## **EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

Page 1 of 2

DOCKET NO.: 2006-1132-DCL-E TCEQ ID: RN103962411; RN104992227; RN104992243; RN104992219;

**CASE NO.: 30580** 

## RESPONDENT NAME: MELDIMAA ENTERPRISE, INC. DBA SILVERLINE DRY CLEANERS

ORDER TYPE:		
1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING
X 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	PETROLEUM STORAGE TANKS	_OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	_UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	X DRY CLEANER REGISTRATION
Brazoria County; 1801 Country Place Parkwa  TYPE OF OPERATION: Three dry cleaner  SMALL BUSINESS: X Yes No  OTHER SIGNIFICANT MATTERS: Ther facility.  INTERESTED PARTIES: No one other tha	e are no complaints. There is no record of addition the ED and the Respondent has expressed an	onal pending enforcement actions regarding this interest in this matter.
COMMENTS RECEIVED: The Texas Reg	ister comment period expired on August 13, 20	07. No comments were received.
Ms. Jennifer Cool TCEQ Enforcement Coordinator: TCEQ Regional Contact: Ms. Nico Respondent: Mr. Bhailalbhai Z. Par Street, Suite 148, Pearland, Texas 7	igation Division, MC 175, (512) 239-0019 c, Litigation Division, MC 175, (512) 239-1873 Mr. Samuel Short, Air Enforcement Section, Nole Bealle, Houston Regional Office, MC R-12, rel, President, Meldimaa Enterprise, Inc. dba Si 7584 ented by counsel on this enforcement matter.	AC 219, (512) 239-5363 (713) 767-3623

# RESPONDENT NAME: DOROTHY L. KRANZ DBA SEVEN BLUFF CABINS DOCKET NO.: 2005-1798-PWS-E

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
Type of Investigation:	Total Assessed: \$2,925	m P (' P' )
Complaint Routine	Total Deferred: \$0	The Executive Director recognizes the Respondent has upgraded and corrected its water sampling procedures and came into
Enforcement Follow-up Records Review	SEP Conditional Offset: \$0	compliance as of August 2005. The Respondent is also in the process of
Date of Complaints Relating to this Case:	Total Paid to General Revenue: \$2,925	upgrading their system from a 900 gallon galvanized holding tank to a 4,800 gallon cement tank with two additional in line
None	Site Compliance History Classification   High Average Poor X N/A	pumps and additional bladder pressure tanks.
Dates of Investigation Relating to this Case: August 1, 2005.	Person Compliance History Classification High Average Poor X N/A	
Dates of NOVs and NOE Relating to this Case: NOVs: May 19, 2003, June 2, 2003, May 26, 2004, June	Major Source: Yes X No	
3, 2004, July 2, 2004, May 2, 2005, May 31, 2005, and June 27, 2005.  NOE: August 4, 2005.	Applicable Penalty Policy: September 2002	
Background Facts:	Findings Order Justification: Three repeated enforcement actions (NOVs) over the prior	,
The case was referred to the Litigation Division and an Agreed Order was negotiated and signed on March 6, 2007.	five year period for the same violation.	
Waten 0, 2007.		
PWS  1) Failed to conduct routine bacteriological monitoring of the public water supply at the Facility during the months		
of March and April 2003, April 2004, and March 2005, [30 Tex. Admin. Code § 290.109(c)(2)(A)(i) and Tex. Health & Safety Code § 341.033(d)].		
2) Failed to provide public notification that routine bacteriological monitoring of the public water supply at		
the Facility was not conducted during the months of April 2003, April 2004, and March 2005 [30 Tex. ADMIN. CODE § 290.122(c)(2)(B)].		
3) Exceeded the Facility's maximum contaminant level ("MCL") for total coliform during the month of May 2004		
when one routine sample and three repeat samples all tested positive for total coliform [30 Tex. ADMIN. CODE		
§ 290,109(f)(3) and Tex. Health & Safety Code § 341.0315(c)].		
4) Failed to provide public notification of the MCL exceedance for total coliform during the month of May 2004 [30 Tex. Admin. Code § 290.122(b)(2)(B)].		
5) Failed to collect at least four repeat samples following positive total coliform results that occurred during the		

### VIOLATION SUMMARY CHART: VIOLATION INFORMATION PENALTY CONSIDERATIONS CORRECTIVE ACTIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$4,740 Ordering Provision(s) Complaint Total Deferred: \$0 X Routine The Respondent shall undertake the following \_\_\_ Enforcement Follow-up technical requirements: SEP Conditional Offset: \$0 Records Review 1. Within 15 days, submit the required dry Total Due to General Revenue: \$4,740 cleaner/dry cleaner drop station registration form Date of Complaints Relating to this Case: for each Facility. N/A This is a Default Order. The Respondent has not actually paid any of the assessed penalty but will 2. Within 30 days, submit written certification to be required to do so under the terms of this Order. Dates of Investigation Relating to this Case: demonstrate compliance. May 23, 2006 and May 24, 2006 Site Compliance History Classification Date of NOE Relating to this Case: July 28, 2006 (NOE) Person Compliance History Classification **Background Facts:** Major Source: \_\_\_ Yes X No This case involves one dry cleaning facility and three dry cleaning drop stations owned by the Applicable Penalty Policy: September 2002 Respondent.' The EDPRP was filed on November 7, 2006. The Respondent received notice of the EDPRP on November 9, 2006, as evidenced by the signature on the "green card." The Respondent failed to file an answer to the EDPRP, failed to request a hearing, and failed to schedule a settlement conference. The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report. DCL: Failed to register the Facilities with the Commission [30 Tex. ADMIN. CODE § 337.10(a) and Tex. Health & Safety Code § 374.102].

