

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2006-2020-PST-E **TCEQ ID:** RN101619658 **CASE NO.:** 31778
RESPONDENT NAME: Alina & Zainab, Inc. dba Sawdust Chevron

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input checked="" type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Sawdust Chevron, 710 Sawdust Road, Spring, Montgomery County</p> <p>TYPE OF OPERATION: Convenience store with retail sales of gasoline</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired on April 9, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Judy Kluge, Enforcement Division, Enforcement Section IV, MC R-04, (817) 588-5825; Mr. Steven Lopez, Enforcement Division, MC 219, (512) 239-1896 Respondent: Mr. Mir Ali, Registered Agent/Operator, Sawdust Chevron, 710 Sawdust Road, Spring, Texas 77380 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

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(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: August 14, 2006</p> <p>Date of NOE Relating to this Case: November 14, 2006 (NOE)</p> <p>Background Facts: This was a routine investigation. Six violations were documented.</p> <p>WASTE</p> <p>1) Failed to demonstrate acceptable 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)].</p> <p>2) Failed to conduct proper release detection for the product piping associated with the UST system. Specifically, the annual piping tightness tests had not been conducted [30 TEX. ADMIN. CODE § 334.50(b)(2) and TEX. WATER CODE § 26.3475(a)].</p> <p>3) 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>4) Failed to maintain on-site all required Stage I and Stage II records pertaining to a UST system and make immediately available for inspection by Commission personnel. Specifically, records not available for review included a copy of the applicable California Air Resources Board Executive Order for the Stage II system, a maintenance log for any Stage II related repairs, monthly inspection records, copies of Stage II test results, and training records for the Station representative including documentation of training for all other employees by the Station</p>	<p>Total Assessed: \$7,200</p> <p>Total Deferred: \$1,440 <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: \$220 (the remaining \$5,540 to be paid in 26 monthly payments of \$205 each and one final payment of \$210)</p> <p>Site Compliance History Classification <input checked="" type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input checked="" type="checkbox"/> High <input type="checkbox"/> Average <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 Alina & Zainab has implemented the following corrective measures at the Station:</p> <p>a. Submitted documentation to the TCEQ Houston regional office that Financial Assurance coverage has been obtained for the USTs at the Station as of December 13, 2006;</p> <p>b. On October 12, 2006, the TCEQ Houston regional office received documentation verifying passing test results for the piping tightness and line leak detectors;</p> <p>c. On October 23, 2006, the TCEQ Houston regional office received documentation verifying that the Station representative training has been completed and all current employees have received in-house Stage II vapor recovery training;</p> <p>d. Submitted documentation to the TCEQ Houston regional office verifying that all Stage II records are being maintained at the Station as of December 13, 2006; and</p> <p>e. Submitted documentation to the TCEQ Houston regional office verifying that the Station obtained a delivery certificate on August 15, 2006.</p>

<p>representative [30 TEX. ADMIN. CODE §115.246(1), (3), and (5) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5) Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs. Specifically, one fuel delivery was accepted without a current delivery certificate [30 TEX. ADMIN. CODE § 334.8(c)(5)(A)(i) and TEX. WATER CODE § 26.3467(a)].</p> <p>6) Failed to renew a delivery certificate by timely and proper submission of a completed UST registration and self-certification form to the agency at least 30 days before the expiration date of the delivery certificate [30 TEX. ADMIN. CODE § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii)].</p>		
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Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision November 17, 2006

TCEQ

DATES	Assigned	20-Nov-2006	Screening	27-Nov-2006	EPA Due	
	PCW	10-Jan-2007				

RESPONDENT/FACILITY INFORMATION	
Respondent	Alina & Zainab, Inc. dba Sawdust Chevron
Reg. Ent. Ref. No.	RN101619658
Facility/Site Region	12-Houston
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	31778	No. of Violations	5
Docket No.	2006-2020-PST-E	Order Type	1660
Media Program(s)	Petroleum Storage Tank	Enf. Coordinator	Judy Kluge
Multi-Media		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

Culpability *Subtotal 4*

Notes

Good Faith Effort to Comply *Subtotal 5*

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

Notes

0% Enhancement* *Subtotal 6*

Total EB Amounts **Capped at the Total EB \$ Amount*

Approx. Cost of Compliance

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 27-Nov-2006

Docket No: 2006-2020-PST-E

PCW

Respondent Alina & Zainab, Inc. dba Sawdust.Chevron

Policy Revision 2 (September 2002)

Case ID No. 31778

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101619658

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

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 judgments 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)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance History Notes

Reduction for High Performer classification.

