EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0060-PST-E **TCEQ ID:** RN101564961 **CASE NO.:** 32214

RESPONDENT NAME: Hyatt Corporation dba Hyatt Regency Dallas

ORDER TYPE:		
X 1660 AGREED ORDER	__FINDINGS AGREED ORDER	__FINDINGS ORDER FOLLOWING SOAH HEARING
__FINDINGS DEFAULT ORDER	__SHUTDOWN ORDER	__IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
__AMENDED ORDER	__EMERGENCY ORDER	
CASE TYPE:		
__AIR	__MULTI-MEDIA (check all that apply)	__INDUSTRIAL AND HAZARDOUS WASTE
__PUBLIC WATER SUPPLY	X PETROLEUM STORAGE TANKS	__OCCUPATIONAL CERTIFICATION
__WATER QUALITY	__SEWAGE SLUDGE	__UNDERGROUND INJECTION CONTROL
__MUNICIPAL SOLID WASTE	__RADIOACTIVE WASTE	__DRY CLEANER REGISTRATION

SITE WHERE VIOLATION(S) OCCURRED: Hyatt Regency Dallas, 300 Reunion Boulevard East, Dallas, Dallas County

TYPE OF OPERATION: Hotel

SMALL BUSINESS: ___ Yes X No

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

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 April 30, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Philip DeFrancesco, Enforcement Division, Enforcement Team 6, MC R-04, (817) 588-5933; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

Respondent: Mr. Steve Vissotzky, General Manager, Hyatt Corporation dba Hyatt Regency Dallas, 300 Reunion Boulevard East, Dallas, Texas 75207-4498

Mr. Brent Killingsworth, Director of Engineering, Hyatt Corporation dba Hyatt Regency Dallas, 300 Reunion Boulevard East, Dallas, Texas 75207-4498

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

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation: __ Complaint _X_ Routine __ Enforcement Follow-up __ Records Review **Date(s) of Complaints Relating to this Case:** None **Date of Investigation Relating to this Case:** November 28, 2006 **Date of NOE Relating to this Case:** January 3, 2007 (NOE) **Background Facts:** This was a routine investigation. Two violations were documented. **WASTE** 1) Failed to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks (USTs") [30 TEX. ADMIN. CODE § 37.815(a) and (b)]. 2) Failed to ensure that the UST registration and self-certification form is fully and accurately completed, and submitted to the agency in a timely manner. Specifically, Hyatt Corporation did not submit the initial self-certification [30 TEX. ADMIN. CODE § 334.8(c)(4)(B)].	**Total Assessed:** $1,500 **Total Deferred:** $300 _X_ Expedited Settlement __Financial Inability to Pay **SEP Conditional Offset:** $0 **Total Paid to General Revenue:** $1,200 **Site Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Person Compliance History Classification** __ **High** _X_ **Average** __ **Poor** **Major Source:** __ Yes _X_ No **Applicable Penalty Policy:** September 2002	**Corrective Actions Taken:** The Executive Director recognizes that Hyatt Corporation has implemented the following corrective measures at the Facility: a. As of December 8, 2006, the TCEQ DFW regional office received a copy of the current financial assurance coverage for the UST; and b. As of December 13, 2006, the TCEQ DFW regional office received verification that Hyatt Corporation submitted a completed UST Registration & Self-certification form to the TCEQ and was issued a delivery certificate.

Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002) — *PCW Revision December 8, 2006*

TCEQ

DATES					
Assigned	9-Jan-2007				
PCW	16-Jan-2007	Screening	11-Jan-2007	EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	Hyatt Corporation dba Hyatt Regency Dallas		
Reg. Ent. Ref. No.	RN101564961		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

CASE INFORMATION

Enf./Case ID No.	32214	No. of Violations	2
Docket No.	2007-0060-PST-E	Order Type	1660
Media Program(s)	Petroleum Storage Tank	Enf. Coordinator	Philip DeFrancesco
Multi-Media		EC's Team	EnforcementTeam 7
Admin. Penalty $ Limit Minimum	$0	Maximum	$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) — *Subtotal 1* **$2,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes: No adjustments for compliance history.

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

Notes: The respondent does not meet the culpability criteria.

Good Faith Effort to Comply — 25% Reduction — *Subtotal 5* **$500**

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

Notes: The respondent came into compliance on December 13, 2006.