	Policy Revision 2 (			alculation W	orkshëët (P	CW)	PCW Revision May 19,	2005
TCEG		september 200					FOV REVISION Way 19,	
DATES		31-Jul-2006 11-Oct-2006		ng 02-Aug-2006	EPA Due	ig as,		PORTA.
DEOD	AUDENIT/E401	T/10201		property and the second of the				445 ar 200 a 194 abra
KESP	ONDENT/FACIL		the second second second	dba Silverline Dry Cle		0.1941-034.0		
Por	J. Ent. Ref. No.			dua Silverillie Dry Cle	aners			_
	ity/Site Region		! /	<1	Major/Minor	Source	Minor Source	<
1 4011	ty/one region	72.110001011			Majorimino	000100	William Course	
CASE	INFORMATION	Ne: 4.874.4						
Er	nf./Case ID No.	30580			No. of Vio	lations	1	
	Docket No.	2006-1132-D	CL-E		Orde	er Type	1660	<
Med	dia Program(s) [	Drycleaner		<			Samuel Short	
	Multi-Media					s Team	Enforcement Team 4	<
Adm	in. Penalty \$ Lir	nit Minimur	n \$0	Maximum	\$50	***************************************		
e a live rollan a disco contact i co			m of violati	alty Calculation	e y e e my gamiga a nya garanga, nyy mananya aga a mana ar a ma		Subtotal 1	\$1,185
a cita de calendario de al alemano.	JSTMENTS (+	/-) TO SUI	m of violati BTOTAL 1	on base penaltie	s)		Subtotal 1	<b>\$1,185</b>
a cita de calendario de al alemano.	JSTMENTS (+ Subtotals 2-7 are o	/-) TO SUI btained by multi istory	m of violati	on base penaltie	s) the indicated percentagencement	Subt		
a cita de calendario de al alemano.	JSTMENTS (+ Subtotals 2-7 are o Compliance H	/-) TO SUI btained by multi istory	m of violati	on base penaltie  see Penalty (Subtotal 1) by  0% Enhance had any other enforce last five years.	s) the indicated percentagencement	Subt		\$0
a cita de calendario de al alemano.	JSTMENTS (+ Subtotals 2-7 are o Compliance H Notes	/-) TO SUI btained by multi istory The respor	m of violati BTOTAL 1 plying the Total Bandent has not	on base penaltie  ase Penalty (Subtotal 1) by  0% Enhance last five years.	the indicated percentag ancement ement actions with ancement	Subt	otals 2, 3, & 7	\$0
a cita de calendario de al alemano.	JSTMENTS (+ Subtotals 2-7 are o Compliance H Notes	/-) TO SUI btained by multi istory The respor	m of violati BTOTAL 1 plying the Total Bandent has not	on base penaltie  see Penalty (Subtotal 1) by  0% Enhance had any other enforce last five years.	the indicated percentag ancement ement actions with ancement	Subt	otals 2, 3, & 7	\$0
a cita de calendario de al alemano.	JSTMENTS (+ Subtotals 2-7 are o Compliance H Notes	/-) TO SUI totained by multi istory The respor	m of violati BTOTAL 1  Diving the Total Bandent has not less respondent of less responden	on base penaltie  ase Penalty (Subtotal 1) by  0% Enhance last five years.	the indicated percentag ancement ement actions with ancement pability criteria.	Subt	otals 2, 3, & 7	\$0 \$0
a cita de calendario de al alemano.	STMENTS (+ Subtotals 2-7 are o Compliance H Notes  Culpability Notes	/-) TO SUI totained by multi istory The respon No The	m of violati BTOTAL 1  Diving the Total Bandent has not less respondent of less responden	on base penaltie  ase Penalty (Subtotal 1) by  0% Enhalter  had any other enforce last five years.  0% Enhalter  does not meet the cul	the indicated percentag ancement ement actions with ancement pability criteria.	Subt	otals 2, 3, & 7	\$0 \$0
a cita de calendario de al alemano.	STMENTS (+ Subtotals 2-7 are o Compliance H Notes  Culpability Notes  Good Faith Eff	/-) TO SUI totained by multi istory The respon No The	m of violati BTOTAL 1  Diving the Total Bandent has not less respondent of less responden	on base penaltie  ase Penalty (Subtotal 1) by  0% Enhalter  had any other enforce last five years.  0% Enhalter  does not meet the cul	the indicated percentag ancement ement actions with ancement pability criteria.	Subt	otals 2, 3, & 7	\$0 \$0
a cita de calendario de al alemano.	STMENTS (+ Subtotals 2-7 are o Compliance H Notes  Culpability Notes  Good Faith Eff	/-) TO SUI totained by multi istory The respon No The	m of violati BTOTAL 1  Diving the Total Bandent has not less respondent of less responden	on base penaltie  see Penalty (Subtotal 1) by  0% Enhi- had any other enforce last five years.  0% Enhi- does not meet the cul  0% Red  P/Settlement Offer	the indicated percentag ancement ement actions with ancement pability criteria.	Subt	otals 2, 3, & 7	\$0 \$0

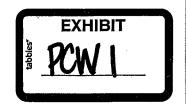
Notes		]	
Notes	Final Pe	enalty Amount \$	1,185
STATUTORY LIMIT ADJUSTM	IENT Final Ass	essed Penalty \$	1,185
DEFERRAL	Reduction	Adjustment	\$0
Reduces the Final Assessed Penalty by the indi	cted percentage. (Enter number only; e.g. 20 for 20% reduction.)	7	
Notes	No deferral offered for non-expedited order.		

Final Subtotal

\$1,185

Approx. Cost of Compliance

SUM OF SUBTOTALS 1-7



Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners

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

Case ID No. 30580 Reg. Ent. Reference No. RN103962411

Media [Statute] Drycleaner Enf. Coordinator Samuel Short

### **Compliance History Worksheet**

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

Component		nter 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%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement ord 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	ers 0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containin a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	g 0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a den of liability, of this state or the federal government	ial 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%
Audits	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%
		Enter Yes or No	
	Environmental management systems in place for one year or more	no	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
Other	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	no	0%