Total Adjustment Percentage (Subtotals 2, 3, & 7) -10%

Screening Date 27-Nov-2006

Docket No. 2006-2020-PST-E

PCW

Respondent Alina & Zainab, Inc. dba Sawdust Chevron

Policy Revision 2 (September 2002)

Case ID No. 31778

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101619658

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

Violation Number 1

Rule Cite(s)

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

Violation Description

Failed to demonstrate acceptable 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 4

365 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$4,000

Four single events are recommended for the four USTs at the Station.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$2,730

Violation Final Penalty Total \$3,200

This violation Final Assessed Penalty (adjusted for limits) \$3,200

Economic Benefit Worksheet

Respondent: Alina & Zainab, Inc. dba Sawdust Chevron
 Case ID No: 31778
 Reg. Ent. Reference No: RN101619658
 Media: 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	Onetime Costs	EB Amount
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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				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]	\$2,600	14-Aug-2005	14-Aug-2006	1.0	\$130	\$2,600	\$2,730
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 four petroleum USTs (at \$650 per tank) for the twelve month period preceding the date of the investigation.

Approx. Cost of Compliance	\$2,600	TOTAL	\$2,730
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Screening Date 27-Nov-2006

Docket No. 2006-2020-PST-E

PCW

Respondent Alina & Zainab, Inc. dba Sawdust Chevron

Policy Revision 2 (September 2002)

Case ID No. 31778

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101619658

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 334.50(b)(2) and (b)(2)(A)(i)(III) and Tex. Water Code § 26.3475(a)

Violation Description Failed to conduct proper release detection for the piping associated with the UST system. Specifically, the annual piping tightness tests had not been conducted. 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 \$10,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					25%
Potential	x				

>> Programmatic Matrix

Matrix Notes	Falsification	Harm			Percent
		Major	Moderate	Minor	
					0%

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 \$7,500

\$2,500

Violation Events

Number of Violation Events 1 105 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	x
	single event	

Violation Base Penalty \$2,500

One annual event is recommended based on documentation of the violation during the August 14, 2006 investigation to the date of compliance (10/12/06).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$1,104

Violation Final Penalty Total \$2,000

This violation Final Assessed Penalty (adjusted for limits) \$2,000

Economic Benefit Worksheet

Respondent: Alina & Zainab, Inc. dba Sawdust Chevron
 Case ID No. 31778
 Reg. Ent. Reference No. RN101619658
 Media Petroleum Storage Tank
 Violation No. 2

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Line Leak & Piping Tightness Tests				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Monthly Monitoring				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 Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime 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)	\$1,000	14-Aug-2005	12-Oct-2006	2.1	\$104	\$1,000	\$1,104

Notes for AVOIDED costs

Estimated cost of conducting annual line leak detector and piping tightness tests. The date required is one year prior to the investigation date and the final date is the date of compliance.

Approx. Cost of Compliance

\$1,000

TOTAL

\$1,104

Screening Date 27-Nov-2006

Docket No. 2006-2020-PST-E

PCW

Respondent Alina & Zainab, Inc. dba Sawdust Chevron

Policy Revision 2 (September 2002)

Case ID No. 31778

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101619658

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code §115.246(1), (3), and (5) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to maintain on-site all required Stage I and Stage II records pertaining to a UST system and make immediately available for inspection by Commission personnel. Specifically, records not available for review at the time of the investigation included a copy of the applicable California Air Resources Board (CARB) Executive Order for the Stage II system, a maintenance log for any Stage II related repairs, monthly inspection records, copies of Stage II test results, and training records for the Station representative including documentation of training for all other employees by the Station representative.