0% Enhancement* — *Subtotal 6* **$0**

**Capped at the Total EB $ Amount*

Total EB Amounts	$830
Approx. Cost of Compliance	$1,150

SUM OF SUBTOTALS 1-7 — *Final Subtotal* **$1,500**

OTHER FACTORS AS JUSTICE MAY REQUIRE — *Adjustment* **$0**

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

Notes:

Final Penalty Amount **$1,500**

STATUTORY LIMIT ADJUSTMENT — *Final Assessed Penalty* **$1,500**

DEFERRAL — 20% Reduction — *Adjustment* **-$300**

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **$1,200**

Screening Date	11-Jan-2007	**Docket No.** 2007-0060-PST-E	**PCW**
Respondent	Hyatt Corporation dba Hyatt Regency Dallas		*Policy Revision 2 (September 2002)*
Case ID No.	32214		*PCW Revision December 8, 2006*
Reg. Ent. Reference No.	RN101564961		
Media [Statute]	Petroleum Storage Tank		
Enf. Coordinator	Philip DeFrancesco		

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 (*number of NOVs meeting criteria*)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (*number of orders meeting criteria*)	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 (*number of judgements or consent decrees meeting criteria*)	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 (*number of counts*)	0	0%
Emissions	Chronic excessive emissions events (*number of events*)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which notices were submitted*)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (*number of audits for which violations were disclosed*)	0	0%

		Please Enter Yes or No	
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

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 adjustments for compliance history.

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

Screening Date	11-Jan-2007	**Docket No.** 2007-0060-PST-E	**PCW**
Respondent	Hyatt Corporation dba Hyatt Regency Dallas		*Policy Revision 2 (September 2002)*
Case ID No.	32214		*PCW Revision December 8, 2006*
Reg. Ent. Reference No.	RN101564961		
Media [Statute]	Petroleum Storage Tank		
Enf. Coordinator	Philip DeFrancesco		

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 37.815(a) and (b)

Violation Description Failed to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events 1

365 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended for the one UST at the facility.

Economic Benefit (EB) for this violation

Estimated EB Amount $683

Statutory Limit Test

Violation Final Penalty Total $750

This violation Final Assessed Penalty (adjusted for limits) $750

Economic Benefit Worksheet

Respondent Hyatt Corporation dba Hyatt Regehcy Dallas
Case ID No. 32214
Reg. Ent. Reference No. RN101564961
Media Petroleum Storage Tank
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description (No commas or $)	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	$0	$0	$0
Buildings				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Engineering/construction				0.0	$0	$0	$0
Land				0.0	$0	n/a	$0
Record Keeping System				0.0	$0	n/a	$0
Training/Sampling				0.0	$0	n/a	$0
Remediation/Disposal				0.0	$0	n/a	$0
Permit Costs				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)						
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]	$650	28-Nov-2005	28-Nov-2006	1.0	$33	$650	$683
ONE-TIME avoided costs [3]				0.0	$0	$0	$0
Other (as needed)				0.0	$0	$0	$0
Notes for AVOIDED costs	Estimated cost to provide financial assurance for one petroleum UST for the twelve month period preceding the date of investigation.						

Approx. Cost of Compliance $650

TOTAL $683

Screening Date 11-Jan-2007 **Docket No.** 2007-0060-PST-E **PCW**

Respondent Hyatt Corporation dba Hyatt Regency Dallas *Policy Revision 2 (September 2002)*

Case ID No. 32214 *PCW Revision December 8, 2006*

Reg. Ent. Reference No. RN101564961

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Philip DeFrancesco

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 334.8(c)(4)(B)

Violation Description Failed to ensure that the UST registration and self-certification form is fully and accurately completed, and submitted to the agency in a timely manner. Specifically, the Hyatt Corporation did not submit the initial self-certification.

Base Penalty $10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm: Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>>Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes: 100% of the rule requirement was not met.

Adjustment $9,000

$1,000

Violation Events

Number of Violation Events 1 | 2151 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty $1,000

One single event is recommended based on documentation of the violation during the November 28, 2006 investigation.