		Adjustment Percentage (Subtotal 2)	0%
> Repeat Violator (S	ubtotal 3)		
No	· [<	Adjustment Percentage (Subtotal 3)	0%
> Compliance Histor	y Person Classificat	ion (Subtotal 7)	
N/A	<	Adjustment Percentage (Subtotal 7)	0%
> Compliance Histor	y Summary		
Compliance History Notes	The respondent ha	s not had any other enforcement actions within the last five years.	
<u>Companyone</u>	<u> </u>	otal Adjustment Percentage (Subtotals 2, 3, & 7)	0%

federal government environmental requirements

Page 3 of 4 08/3		se dba Silverline Dry
Screening	Date 02-Aug-2006 Cleaner\AGENDA\PCW C - 2411.qpw Docket No. 2006-1132-DCL-E	PCW
Respon	ndent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Police	cy Revision 2 (September 2002)
Case ID	D No. 30580	PCW Revision May 19, 2005
Reg. Ent. Reference	<b>e No.</b> RN103962411	
	atute] Drycleaner	
and the second s	nator, Samuel Short	
Violation Nu		
Primary Rule C		
Secondary Rule C	Cite(s) Tex. Health & Safety Code § 374.102	
Violation Descri	The respondent failed to complete and submit the required registratiform to the TCEQ for a dry cleaning and/or drop station facility.	on
	Base Per	nalty \$50
	al, Property and Human Health Matrix  Harm  Blease Major Moderate Minor	
OR Po	Actual Percent Percent	
>> Programmatic	Matrix	
Falsit	ification Major Moderate Minor	
	x Percent 10%	
Matrix Notes	100% of the rule requirement was not met.	
	Adjustment	-\$45
	Base Penalty Subt	total \$5
Violation Even	its	
Number of	Violation Events 237	
mark or	daily X monthly	nalty \$1,185
	Two hundred thirty-seven daily events are recommended from the otember 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006.	
Economic Ben	nefit (EB) for this violation Statutory Limit Test	
Estima	ated EB Amount \$18 Violation Final Penalty T	otal \$1,185
	This violation Final Assessed Penalty (adjusted for lim	nits) \$1,185

## **Compliance History**

Customer	/Respondent/Owner-Operator:	CN602461998	Meldimaa Enterprise, Inc.		Classification:	Rating:
Regulated	d Entity:	RN103962411	SILVERLINE DRY CLEANE	ERS	Classification:	Site Rating:
ID Numbe	er(s):	INDUSTRIAL AN GENERATION	D HAZARDOUS WASTE	EPA ID		TXR000072975
Location:			OAD 89 STE B, PEARLAND,	ΓX, 77584		
TCEQ Re	gion:	REGION 12 - HO	USTON			
Date Con	pliance History Prepared:	July 31, 2006				
Agency D	ecision Requiring Compliance History:	Enforcement				
Complian	ce Period:	July 31, 2001 to J	uly 31, 2006			
TCEQ Sta	aff Member to Contact for Additional Infor	mation Regarding t	nis Compliance History			
Name:	Samuel Short	Pho	one: 239-5363			
		Site C	ompliance History Comp	onents		ſ
1. Has the	site been in existence and/or operation	for the full five year	compliance period?	Yes		
2. Has the	ere been a (known) change in ownership	of the site during th	e compliance period?	No		
3. If Yes,	who is the current owner?			N/A		
4. if Yes,	who was/were the prior owner(s)?			N/A		
5. When	did the change(s) in ownership occur?			N/A		
Compon	ents (Multimedia) for the Site :					
A.	Final Enforcement Orders, court judger	ents, and consent	decrees of the state of Texas a	nd the federa	al government.	: 
	N/A		*			
В.	Any criminal convictions of the state of T	exas and the feder	al government			
٥.	N/A	ondo and ano roadi	ar government.			
C.	Chronic excessive emissions events.	•				
	N/A					
D.	The approval dates of investigations. (C	CEDS Inv. Track. N	lo.)			
	N/A 1 07/28/2006 (487663)					
E.	Written notices of violations (NOV). (CC	EDS Inv. Track. No	.)			
	N/A					
	147 (					
F.	Environmental audits.	•				
1.	N/A					
G.	Type of environmental management sys	tems (EMSs).			•	
	N/A					
H.	Voluntary on-site compliance assessme	nt dates.				
	N/A					
l.	Participation in a voluntary pollution redu	iction program.				
	N/A					
J.	Early compliance.					
	N/A					•
Sites Outs	ide of Texas					v
	N/A					



Page 1 of 4 0		RCE\LRoberts\Active (				nterprise dba S	ilverline Dry	r
Policy Revision 2 (		alty Calculation	°₩ŏ	rksheet	(PCW)	PCW Revi	sion May 19, 20	005
	31-Jul-2006 11-Oct-2006 <b>S</b> o	creening 02-Aug-2006	3	EPA Due				
RESPONDENT/FACIL Respondent		I e, Inc. dba Silverline Dr	v Clea	ners				10 4 10 1
Reg. Ent. Ref. No. Facility/Site Region	RN104992219		<u></u>	·	nor Source	Minor Source		V
CASE INFORMATION Enf./Case ID No. Docket No. Media Program(s) Multi-Media Admin. Penalty \$ Li	30580 2006-1132-DCL-E Drycleaner	\$0   Maximum	<				eam 4	K
		Penalty Calcu			on			
ADJUSTMENTS (+ Subtotals 2-7 are o Compliance H Notes	btained by multiplying the istory	Total Base Penalty (Subtotal	Enhar forcen	cement	Subte	otals 2, 3, & 7		\$0
Culpability	No <	0%	<b>E</b> nhar	cement		Subtotal 4	Martin Asia	\$0
Notes	The respo	ndent does not meet th	e culp	ability criteri	а.			
Good Faith Ef Extraordinary Ordinary N/A		o EDPRP/Settlement Offer with a small x)	Reduc	tion		Subtotal 5		\$0
Notes	The respo	ndent does not meet th	e good	l faith criteri	a.		•	
Approx. Co	ost of Compliance	\$18 \$250	Enhan *Cap		I EB \$ Amount	Subtotal 6		\$0
SUM OF SUBTOTA	and the second s					inal Subtotal		\$1,185
Γ	an di sentangan kanalah mengantun bahan dan dan dan sentangan	AY REQUIRE ed percentage. (Enter number	r only; e	g30 for -30%		Adjustment		\$0
Notes					Final Per	nalty Amount [	9	1,185
								.,

STATUTORY LIMIT ADJUSTMENT

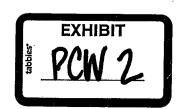
Notes

PAYABLE PENALTY

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

No deferral offered for non-expedited order.