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

1

105

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 August 14, 2006 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$8

Violation Final Penalty Total \$800

This violation Final Assessed Penalty (adjusted for limits) \$800

Economic Benefit Worksheet

Respondent: Alina & Zainab, Inc. dba Sawdust Chevron
Case ID No.: 31778
Reg. Ent. Reference No.: RN101619658
Media: Petroleum Storage Tank
Violation No.: 7

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost <small>No commas or \$</small>	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				0.0	\$0	n/a	\$0
UST Registration	\$500	14-Aug-2006	13-Dec-2006	0.3	\$8	n/a	\$8

Notes for DELAYED costs

Estimated cost to maintain Stage I and Stage II records. The date required is the investigation date 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

\$8

Screening Date 27-Nov-2006

Docket No. 2006-2020-PST-E

PCW

Respondent Alina & Zainab, Inc. dba Sawdust Chevron

Policy Revision 2 (September 2002)

Case ID No. 31778

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101619658

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 334.8(c)(5)(A)(i) and Tex. Water Code § 26.3467(a)

Violation Description Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs. Specifically, one fuel delivery was accepted without a current delivery certificate.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			x

Percent 5%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment will or could be exposed to insignificant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$9,500

\$500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$500

One single event is recommended based on documentation of the violation during the August 14, 2006 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$0

Violation Final Penalty Total \$400

This violation Final Assessed Penalty (adjusted for limits) \$400

Economic Benefit Worksheet

Respondent: Allna & Zainab, Inc. dba Sawdust Chevron
Case ID No.: 31778
Reg. Ent. Reference No.: RN101619658
Media: Petroleum Storage Tank
Violation No.: 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Economic benefit calculated in violation 5.

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 \$0

TOTAL \$0

Screening Date 27-Nov-2006

Docket No. 2006-2020-PST-E

PCW

Respondent Alina & Zainab, Inc. dba Sawdust Chevron

Policy Revision 2 (September 2002)

Case ID No. 31778

PCW Revision November 17, 2006

Reg. Ent. Reference No. RN101619658

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Judy Kluge

Violation Number 5

Rule Cite(s)

30 Tex. Admin. Code § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii)

Violation Description

Failed to renew a delivery certificate by timely and proper submission of a completed UST registration and self-certification form to the agency at least 30 days before the expiration date of the delivery certificate. Specifically, the delivery certificate expired on August 31, 2005.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

Violation Events

Number of Violation Events 1

379 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 August 14, 2006 investigation.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$5

Violation Final Penalty Total \$800

This violation Final Assessed Penalty (adjusted for limits) \$800

Economic Benefit Worksheet

Respondent: Allna & Zainab, Inc. dba Sawdust Chevron
 Case ID No: 31778
 Reg. Ent. Reference No: RN101619658
 Media: Petroleum Storage Tank
 Violation No: 9

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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				0.0	\$0	n/a	\$0
UST Registration/Delivery Certificate	\$100	1-Aug-2005	15-Aug-2006	1.0	\$5	n/a	\$5

Notes for DELAYED costs

Estimated amount to timely renew a previously issued TCEQ delivery certificate by submitting a properly completed UST registration and self-certification form. The date required is 30 days before the expiration date of delivery certificate 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 \$100

TOTAL \$5

Compliance History

Customer/Respondent/Owner-Operator:	CN603104779 Alina & Zainab, Inc.	Classification: HIGH	Rating: 0.0
Regulated Entity:	RN101619658 SAWDUST CHEVRON	Classification: HIGH	Site Rating: 0.0
ID Number(s):	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	29242
	AIR NEW SOURCE PERMITS	REGISTRATION	54562
Location:	710 SAWDUST RD, SPRING, TX, 77380	Rating Date: September 1, 2006	Repeat Violator: No
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	November 21, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	November 21, 2000 to November 21, 2006		

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

Name: Judy Kluge Phone: 817-588-5825

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 |
| | Alina & Zainab, Inc. |
| 4. If Yes, who was/were the prior owner(s)? | Chevron U.S.A., Inc. |
| 5. When did the change(s) in ownership occur? | 11/29/2004 |

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 04/30/2004 (267622)
2 11/14/2006 (509674)
 - 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 Annual Report

The Board of Directors has reviewed the 2019-2020 Annual Report and is pleased to present it to you. The report provides a comprehensive overview of the company's performance over the past year, including financial results, operational highlights, and strategic initiatives.

