

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-1248-DCL-E **TCEQ ID:** RN104963616 **CASE NO.:** 30707

RESPONDENT NAME: Bobbie S. Dodd, Bonnie Mitchell & Bobbie M. Cherry dba Splendor Dry Cleaners

ORDER TYPE:

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

CASE TYPE:

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

SITE WHERE VIOLATION(S) OCCURRED: Spendor Dry Cleaners, 26053 Farm-to-Market Road 2090, Suite B, Splendor, Montgomery County

TYPE OF OPERATION: Dry cleaning drop station

SMALL BUSINESS: Yes 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 February 26, 2007. No comments were received.

CONTACTS AND MAILING LIST:

TCEQ Attorney/SEP Coordinator: None

TCEQ Enforcement Coordinator: Mr. Tel Croston, Enforcement Division, Enforcement Section I, MC 169, (512) 239-5717; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896

TCEQ Field Investigator: Ms. Neadra Richard, Beaumont Regional Office, MC R-10, (409) 898-3838

Respondent: Ms. Bonnie Mitchell, Ms. Bobbie S. Dodd, & Ms. Bobbie M. Cherry, Owners, Splendor Dry Cleaners, 26053 Farm-to-Market Road 2090, Suite B, Splendor, Texas 77372

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 type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: May 25, 2006</p> <p>Date of NOE Relating to this Case: July 31, 2006 (NOE)</p> <p>Background Facts: This was a routine investigation. One violation was documented.</p> <p>WASTE</p> <p>Failed to complete and submit the required registration form to the TCEQ for the Facility [30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102].</p>	<p>Total Assessed: \$889</p> <p>Total Deferred: \$178 <input checked="" type="checkbox"/> Expedited Settlement <input type="checkbox"/> Financial Inability to Pay</p> <p>SEP Conditional Offset: \$0</p> <p>Total Paid to General Revenue: \$711</p> <p>Site Compliance History Classification: <input type="checkbox"/> High <input type="checkbox"/> Avg. <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification: <input type="checkbox"/> High <input 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>Corrective Actions Taken:</p> <p>The Executive Director recognizes that Ms. Dodd, Ms. Mitchell and Ms. Cherry submitted the required registration form for the Facility on June 7, 2006.</p>

Penalty Calculation Worksheet (PCW)



Policy Revision 2 (September 2002)

PCW Revision May 19, 2005

DATES	Assigned	07-Aug-2006	Screening	09-Aug-2006	EPA Due	
	PCW	09-Aug-2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	Bobbie S. Dodd, Bonnie Mitchell and Bobbie M. Cherry dba Splendor Dry Cleaners
Reg. Ent. Ref. No.	RN104963616
Facility/Site Region	12-Houston
Major/Minor Source	Minor Source

CASE INFORMATION			
Enf./Case ID No.	30707	No. of Violations	1
Docket No.	2006-1248-DCL-E	Order Type	1660
Media Program(s)	Drycleaner	Enf. Coordinator	Tel Croston
Multi-Media		EC's Team	Enforcement Team 2
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

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 Enhancement Subtotals 2, 3, & 7

Notes

Culpability No Enhancement Subtotal 4

Notes

Good Faith Effort to Comply Reduction Subtotal 5

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary	<input type="checkbox"/>	<input type="checkbox"/>
Ordinary	<input checked="" type="checkbox"/>	<input type="checkbox"/>
N/A	<i>(mark with a small x)</i>	

Notes

Economic Benefit Enhancement* Subtotal 6

Total EB Amounts	<input type="text" value="\$10"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$250"/>	

SUM OF SUBTOTALS 1-7 Final Subtotal

OTHER FACTORS AS JUSTICE MAY REQUIRE Adjustment 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 Reduction Adjustment

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

Notes

PAYABLE PENALTY

Respondent Bobbie S. Dodd, Bonnie Mitchell and Bobbie M. Cherry dba Splendor Dry Cleaners (ember 2002)

Case ID No. 30707

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN104963616

Media [Statute] Drycleaner

Enf. Coordinator Tel Croston

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)	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%
Other	Environmental management systems in place for one year or more	N/A	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	N/A	0%
	Participation in a voluntary pollution reduction program	N/A	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	N/A	0%

Please Enter Yes or No

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No change due to no previous compliance history.