DEFERRAL



\$1,185

\$1,185

\$0

Final Assessed Penalty

Reduction Adjustment

Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners

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

Case ID No. 30580 Reg. Ent. Reference No. RN104992219

Media [Statute] Drycleaner

Enf. Coordinator Samuel Short

#### **Compliance History Worksheet**

Component		nter 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%
and the second s	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement ord 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	lers 0	0%
Judgments and	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)	ng 0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a der of liability, of this state or the federal government	nial 0	0%
Convictions	Any criminal convictions of this state or the federal government (numbe of counts)	<i>r</i> 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%-
Audits	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%
		e Enter Yes or No	
	Environmental management systems in place for one year or more	no	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
Other	Participation in a voluntary pollution reduction program	no	0%
	Early compliance with, or offer of a product that meets future state or federal covernment environmental requirements	no <sup>-</sup>	0%

		Adjustment Percentage (Subtotal 2)	0%
>> Repeat Violator (S	ubtotal 3)		
No	<	Adjustment Percentage (Subtotal 3)	0%
>> Compliance Histo	ry Person Class	ification (Subtotal 7)	
N/A	<	Adjustment Percentage (Subtotal 7)	0%
>> Compliance Histo	ry Summary		
Compliance History Notes	The responde	ent has not had any other enforcement actions within the last five years.	
Annual res		Total Adjustment Percentage (Subtotals 2, 3, & 7)	0%

federal government environmental requirements

Page 3 of 4 08	8/31/07	H:\ENFORCE\LRob	erts\Active Cas	ses\1 AGEND	A\Meldimma Er	nterprise dba	a Silverline Dry
Screenir	ng Date	Cleaner 02-Aug-2006	'AGENDA\PC' <b>Dock</b>	W D = 2219.q <b>et No.</b> 2006	pw -1132-DCL-E		PGW
Resp	ondent	Meldimaa Enterprise	e, Inc. dba Silve	erline Dry Cle	aners	Policy Revi	sion 2 (September 2002
In the state of th	D No.					PCI	N Revision May 19, 200
Reg. Ent. Referer	nce No.	RN104992219					
Media [S	Statute]	Drycleaner					
in the contract of the contrac		Samuel Short					
Violation	i,	1					
Primary Rul	15		30 Tex. Admin				
Secondary Rul	e Cite(s)	16	ex. Health & Sa	afety Code § 3	374.102		
Violation Des	scription	The respondent fai form to the TCE					
					Bas	se Penalty[	\$50
>> Environmen	itai, Pro	perty and Huma Harm	п пеани ма	ILLIX			
Z Fare and	Release	Major Moderate	Minor				
OR .	Actual					7	
	Potential			Per	cent	1	
>> Programma	tic Matri	•		41 SSE			
TX 0 X 0 X 0 X 0 X 0 X 0 X 0 X 0 X 0 X 0	alsification	Major Moderate	Minor				
		X		Per	cent 10%	]	•
						- =1	
Matrix Notes		100% of the rule	e requirement	was not met.			
L							
					Adjustment	-\$45	. 19
					Base Penalty	y Subtotal [	\$5
Violation Ev	onte.						
	GIII3						
Number	of Violatio	n Events 237					
mai	rk only one	daily X monthly quarterly			Violation Bas	se Penalty[	\$1,185
us		semiannual annual single event					
		ndred thirty-seven da 1, 2005 deadline to the TCEQ lette		006 deadline			
Economic B	Benefit (E	B) for this viola	tion	Stati	utory Limit T	est	es.
Esti	mated EB	Amount \$18	And a second sec		ation Final Per		\$1,185
			•				
		This vio	lation Final A	ssessed Pen	alty (adjusted	tor limits)	\$1,185

H:\ENFORCE\LRoberts\Active Cases\1 AGENDA\Meldimma Enterprise dba Silverline Dry Page 4 of 4 08/31/07 Economic Benefit Worksheet Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Case ID No. 30580 Reg. Ent. Reference No. RN104992219 Years of Media [Statute] Drycleaner Percent Violation No. 1 Interest Depreciation 5.0 Final Item Date Onetime EB Item Required Date Cost Saved Costs Amount Description No commas or \$ **Delayed Costs** 0.0 \$0 \$0 \$0 Equipment 0.0 \$0 \$0 \$0 Buildings \$0 \$0 \$0 Other (as needed) 0.0 0.0 \$0 \$0 \$0 Engineering/construction 0.0 \$0 \$0 n/a Record Keeping System 0.0 \$0 n/a \$0 \$0 \$0 Training/Sampling 0.0 n/a Remediation/Disposal 0.0 \$0 n/a \$0 Permit Costs \$250 01-Sep-2005 30-Jan-2007 1.4 \$18 n/a \$18 0.0 Other (as needed) \$0 n/a \$0 The estimated cost to register a dry cleaning or drop station facility annually. The date Notes for DELAYED costs required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance. ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) **Avoided Costs** \$0 Disposal 0.0 \$0 \$0 \$0 Personnel \$0 0.0 \$0 \$0 Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 Supplies/equipment Financial Assurance [2] 0.0 \$0 \$0 \$0 \$0 0.0 \$0 ONE-TIME avoided costs [3] \$0 Other (as needed) 0.0 \$0 Notes for AVOIDED costs \$250 TOTAL \$18

