount		
Delayed Costs									
Equipment				0.0	\$0	\$0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0	\$0	\$0
Land				0.0	\$0	n/a			\$0
Record Keeping System				0.0	\$0	n/a			\$0
Training/Sampling				0.0	\$0	n/a			\$0
Remediation/Disposal				0.0	\$0	n/a			\$0
Permit Costs				0.0	\$0	n/a			\$0
Other (as needed)				0.0	\$0	n/a			\$0

Notes for DELAYED costs

Avoided Costs

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

Item	Cost	Date Required	Final Date	Yrs	Interest Saved	Overtime Costs	EB Amount
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)	\$100	01-Jun-2006	02-Jun-2006	0.0	\$0	\$100	\$100

Notes for AVOIDED costs

Estimated cost to notify the agency. The Date Required is the date of the suspected release and the Final Date is the date the report was due.

Approx. Cost of Compliance

TOTAL

Screening Date 06-Nov-2006	Docket No. 2006-1916-PST-E	PCW
Respondent Ullah Brothers, Incorporated dba Sinton Travel Center	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 31630	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN101815546		
Media [Statute] Petroleum Storage Tank		
Enf. Coordinator Deana Holland		
Violation Number <input type="text" value="3"/>		
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 334.74"/>	
Secondary Rule Cite(s)	<input type="text"/>	
Violation Description	<input type="text" value="Failed to immediately investigate and confirm a suspected release of regulated substances at an UST within 30 days."/>	
Base Penalty		<input type="text" value="\$10,000"/>

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text" value="25%"/>
	Potential	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

>> **Programmatic Matrix**

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

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

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

Violation Base Penalty

Five monthly events are recommended from the release investigation due date of July 1, 2006 to the November 6, 2006 screening date.

Economic Benefit (EB) for this violation

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent Ullah Brothers, Incorporated dba Sinton Travel Center
 Case ID No. 31630
 Reg. Ent. Reference No. RN101815546
 Media [Statute] Petroleum Storage Tank
 Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	\$500	01-Jul-2006	01-Jul-2007	1.0	\$2	\$33	\$35
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs Estimated cost to investigate the suspected release. The Date Required is 30 days after the discovery of the suspected release and the Final Date is the estimated date of compliance.

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

Notes for AVOIDED costs n/a

Approx. Cost of Compliance **\$500**

TOTAL \$35

Compliance History

Customer/Respondent/Owner-Operator:	CN600753024	ULLAH BROTHERS, INCORPORATED	Classification: AVERAGE	Rating: 22.50
Regulated Entity:	RN101815546	SINTON TRAVEL CENTER	Classification: HIGH	Site Rating: 0.00
ID Number(s):	PETROLEUM STORAGE TANK REGISTRATION		REGISTRATION	74775
Location:	8140 US HIGHWAY 77, SINTON, TX, 78387		Rating Date: 9/1/2006	Repeat Violator: NO
TCEQ Region:	REGION 14 - CORPUS CHRISTI			
Date Compliance History Prepared:	November 06, 2006			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	November 06, 2001 to November 06, 2006			

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

Name: Deana Holland Phone: 239-2504

Site Compliance History Components

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

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 09/01/2004 (292558)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A

Sites Outside of Texas

N/A

2019-2020

1. The first part of the report is a general overview of the situation in the country. It is important to note that the situation is complex and multifaceted, with many different factors at play. The report aims to provide a comprehensive overview of the current state of affairs.

2. The second part of the report is a detailed analysis of the economic situation. It examines the various sectors of the economy and the impact of the current situation on each of them. The analysis shows that the economy is facing significant challenges, particularly in the areas of employment and income distribution.

3. The third part of the report is a detailed analysis of the social situation. It examines the various aspects of social life, including education, health care, and social services. The analysis shows that there are significant inequalities in the distribution of resources and services, particularly in the areas of education and health care.

4. The fourth part of the report is a detailed analysis of the political situation. It examines the various political parties and movements, and the impact of the current situation on the political process. The analysis shows that there is a high level of political instability and uncertainty, with many different groups vying for power.

Conclusions and Recommendations

5. The first conclusion is that the situation in the country is complex and multifaceted, with many different factors at play. It is important to take a holistic approach to the analysis, considering the economic, social, and political aspects of the situation.

6. The second conclusion is that there are significant inequalities in the distribution of resources and services, particularly in the areas of education and health care. It is important to address these inequalities as a matter of priority.

7. The third conclusion is that there is a high level of political instability and uncertainty, with many different groups vying for power. It is important to establish a stable and democratic political system.

8. The fourth conclusion is that the economy is facing significant challenges, particularly in the areas of employment and income distribution. It is important to implement policies that will stimulate economic growth and create jobs.

9. The fifth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

10. The sixth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

11. The seventh conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

12. The eighth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

13. The ninth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

14. The tenth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

15. The first part of the report is a general overview of the situation in the country. It is important to note that the situation is complex and multifaceted, with many different factors at play. The report aims to provide a comprehensive overview of the current state of affairs.

16. The second part of the report is a detailed analysis of the economic situation. It examines the various sectors of the economy and the impact of the current situation on each of them. The analysis shows that the economy is facing significant challenges, particularly in the areas of employment and income distribution.

17. The third part of the report is a detailed analysis of the social situation. It examines the various aspects of social life, including education, health care, and social services. The analysis shows that there are significant inequalities in the distribution of resources and services, particularly in the areas of education and health care.

18. The fourth part of the report is a detailed analysis of the political situation. It examines the various political parties and movements, and the impact of the current situation on the political process. The analysis shows that there is a high level of political instability and uncertainty, with many different groups vying for power.