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

PCW

Respondent Bobbie S. Dodd, Bonnie Mitchell and Bobbie M. Cherry dba Splendora Dry Cleaners *ember 2002*
Case ID No. 30707 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN104963616
Media [Statute] Drycleaner
Enf. Coordinator Tel Croston

Violation Number 1
Primary Rule Cite(s) 30 Tex. Admin. Code § 337.10(a)
Secondary Rule Cite(s) Tex. Health & Safety Code § 374.102(a)
Violation Description The respondent failed to complete and submit the required registration form to the TCEQ for a dry cleaning and/or drop station facility.

Base Penalty \$50

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
	X			10%

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

Adjustment -\$45

Base Penalty Subtotal \$5

Violation Events

Number of Violation Events 237

mark only one use a small x

daily	X
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,185

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

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$10

Violation Final Penalty Total \$889

This violation Final Assessed Penalty (adjusted for limits) \$889

Economic Benefit Worksheet

Respondent: Bobbie S. Dodd, Bonnie Mitchell and Bobbie M. Cherry dba Splendor Dry Cleaners

Case ID No. 30707

Reg. Ent. Reference No. RN104963616

Media [Statute] Drycleaner

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	07-Jun-2006	0.8	\$10	n/a	\$10
Other (as needed)				0.0	\$0	n/a	\$0

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

Avoided Costs

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

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

Notes for AVOIDED costs

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

TOTAL \$10

Compliance History

Customer/Respondent/Owner-Operator: CN603159856 Bonnie Mitchell Classification: Rating:
Regulated Entity: RN104963616 SPLENDORA DRY CLEANERS Classification: Site Rating:
ID Number(s):
Location: 26053 FM 2090 RD STE B, SPLENDORA, TX, 77372
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: March 07, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 09, 2001 to August 09, 2006
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Tel Croston Phone: 239-5717

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?
N/A
Bobbie S. Dodd
Bonnie Mitchell
Bobbie M. Cherry
4. If Yes, who was/were the prior owner(s)?
Joseph A. Dunn Jr.
Mary Ann Aranguena
5. When did the change(s) in ownership occur? 1/10/2005

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 08/01/2006 (482905)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A

Compliance History

Customer/Respondent/Owner-Operator: CN603159849 Bobbie S. Dodd Classification: Rating:
Regulated Entity: RN104963616 SPLENDORA DRY CLEANERS Classification: Site Rating:
ID Number(s):
Location: 26053 FM 2090 RD STE B, SPLENDORA, TX, 77372
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: March 07, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 09, 2001 to August 09, 2006
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Tel Croston Phone: 239-5717

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?
N/A
Bobbie S. Dodd
Bonnie Mitchell
Bobbie M. Cherry
4. If Yes, who was/were the prior owner(s)?
Joseph A. Dunn Jr.
Mary A Aranguena
5. When did the change(s) in ownership occur? 1/10/2005

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 08/01/2006 (482905)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A

Compliance History

Customer/Respondent/Owner-Operator: CN603159864 Bobbie M. Cherry Classification: Rating:
Regulated Entity: RN104963616 SPLENDORA DRY CLEANERS Classification: Site Rating:
ID Number(s):
Location: 26053 FM 2090 RD STE B, SPLENDORA, TX, 77372
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: March 07, 2007
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: August 09, 2001 to August 09, 2006
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: Tel Croston Phone: 239-5717

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?
N/A
Bobbie S. Dodd
Bonnie Mitchell
Bobbie M. Cherry
4. If Yes, who was/were the prior owner(s)?
Joseph A. Dunn Jr.
Mary Ann Aranguena
5. When did the change(s) in ownership occur? 1/10/2005

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
1 08/01/2006 (482905)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.
N/A
- I. Participation in a voluntary pollution reduction program.
N/A
- J. Early compliance.
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
BOBBIE S. DODD, BONNIE	§	TEXAS COMMISSION ON
MITCHELL AND BOBBIE M.	§	
CHERRY DBA SPLENDORA DRY	§	
CLEANERS	§	
RN104963616	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-1248-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 Bobbie S. Dodd, Bonnie Mitchell & Bobbie M. Cherry dba Splendora Dry Cleaners ("Ms. Dodd, Ms. Mitchell and Ms. Cherry") 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 Ms. Dodd, Ms. Mitchell and Ms. Cherry appear before the Commission and together stipulate that:

1. Ms. Dodd, Ms. Mitchell and Ms. Cherry own and operate a dry cleaning drop station at 26053 Farm-to-Market Road 2090, Suite B, in Splendora, Montgomery County, Texas (the "Facility").
2. The TCEQ has general authority to regulate the Facility pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
3. The Commission and Ms. Dodd, Ms. Mitchell and Ms. Cherry agree that the Commission has jurisdiction to enter this Agreed Order, and that Ms. Dodd, Ms. Mitchell and Ms. Cherry are subject to the Commission's jurisdiction.
4. Ms. Dodd, Ms. Mitchell and Ms. Cherry received notice of the violations alleged in Section II ("Allegations") on or about August 5, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Ms. Dodd, Ms. Mitchell and Ms. Cherry of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Eight Hundred Eighty-Nine Dollars (\$889) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Ms. Dodd,

Ms. Mitchell and Ms. Cherry have paid Seven Hundred Eleven Dollars (\$711) of the administrative penalty and One Hundred Seventy-Eight Dollars (\$178) is deferred contingent upon Ms. Dodd, Ms. Mitchell and Ms. Cherry'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 Ms. Dodd, Ms. Mitchell and Ms. Cherry fail to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Ms. Dodd, Ms. Mitchell and Ms. Cherry 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 Ms. Dodd, Ms. Mitchell and Ms. Cherry 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 Ms. Dodd, Ms. Mitchell and Ms. Cherry submitted the required registration form for the Facility on June 7, 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 Ms. Dodd, Ms. Mitchell and Ms. Cherry have 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 owners and operators of the Facility, Ms. Dodd, Ms. Mitchell and Ms. Cherry are alleged to have failed to complete and submit the required registration form to the TCEQ for the Facility, in violation of 30 TEX. ADMIN. CODE § 337.10(a) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on May 25, 2006.

III. DENIALS

Ms. Dodd, Ms. Mitchell and Ms. Cherry generally deny each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Ms. Dodd, Ms. Mitchell and Ms. Cherry pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Ms. Dodd, Ms. Mitchell and Ms. Cherry'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: Bobbie S. Dodd, Bonnie Mitchell and Bobbie M. Cherry dba Splendor Dry Cleaners, Docket No. 2006-1248-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. Ms. Dodd, Ms. Mitchell and Ms. Cherry are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.
3. The provisions of this Agreed Order shall apply to and be binding upon Ms. Dodd, Ms. Mitchell and Ms. Cherry. Ms. Dodd, Ms. Mitchell and Ms. Cherry are 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. This Agreed Order, issued by the Commission, shall not be admissible against Ms. Dodd, Ms. Mitchell and Ms. Cherry 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.
5. 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.
6. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Ms. Dodd, Ms. Mitchell and Ms. Cherry, or three days after the date on which the Commission mails notice of the Order to Ms. Dodd, Ms. Mitchell and Ms. Cherry, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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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.

Bobbie S. Dodd
Signature

5-16-07
Date

Bobbie S. Dodd
Name (Printed or typed)
Authorized Representative of
Bobbie S. Dodd dba Splendor Dry Cleaners

Owner
Title

[Faint, illegible text, possibly bleed-through from the reverse side of the page]

2-16-07

Power

Robert J. Smith

11-2-07

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.

B. Mitchell
Signature

10-28-06
Date

BONNIE Mitchell
Name (Printed or typed)
Authorized Representative of
Bonnie Mitchell dba Splendor Dry Cleaners

Owner
Title

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities.

2. The second part of the document discusses the importance of maintaining accurate records of all transactions and activities.

3. The third part of the document discusses the importance of maintaining accurate records of all transactions and activities.

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12. The twelfth part of the document discusses the importance of maintaining accurate records of all transactions and activities.

13. The thirteenth part of the document discusses the importance of maintaining accurate records of all transactions and activities.

14. The fourteenth part of the document discusses the importance of maintaining accurate records of all transactions and activities.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission



For the Executive Director

5/24/07

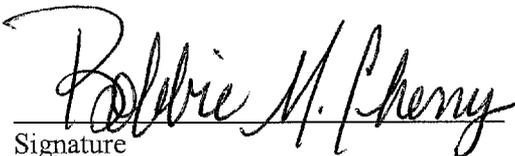
Date

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

4-16-07

Date

Bobbie M. Cherry

Name (Printed or typed)
Authorized Representative of
Bobbie M. Cherry dba Splendor Dry Cleaners

Owner/Partner

Title

Handwritten notes at the top of the page, including a large '1' and some illegible scribbles.

Main body of handwritten text, appearing as a list or series of notes. The text is mostly illegible due to fading and blurring.

Handwritten notes at the bottom of the page, including a large '1' and some illegible scribbles.