Approx. Cost of Compliance

## **Compliance History**

		•	.p.iai.ioo iiiotoi	,		
Customer/F	Respondent/Owner-Operator:	CN602461998	Meldimaa Enterprise, Inc.		Classification:	Rating:
Regulated E	Entity:	RN104992219	SILVERLINE DRY CLEANE	ERS	Classification:	Site Rating:
iD Number(	(s):	INDUSTRIAL AND GENERATION	HAZARDOUS WASTE	EPA ID		TXR000072918
Location:			, ROSHARON, TX, 77583			
TCEQ Regi	on:	REGION 12 - HOU	STON			
Date Comp	liance History Prepared:	July 31, 2006				
Agency Dec	cision Requiring Compliance History:	Enforcement				
Compliance	e Period:	July 31, 2001 to Jul	y 31, 2006			
TCEQ Staff	Member to Contact for Additional Infor	mation Regarding thi	s Compliance History			
Name:	Samuel Short	Phor	e: 239-5363		<u> </u>	
		Site Co	npliance History Comp	onents		
1. Has the s	site been in existence and/or operation			Yes		
	e been a (known) change in ownership			No		
	no is the current owner?			· N/A		
4. if Yes, w	ho was/were the prior owner(s)?			N/A		
5. When die	d the change(s) in ownership occur?			N/A		
Compone	nts (Multimedia) for the Site :					<del></del>
A. F	Final Enforcement Orders, court judgem	nents, and consent de	crees of the state of Texas a	and the federal	government.	
ľ	N/A					
	Any criminal convictions of the state of T N/A	Texas and the federal	government.			•
	Chronic excessive emissions events.					
	N/A					
	The approval dates of investigations. (C	CEDS Inv. Track. No	)			
F	N/A 1 07/28/2006 (488161)		·/		*	
-	Vritten notices of violations (NOV). (CC	EDS Inv. Track. No.)				
	, , ,	·				
i	N/A					
	Environmental audits. N/A				,	
	ype of environmental management sys	stems (EMSs).				
	N/A	,	•			
	oluntary on-site compliance assessme	nt dates.				
	V/A					
	Participation in a voluntary pollution redu	uction program.				
	N/A					
	arly compliance.					
	√. N/A					
Sites Outsid						
٨	I/A					

EXHIBIT CH 2

des ses services	Page 1 of 4			:\LRoberts\Active					verline Dry	/
Por Maa			Penaltyັ	Carculation	ΫŴć	rkśń	eet (PCW)			
	Policy Revision 2						,		on May 19, 2	005
TCEG	5			<del>.</del>						
DATES		31-Jul-2006	3   FMC 818 N J	Section and Section	y Weight	2010. YASAN	医髓线性病 医外管性			U(435546)
ara na Pangelar	PCW			ning 02-Aug-200	61	EPA D	Je 💮		28 2. sat 242 a 181, 1917	TEACHER TO NEE
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RESPO	ONDENT/FACIL	ITY INFORM	ATION			harris.				
	in the control of the control of the control			c. dba Silverline D	rv Clea	ners	The state of the s			
Red	. Ent. Ref. No.				., 0,00					$\neg$
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CASE	INFORMATION	i i i ja maakii	toward until		AND THE	e itukai ko	Minus Albert Language	Andrewski (Sept. 1995)	588 (Pr. D. 85.A)	4 - 2 J 3
	f./Case ID No.			Commence of the control of the contr	<b>–</b>	N	lo. of Violations	1	<u> </u>	
		2006-1132-D	CL-E		$\dashv$	•	Order Type			<
Med	lia Program(s)		, OL L		<	F	nf. Coordinator			
IVICO	Multi-Media		<del> </del>			-		Enforcement Te	am 4	<b>-</b>
Δdm	in. Penalty \$ Li		m  \$0	Maximu	m	\$50		Zinorocinoni re		
Aum	III. I CHAILY & L	itiit wiiitiitui	11 90	Wiaximui	111	ΨΟΟ				
				14 0 . 1	.1 - 4: -		- 4:			
			Pe	nalty Calcu	llatio	n Se	ection			
TOTA	L BASE PEN	NALTY (Su	m of viola	ition base pen	alties	<b>)</b>		Subtotal 1	JAN LINE	\$1,185
ati Samadida.	Albania and Albania Salaga and Angles and Ang	ores - constrain - mana Vanciators	fare life comments —	رس بداند الحديدة بيدائه تعصيف والكروات والتروا	(academica) as	. <b>4</b> (1	ويميين لاوادانا باستونه عاشه خشد الدائب وبالشوائلان بدا	janing provide compression as a particle and		
וו מא	ISTMENTS (-	+/-) TO SH	ΒΤΩΤΔΙ 1		CONTRA				7.5. A., 9.6. (A.)	Jan (1897)
7500				Base Penalty (Subtota	1 11 by th	o indicate	d norantage			
	Commission of the second second	manny myggman minera i manyon sa minima					Sub	totale 2 2 9 7	9 - 19 - 19 - 19 - 19 - 19 - 19 - 19 -	\$0
	Compliance I								<u>Maringa Majada a</u>	φU
	Notes	The respor	ndent has no	ot had any other e		nent ac	tions within the	1		
	110103			last five year	s.					
	'							_		
	Culpability	No	[<]		% Enhar	ncement		Subtotal 4	Principal Source	\$0
	Odipasinty	110	اقتستا	· A Mark Andrea (M. 1997)	/U	locifiche	<u>e novembre o propinsi beli que</u> La companya		<u>- 1.17 (04 2000)</u>	Ψ0
	Notes	The	e responden	t does not meet tl	he culp	ability o	riteria.			
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	i The <u>Co</u> ntrol of the Co <u>tton</u> Herman Street Street		e divinimentale to see to con-	n instrument men til entregal i nik <u>i en</u>	ggmamener a		and The miles are defined a described in the similar			
	Good Faith E	ALLEGO DE LA CONTRACTOR		and control of the first of the child of the treat of the control	% Reduc	ction		Subtotal 5		\$0
		Before NOV	NOV to EDP	RP/Settlement Offer						
	Extraordinary	<u> </u>								
	Ordinary									
	N/A	X	(mark with a	small x)				,		
	Notes	Th	a racnandan	it does not meet t	ho goo	d faith a	ritorio			
	inoles	111	e responden	ii does not meet t	ne goo	u laitii C	illella.			
	'							J		
	Economic Be	nefit		09	% Enhar	cement*		Subtotal 6		\$0
diskurkli oʻtombe.	and the second section of the second section and the second section se	Total EB Amount	is	\$18	*Cap	ped at th	e Total EB \$ Amount	in a single transmit of the search of the se		
	Approx. C	ost of Compliand		250						
	• • •	•	·							
SHM	OF SUBTOT	AI S 1.7	45537347.74					Final Subtotal		\$1,185
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A-111	D FAOTODO		OF BEASE	SPORTER	7.6			SETS <b>A</b> 16 <b>-</b> USES NECES 1918 <b>A</b> Fe	HARTH SOLDAUR	51.00 BOO
distribution and di-	R FACTORS	ri i si kadi uma da uma hawaka sadi uma w	and recognized the construction of the file of	and the strings of the entered the street of				Adjustment	<u> </u>	\$0
Reduces	or enhances the Fir	nal Subtotal by th	e indicated perc	entage. (Enter numbe	er only; e	.g30 foi	r -30%.)	7		
	Notes									
	Notes									
	•						Final Pe	nalty Amount	-	\$1,185
STAT	UTORY LIMI	T ADJUST	MENT			POWER.	Final Asse	essed Penalty		\$1,185
mar W		ariam ya ya b		ns (Chitalist Assault).	2007 (V. 16)	er forskerst d	assal alawa wipe kamen		<u></u>	, .55
DECC	DDAL				1,2		Doduction 1	المستحدة الم	45 MAY 17 31 1 2 1 3	0.0
	RRAL		upp Kinii	ner <u>y</u> year dy lât			Reduction	Adjustment		\$0
Reduces	the Final Assessed	Penalty by the in	dicted percenta	ge. (Enter number on	ııy; e.g. 2	U for 20%	reduction.)	1		
	Notes		No deferre	al offered for non-	eynedit	ed orde	r			ĺ
	. 10103		, , , , , , , , , , , , , , , ,	51.5.54 101 11011-1	-npoult	Ju Diao	• •	i		