Economic Benefit (EB) for this violation

Estimated EB Amount $147

Statutory Limit Test

Violation Final Penalty Total $750

This violation Final Assessed Penalty (adjusted for limits) $750

Economic Benefit Worksheet

Respondent Hyatt Corporation dba Hyatt Regency Dallas
Case ID No. 32214
Reg. Ent. Reference No. RN101564961
Media Petroleum Storage Tank
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or $						
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	$500	22-Jan-2001	13-Dec-2006	5.9	$147	n/a	$147
Other (as needed)				0.0	$0	n/a	$0

Notes for DELAYED costs: Estimated cost to submit a completed UST registration and self-certification form to the TCEQ. The date required is the due date for self-certification and the final date is the 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:

Approx. Cost of Compliance: $500

TOTAL: $147

Compliance History

Customer/Respondent/Owner-Operator:	CN602309031	Hyatt Regency of Dallas	Classification: AVERAGE BY DEFAULT	Rating: 3.01
Regulated Entity:	RN101564961	HYATT REGENCY DALLAS	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION		68468
Location:	300 REUNION BLVD E, DALLAS, TX, 75207		Rating Date: 9/1/2006 Repeat Violator: NO	
TCEQ Region:	REGION 04 - DFW METROPLEX			
Date Compliance History Prepared:	January 11, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	January 11, 2001 to January 11, 2007			

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

Name: Philip DeFrancesco Phone: (817) 588-5933

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?	Yes
3. If Yes, who is the current owner?	Woodbine Development Corporation
4. if Yes, who was/were the prior owner(s)?	Hyatt Corporation Hyatt Regency of Dallas
5. When did the change(s) in ownership occur?	12/08/2006

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 01/03/2007 (517823)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

N/A

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

IN THE MATTER OF AN	§	**BEFORE THE**
ENFORCEMENT ACTION	§	
CONCERNING	§	**TEXAS COMMISSION ON**
HYATT CORPORATION DBA HYATT	§	
REGENCY DALLAS	§	**ENVIRONMENTAL QUALITY**
RN101564961		

AGREED ORDER
DOCKET NO. 2007-0060-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 Hyatt Corporation dba Hyatt Regency Dallas ("Hyatt Corporation") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Hyatt Corporation appear before the Commission and together stipulate that:

1. Hyatt Corporation owned and operates a hotel with one underground storage tank ("UST") at 300 Reunion Boulevard East in Dallas, Dallas County, Texas (the "Facility").

2. Hyatt Corporation's one UST is not exempt or excluded from regulation under the TEXAS WATER CODE or the rules of the Commission.

3. The Commission and Hyatt Corporation agree that the Commission has jurisdiction to enter this Agreed Order, and that Hyatt Corporation is subject to the Commission's jurisdiction.

4. Hyatt Corporation received notice of the violations alleged in Section II ("Allegations") on or about January 8, 2007.

5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Hyatt Corporation of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of One Thousand Five Hundred Dollars ($1,500) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations").

Hyatt Corporation has paid One Thousand Two Hundred Dollars ($1,200) of the administrative penalty and Three Hundred Dollars ($300) is deferred contingent upon Hyatt Corporation'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 Hyatt Corporation fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Hyatt Corporation 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 Hyatt Corporation 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 Hyatt Corporation has implemented the following corrective measures at the Facility:

   a. As of December 8, 2006, the TCEQ Dallas/Fort Worth regional office received a copy of the current financial assurance coverage for the UST; and

   b. As of December 13, 2006, the TCEQ Dallas/Fort Worth regional office received verification that Hyatt Corporation submitted a completed UST Registration & Self-certification form to the TCEQ and was issued a delivery certificate.

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 Hyatt Corporation 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 Facility, Hyatt Corporation is alleged to have:

1. Failed to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs, in violation of 30 TEX. ADMIN. CODE § 37.815(a) and (b), as documented during an investigation conducted on November 28, 2006.

2. Failed to ensure that the UST registration and self-certification form is fully and accurately completed, and submitted to the agency in a timely manner, in violation of 30 TEX. ADMIN. CODE § 334.8(c)(4)(B), as documented during an investigation conducted on November 28, 2006. Specifically, Hyatt Corporation did not submit the initial self-certification.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Hyatt Corporation pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Hyatt Corporation'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: Hyatt Corporation dba Hyatt Regency Dallas, Docket No. 2007-0060-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. The provisions of this Agreed Order shall apply to and be binding upon Hyatt Corporation. Hyatt Corporation 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.

3. This Agreed Order, issued by the Commission, shall not be admissible against Hyatt Corporation 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 Hyatt Corporation, or three days after the date on which the Commission mails notice of the Order to Hyatt Corporation, 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 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 Date

Steve Vissotzky G. M.
Name (Printed or typed) Title
Authorized Representative of
Hyatt Corporation dba Hyatt Regency Dallas

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.