Conclusions and Recommendations

19. The first conclusion is that the situation in the country is complex and multifaceted, with many different factors at play. It is important to take a holistic approach to the analysis, considering the economic, social, and political aspects of the situation.

20. The second conclusion is that there are significant inequalities in the distribution of resources and services, particularly in the areas of education and health care. It is important to address these inequalities as a matter of priority.

21. The third conclusion is that there is a high level of political instability and uncertainty, with many different groups vying for power. It is important to establish a stable and democratic political system.

22. The fourth conclusion is that the economy is facing significant challenges, particularly in the areas of employment and income distribution. It is important to implement policies that will stimulate economic growth and create jobs.

23. The fifth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

24. The sixth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

25. The seventh conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

26. The eighth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

27. The ninth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

28. The tenth conclusion is that there are many different groups vying for power, and it is important to establish a stable and democratic political system. This will require a process of dialogue and negotiation between the different groups.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ULLAH BROTHERS,
INCORPORATED DBA
SINTON TRAVEL CENTER
RN101815546**

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**BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2006-1916-PST-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 Ullah Brothers, Incorporated dba Sinton Travel Center ("Ullah Brothers") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Ullah Brothers appear before the Commission and together stipulate that:

1. Ullah Brothers owns and operates a convenience store with retail sales of gasoline at 8140 US Highway 77 in Sinton, San Patricio County, Texas (the "Facility").
2. Ullah Brothers' two underground storage tanks ("USTs") are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission.
3. The Commission and Ullah Brothers agree that the Commission has jurisdiction to enter this Agreed Order, and that Ullah Brothers is subject to the Commission's jurisdiction.
4. Ullah Brothers received notice of the violations alleged in Section II ("Allegations") on or about October 29, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Ullah Brothers of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Sixteen Thousand Dollars (\$16,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Ullah Brothers has paid One Thousand Eight Hundred Dollars (\$1,800) of the administrative penalty and Three Thousand Two Hundred Dollars (\$3,200) is deferred contingent upon Ullah Brothers' 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 Ullah Brothers fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Ullah Brothers to pay all or part of the deferred penalty.

The remaining amount of Eleven Thousand Dollars (\$11,000) of the administrative penalty shall be payable in 11 monthly payments of One Thousand Dollars (\$1,000) 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 Ullah Brothers 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 Ullah Brothers to meet the payment schedule of this Agreed Order constitutes the failure by Ullah Brothers 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 Ullah Brothers 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 Ullah Brothers 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 Facility, Ullah Brothers is alleged to have:

1. Failed to provide release detection for the piping associated with the UST system, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(2) and TEX. WATER CODE § 26.3475(a), as documented during an investigation conducted on September 19, 2006. Specifically, Ullah Brothers did not conduct the annual piping tightness test.
2. Failed to test the line leak detectors at least once per year for performance and operational reliability, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(2)(A)(i)(III) and TEX. WATER CODE § 26.3475(a),

as documented during an investigation conducted on September 19, 2006. Specifically, the line leak detectors had not been performance tested annually.

3. Failed to report a suspected release to the TCEQ within 24 hours of the discovery, in violation of 30 TEX. ADMIN. CODE § 334.72(3)(A), as documented during an investigation conducted on September 19, 2006. Specifically, automatic tank gauging results for May 2006 indicated a suspected release that was not reported.
4. Failed to immediately investigate and confirm a suspected release of regulated substances at a UST within 30 days, in violation of 30 TEX. ADMIN. CODE § 334.74, as documented during an investigation conducted on September 19, 2006.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Ullah Brothers pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Ullah Brothers' 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: Ullah Brothers, Incorporated dba Sinton Travel Center, Docket No. 2006-1916-PST-E" to:

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

2. It is further ordered that Ullah Brothers shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Establish and implement a process for reporting a suspected release, in accordance with 30 TEX. ADMIN. CODE § 334.72;
 - ii. Conduct an investigation of the suspected release and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74; and

THE UNIVERSITY OF CHICAGO

- iii. Implement a release detection method for the piping associated with the USTs and test the line leak detectors for performance and operational reliability, in accordance with 30 TEX. ADMIN. CODE § 334.50.
- b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions No. 2.a.i. through 2.a.iii.

The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The Certification shall be submitted to:

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

with a copy to:

Waste Section Manager
Corpus Christi Regional Office
Texas Commission on Environmental Quality
6300 Ocean Drive, Unit 5839
Corpus Christi, Texas 78412-5839

3. The provisions of this Agreed Order shall apply to and be binding upon Ullah Brothers. Ullah Brothers is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If Ullah Brothers 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, Ullah Brothers' failure to comply is not a violation of this Agreed Order. Ullah Brothers shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Ullah Brothers shall notify the Executive Director within seven days after Ullah Brothers 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 Ullah Brothers shall be made in writing to the Executive Director. Extensions are not effective until Ullah Brothers 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 Ullah Brothers in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Ullah Brothers, or three days after the date on which the Commission mails notice of the Order to Ullah Brothers, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

4/27/07

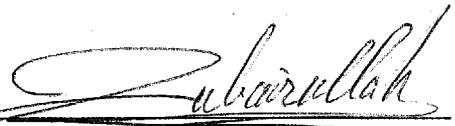
Date

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

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

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

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



Signature

1-30-07

Date

Zubair Ullah

Name (Printed or typed)
Authorized Representative of
Ullah Brothers, Incorporated dba Sinton Travel Center

Vice-President

Title

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

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