PAYABLE PENALTY



\$1,185

Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Case ID No. 30580

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

Reg. Ent. Reference No. RN104992227 Media [Statute] Drycleaner Enf. Coordinator Samuel Short

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

Component		nter 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%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	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	lers 0	0%
Judgments and	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)	ng O	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a der of liability, of this state or the federal government	nial 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%
0	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%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	A CONTRACTOR OF THE CONTRACTOR	0%
		e Enter Yes or No	
	Environmental management systems in place for one year or more	no	0%
Othor	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	no	0%
Other -	Detticipation in a voluntary pollution reduction program		00/

	1 /Cd3C E1	1101 103 01 140	
	Environmental management systems in place for one year or more	no	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program		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 (S	ubtotal 3)		
No	<	Adjustment Percentage (Subtotal 3)	0%
>> Compliance Histo	ry <i>Person</i> Classifi	cation (Subtotal 7)	
N/A	V	Adjustment Percentage (Subtotal 7)	0%
>> Compliance Histo	ry Summary		
Compliance History Notes	The respondent	has not had any other enforcement actions within the last five years.	
Acompression		Total Adjustment Percentage (Subtotals 2, 3, & 7)	0%

Page 3 of 4 08/31/07 H:\ENFORCE\LRoberts\Active Cases\1 AGENDA\Meldimma Enterprise dba Silverline Dry Cleaner\AGENDA\PCW A - 2227 apw
Screening Date 02-Aug-2006
Docket No. 2006-1132-DCL-E PCW Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Policy Revision 2 (September 2002) Case ID No. 30580 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN104992227 Media [Statute] Drycleaner Enf. Coordinator Samuel Short **Violation Number** 30 Tex. Admin. Code § 337.10(a) Primary Rule Cite(s) Tex. Health & Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to complete and submit the required registration Violation Description form to the TCEQ for a dry cleaning and/or drop station facility. Base Penalty \$50 **Environmental, Property and Human Health Matrix** >> Harm Release Moderate OR Actual Percent Potential **Programmatic Matrix** Falsification Major Moderate Minor Percent 10% Matrix Notes 100% of the rule requirement was not met. Adjustment -\$45 \$5 Base Penalty Subtotal **Violation Events** Number of Violation Events 237 daily monthly Violation Base Penalty \$1,185 mark only one quarterly use a small semiannual annual single event Two hundred thirty-seven daily events are recommended from the September 1, 2005 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 Violation Final Penalty Total **Estimated EB Amount** \$18 \$1,185

This violation Final Assessed Penalty (adjusted for limits)

\$1,185

## **Compliance History**

		0011	ipiidiioo iliotoi	J		
Custome	r/Respondent/Owner-Operator:	CN602461998	Meldimaa Enterprise, Inc.		Classification:	Rating:
Regulated	d Entity:	RN104992227	SILVERLINE DRY CLEAN	ERS	Classification:	Site Rating:
ID Numbe	er(s):	INDUSTRIAL AND GENERATION	HAZARDOUS WASTE	EPA ID		TXR000072876
Location:			Y ST STE 148, PEARLAND,	TX, 77584		
TCEQ Re	egion:	REGION 12 - HOU	STON			
Date Con	npliance History Prepared:	July 31, 2006				
Agency D	ecision Requiring Compliance History:	Enforcement				
Complian	ce Period:	July 31, 2001 to Jul	ly 31, 2006			
TCEQ Sta	aff Member to Contact for Additional Infor	mation Regarding this	s Compliance History			
Name:	Samuel Short	Phor	ne: <u>239-5363</u>			
		Site Co	mpliance History Comp	onents		
1. Has the	e site been in existence and/or operation	for the full five year co	ompliance period?	Yes		
	ere been a (known) change in ownership	of the site during the	compliance period?	No		
	who is the current owner?			N/À		
4. if Yes,	who was/were the prior owner(s)?			N/A		
5. When	did the change(s) in ownership occur?			N/A		<del></del>
Compor	nents (Multimedia) for the Site :					
A.	Final Enforcement Orders, court judgem	nents, and consent de	ecrees of the state of Texas a	and the federal	government.	
	N/A					
В.	Any criminal convictions of the state of T	Texas and the federal	government.			
	N/A					•
C.	Chronic excessive emissions events.					
	N/A					·
D.	The approval dates of investigations. (C	CEDS Inv. Track. No	.)			
	N/A 1 07/28/2006 (488226)					
E.	Written notices of violations (NOV). (CC	EDS Inv. Track. No.)				
	N/A					
						-
F.	Environmental audits. N/A					
G.	Type of environmental management sys	stems (EMSs).				
	N/A					
H.	Voluntary on-site compliance assessme	nt dates.				
	N/A					•
I.	Participation in a voluntary pollution redu	uction program.	,			
	N/A	,				
J.	Early compliance.					
•	N/A					
Sites Outs	ide of Texas					
	N/A					