The company has achieved significant milestones in 2019-2020, including the successful launch of our new product line and the expansion of our market presence. We are confident that these achievements will continue to drive our growth and success in the coming years.

Our financial performance remains strong, with revenue growth and improved profitability. We have successfully managed our costs and optimized our operations, resulting in a solid financial foundation for the future.

The company's operational performance has been exceptional, with high levels of customer satisfaction and operational efficiency. We have implemented various initiatives to improve our processes and enhance the customer experience.

Our strategic initiatives have been a key focus, with significant investments in research and development, marketing, and talent acquisition. These investments are essential for our long-term growth and competitive advantage.

The company's commitment to sustainability and social responsibility remains a top priority. We have implemented various initiatives to reduce our carbon footprint and support the community, reflecting our values and commitment to a better world.

Our human resources team has worked hard to attract and retain top talent, providing a supportive and inclusive work environment. We are proud of the dedication and hard work of our employees, who are the backbone of our success.

The company's strong relationships with our customers, suppliers, and partners are a key strength. We continue to invest in these relationships, ensuring mutual growth and success for all parties involved.

Our marketing efforts have been highly effective, driving brand awareness and customer engagement. We have successfully reached our target audience and achieved our marketing objectives.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our customer service team has provided exceptional support, ensuring a positive customer experience. We are committed to continuous improvement and customer satisfaction.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our research and development team has made significant progress, bringing new products to market. We are excited about the potential of our new offerings and the impact they will have on our customers.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our talent acquisition efforts have been successful, bringing in new talent with the skills and experience we need to drive our growth. We are committed to providing a supportive and inclusive work environment for all our employees.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Financial Performance Overview

Our financial performance in 2019-2020 was strong, with revenue growth and improved profitability. We have successfully managed our costs and optimized our operations, resulting in a solid financial foundation for the future.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our revenue growth was driven by the successful launch of our new product line and the expansion of our market presence. We have successfully reached our target audience and achieved our marketing objectives.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our profitability has improved due to cost management and operational optimization. We have successfully reduced our expenses and increased our margins, resulting in a solid financial foundation for the future.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our cost management efforts have been highly effective, resulting in significant savings. We have successfully identified areas for improvement and implemented various initiatives to reduce our expenses.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our operational optimization efforts have resulted in improved efficiency and productivity. We have successfully implemented various initiatives to streamline our processes and enhance our operational performance.

The company's strong financial performance and operational excellence have earned us a reputation as a leading industry player. We are confident that our success will continue to grow in the future.

Our solid financial foundation provides a strong base for our future growth and success. We are confident that our strong financial performance and operational excellence will continue to drive our success in the coming years.

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ALINA & ZAINAB, INC. DBA
SAWDUST CHEVRON
RN101619658

§
§
§
§
§

BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2006-2020-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 Alina & Zainab, Inc. dba Sawdust Chevron ("Alina & Zainab") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and Tex. Water Code chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Alina & Zainab appear before the Commission and together stipulate that:

1. Alina & Zainab owns and operates a convenience store with retail sales of gasoline at 710 Sawdust Road in Spring, Montgomery County, Texas (the "Station").
2. Alina & Zainab's four underground storage tanks ("USTs") are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission. The Station consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and Alina & Zainab agree that the Commission has jurisdiction to enter this Agreed Order, and that Alina & Zainab is subject to the Commission's jurisdiction.
4. Alina & Zainab received notice of the violations alleged in Section II ("Allegations") on or about November 19, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Alina & Zainab of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Seven Thousand Two Hundred Dollars (\$7,200) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations").