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 \$(  Notes The respondent has not had any other enforcement actions within the last five years.			Penalty Ca	iculation	₩δ	rkshee	∰ (PCW)		
DATES Assigned PCW 11-Oct-2006 Screening 02-Aug-2006 EPA Due  RESPONDENT/FACILITY INFORMATION Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Reg. Ent. Ref. No. RN104992243 Facility/Site Region 12-Houston Major/Minor Source Minor Source Scale Major/Minor Source Minor Source Minor Source Scale Major/Minor Source Major/Minor Source Minor Source Scale Major/Minor Source Minor Scale Minor Source Scale Major/Minor Source Minor Source Minor Scale Major/Minor Source Minor Scale Minor Source Minor Scale Minor Source Scale Major/Minor Source Minor Scale Minor Source Minor Scale Minor Minor Scale Minor Minor Scale Minor Minor Scale Minor Min		September 20	02)	•				PCW Revision May 19	2005
Respondent Reg. Ent. Ref. No. RN104992243 Facility/Site Region 12-Houston Major/Minor Source Minor Source 2  CASE INFORMATION Enf./Case ID No. 30580 Docket No. 2006-1132-DCL-E Media Program(s) Multi-Media Admin. Penalty \$ Limit Minimum \$0 Maximum \$50  Penalty Calculation Section  TOTAL BASE PENALTY (Sum of violation base penalties)  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  Notes  The respondent has not had any other enforcement actions within the last five years.	DATES Assigned		and the support of the particle of the control of t	02-Aug-2006		EPA Due			
Facility/Site Region 12-Houston	Respondent	Meldimaa	Enterprise, Inc. db	a Silverline Dry	Clea	ners	Pakitukia i		
Enf./Case ID No. 30580 No. of Violations Docket No. 2006-1132-DCL-E Order Type 1660 Samuel Short Enf. Coordinator EC's Team Admin. Penalty \$ Limit Minimum \$0 Maximum \$50  Penalty Calculation Section  TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$1,188  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  Notes The respondent has not had any other enforcement actions within the last five years.					<	Major/I	Minor Source	Minor Source	<
TOTAL BASE PENALTY (Sum of violation base penalties)  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  Notes  The respondent has not had any other enforcement actions within the last five years.	Docket No. Media Program(s) Multi-Media	2006-1132 Drycleaner		Maximum		Enf.	Order Type Coordinator	1660 Samuel Short	
Compliance History 0% Enhancement Subtotals 2, 3, & 7 \$0  Notes The respondent has not had any other enforcement actions within the last five years.	ADJUSTMENTS (+	-/-) TO SI	um of violation	n base penal	ties			Subtotal 1	\$1,185
last five years.	and a first time of the contract of the contra							otals 2, 3, & 7	\$0
Culpability No < 0% Enhancement Subtotal 4 \$0	Notes	The resp	ondent has not ha		orcen	nent action	ns within the		
Notes The respondent does not meet the culpability criteria			- I-manil					Subtotal 4	\$0

0% Reduction

0% Enhancement\*

\*Capped at the Total EB \$ Amount

NOV to EDPRP/Settlement Offer

\$18

The respondent does not meet the good faith criteria.

(mark with a small x)

Good Faith Effort to Comply

Extraordinary Ordinary

Notes

**Economic Benefit** 

**SUM OF SUBTOTALS 1-7** 

Notes

Notes

PAYABLE PENALTY

DEFERRAL

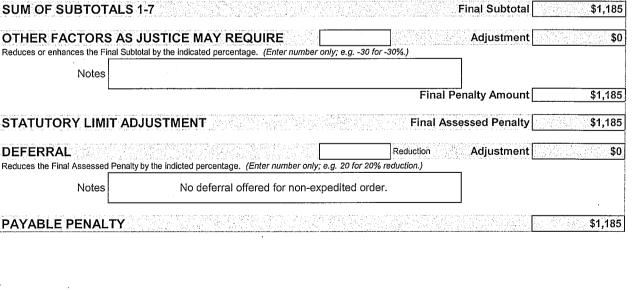
STATUTORY LIMIT ADJUSTMENT

Before NOV

Total EB Amounts

OTHER FACTORS AS JUSTICE MAY REQUIRE

Approx. Cost of Compliance



Subtotal 5

Subtotal 6

\$0

\$0

Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners

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

Case ID No. 30580

Reg. Ent. Reference No. RN104992243 Media [Statute] Drycleaner

Enf. Coordinator Samuel Short

**Compliance History Worksheet** 

>> Compliance History Site Enhancement (Subtotal 2)		ij
Component Number of	Enter Nu	mb
Written NOVs with same or similar violations as those in the current		

Component		er 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%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orde 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	rs 0	0%
Judgments and	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%
Consent Decrees	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	al O	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%
Audito	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%
Audits	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	

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

			3"
Adiustment	Percentage	(Subtotal	2)

0%

			Subt		

No

0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance **History Notes** 

The respondent has not had any other enforcement actions within the last five years.