Alina & Zainab has paid Two Hundred Twenty Dollars (\$220) of the administrative penalty and One Thousand Four Hundred Forty Dollars (\$1,440) is deferred contingent upon Alina & Zainab's timely and satisfactory compliance with all the terms of this Agreed Order. If Alina & Zainab fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require Alina & Zainab to pay all or part of the deferred penalty.

The remaining amount of Five Thousand Five Hundred Forty Dollars (\$5,540) of the administrative penalty shall be payable in 26 monthly payments of Two Hundred Five Dollars (\$205) each and one final payment of Two Hundred Ten Dollars (\$210). 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 Alina & Zainab 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 Alina & Zainab to meet the payment schedule of this Agreed Order constitutes the failure by Alina & Zainab 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 Alina & Zainab 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 Alina & Zainab has implemented the following corrective measures at the Station:
 - a. Submitted documentation to the TCEQ Houston regional office that Financial Assurance coverage has been obtained for the USTs at the Station as of December 13, 2006;
 - b. On October 12, 2006, the TCEQ Houston regional office received documentation verifying passing test results for the piping tightness and line leak detectors;
 - c. On October 23, 2006, the TCEQ Houston regional office received documentation verifying that the Station representative training has been completed and all current employees have received in-house Stage II vapor recovery training;
 - d. Submitted documentation to the TCEQ Houston regional office verifying that all Stage II records are being maintained at the Station as of December 13, 2006; and
 - e. Submitted documentation to the TCEQ Houston regional office verifying that the Station obtained a delivery certificate on August 15, 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 Alina & Zainab 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 Station, Alina & Zainab is alleged to have:

1. Failed to demonstrate acceptable 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 August 14, 2006.
2. Failed to conduct proper release detection for the product 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 August 14, 2006. Specifically, the annual piping tightness tests had not been conducted.
3. 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 August 14, 2006. Specifically, the line leak detectors had not been performance tested annually.
4. Failed to maintain on-site all required Stage I and Stage II records pertaining to a UST system and make immediately available for inspection by Commission personnel, in violation of 30 TEX. ADMIN. CODE § 115.246(1), (3), and (5) and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted on August 14, 2006. Specifically, records not available for review included a copy of the applicable California Air Resources Board (CARB) Executive Order for the Stage II system, a maintenance log for any Stage II related repairs, monthly inspection records, copies of Stage II test results, and training records for the Station representative including documentation of training for all other employees by the Station representative.
5. Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs, in violation of 30 TEX. ADMIN. CODE § 334.8(c)(5)(A)(i) and TEX. WATER CODE § 26.3467(a), as documented during an investigation conducted on August 14, 2006. Specifically, one fuel delivery was accepted without a current delivery certificate.
6. Failed to renew a delivery certificate by timely and proper submission of a completed UST registration and self-certification form to the agency at least 30 days before the expiration date of the delivery certificate, in violation of 30 TEX. ADMIN. CODE § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii), as documented during an investigation conducted on August 14, 2006.

III. DENIALS

Alina & Zainab generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Alina & Zainab pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Alina & Zainab'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: Alina & Zainab, Inc. dba Sawdust Chevron, Docket No. 2006-2020-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 Alina & Zainab. Alina & Zainab is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Station operations referenced in this Agreed Order.
3. If Alina & Zainab 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, Alina & Zainab's failure to comply is not a violation of this Agreed Order. Alina & Zainab shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Alina & Zainab shall notify the Executive Director within seven days after Alina & Zainab becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
4. 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 Alina & Zainab shall be made in writing to the Executive Director. Extensions are not effective until Alina & Zainab receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
5. This Agreed Order, issued by the Commission, shall not be admissible against Alina & Zainab 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.
6. 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.

7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Alina & Zainab, or three days after the date on which the Commission mails notice of the Order to Alina & Zainab, 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

7/16/07

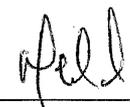
Date

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

02-02-07

Date

MFR ALL

Name (Printed or typed)
Authorized Representative of
Alina & Zainab, Inc. dba Sawdust Chevron

OPERATOR

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.