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

0%

	31/07 H:\ENFORCE\LRoberts\Active Cases\1 AGENDA\Meldimma Enterprise dba	a Silverline Dry
Screening	Cleaner\AGENDA\PCW B - 2243.qpw Docket No. 2006-1132-DCL-E	PCW
I was a state of the state of t		sion 2 (September 2002)
		N Revision May 19, 2005
Reg. Ent. Referenc	ce No. RN104992243	
Media [Sta	atute] Drycleaner	
Enf. Coordi	inator Samuel Short	
Violation N	lumber 1	
Primary Rule		
Secondary Rule	Cite(s) Tex. Health & Safety Code § 374.102	
Violation Descr	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
>> Environmenta	al, Property and Human Health Matrix	
	Harm	
NATION CONTRACTOR	delease Major Moderate Minor	
OR.	Actual	
	Potential Percent Percent	
>> Programmation	c Matrix	
F 13 (1973) 1.51	sification Major Moderate Minor	T.ADVORTER
	x Percent 10%	
Matrix Notes	100% of the rule requirement was not met.	
4	Adjustment -\$45	,
	Aujustilieite	
	Base Penalty Subtotal [	\$5
Walada Eva		
Violation Eve	IRIS	
Number of	f Violation Events 237	***************************************
	daily X	
	only one quarterly Violation Base Penalty	\$1,185
	only one quarterly Violation Base Penalty as mall x semiannual	<b>Φ1,100</b>
436 4	annual	
	single event	
<b>.</b>		-
	Two hundred thirty-seven daily events are recommended from the	
Se	eptember 1, 2005 deadline to the April 26, 2006 deadline established by	
	the TCEQ letter dated March 24, 2006.	- Andrews - Andr
		-5393 CE 4557 Magazina Webisi
Economic Be	enefit (EB) for this violation Statutory Limit Test	22,45,54,539,745,9509
Estima	ated EB Amount \$18 Violation Final Penalty Total	\$1,185
	Value contemporaries de la contemporarie de la	. ,
	This violation Final Assessed Penalty (adjusted for limits)	\$1,185

Page 4 of 4 H:\ENFORCE\LRoberts\Active Cases\1 AGENDA\Meldimma Enterprise dba Silverline Dry Economic Benefit Worksheet Respondent Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Case ID No. 30580 Reg. Ent. Reference No. RN104992243 Media [Statute] Drycleaner Percent Years of Violation No. 1 Interest Depreciation 5.0 15 Final Onetime ΕB Item Date Yrs Interest Item Cost Required Date Saved Costs Amount Description No commas or \$ **Delayed Costs** 0.0 \$0 \$0 Equipment **Buildings** 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 Other (as needed) Engineering/construction 0.0 \$0 \$0 \$0 0.0 \$0 n/a \$0 Record Keeping System 0.0 \$0 \$0 n/a Training/Sampling 0.0 \$0 n/a \$0 Remediation/Disposal 0.0 \$0 n/a \$0 \$250 01-Sep-2005 30-Jan-2007 **Permit Costs** 1.4 \$18 n/a \$18 0.0 \$0 n/a Other (as needed) \$0 The estimated cost to register a dry cleaning or drop station facility annually. The date Notes for DELAYED costs required is the date that the completed registration form was due and the final date is the date the respondent is projected to come into compliance. **Avoided Costs** ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs) Disposal 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 Personnel Inspection/Reporting/Sampling 0.0 \$0 \$0 \$0 \$0 \$0 Supplies/equipment 0.0 \$0 0.0 \$0 \$0 Financial Assurance [2] \$0 ONE-TIME avoided costs [3] 0.0 \$0 \$0 \$0 Other (as needed) 0.0 \$0 \$0 \$0 Notes for AVOIDED costs TOTAL \$250 Approx. Cost of Compliance \$18

## **Compliance History**

Custome	r/Respondent/Owner-Operator:	CN602461998	- Meldimaa Enterprise, Inc.		Classification:	Rating:
Regulate	d Entity:	RN104992243	SILVERLINE DRY CLEAN	ERS	Classification:	Site Rating:
ID Numbe			D HAZARDOUS WASTE	EPA ID		TXR000072865
Location:		GENERATION 1801 COUNTRY F 77584	PLACE PKWY STE 105, PEA	RLAND, TX,		
TCEQ Re	egion:	REGION 12 - HOL	JSTON			
Date Con	npliance History Prepared:	July 31, 2006				
Agency D	Decision Requiring Compliance History:	Enforcement				
Complian	ce Period:	July 31, 2001 to Ju	uly 31, 2006			
TCEQ St	aff Member to Contact for Additional Infor	mation Regarding th	nis Compliance History			
Name:	Samuel Short	Pho	one: <u>239-5363</u>			
		Site Co	ompliance History Comp	onente		
1 Has the	e site been in existence and/or operation					
	ere been a (known) change in ownership	•		Yes No		
	who is the current owner?	or the end daring the	o compilarico poriou.	N/A		
4. if Yes,	who was/were the prior owner(s)?			N/A		
5. When	did the change(s) in ownership occur?					
	5. When did the change(s) in ownership occur?  Components (Multimedia) for the Site:				<del></del>	
A.	Final Enforcement Orders, court judgem	ents, and consent o	lecrees of the state of Texas	and the federa	ıl government.	
	N/A					
	1471					·
B.	Any criminal convictions of the state of	Texas and the federa	al government.			
	N/A					
C.	Chronic excessive emissions events.					
	N/A					
D.	The approval dates of investigations. (CCEDS Inv. Track. No.)					
	N/A 1 07/28/2006 (488477)					
E.	Written notices of violations (NOV). (CCEDS Inv. Track. No.)					
	N/A					
	•					•
F.	Environmental audits.					
G.	Type of environmental management sys	tems (EMSs).				
	N/A	, ,				
Н.	Voluntary on-site compliance assessme	nt dates.				
	N/A					ı
1.	Participation in a voluntary pollution redu	uction program.				
	N/A	· -				·
J.	Early compliance.					
	N/A					
Sites Outside of Texas						
	N/A					



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	
ENFORCEMENT ACTION	§	BEFORE THE
CONCERNING	§	
MELDIMAA ENTERPRISE, INC.	§	TEXAS COMMISSION ON
DBA	§	
SILVERLINE DRY CLEANERS;	§	ENVIRONMENTAL QUALITY
RN103962411, RN104992219,	§	
RN104992227, AND RN104992243	§	

# DEFAULT ORDER DOCKET NO. 2006-1132-DCL-E

At its	agenda, the Texas Commission on Environmental Quality,
("Commission" or "TCEQ") consid-	ered the Executive Director's Preliminary Report and Petition
filed pursuant to TEX. WATER CODE	ch. 7, Tex. Health & Safety Code ch. 374, and the rules of
the TCEQ, which requests appropria	ate relief, including the imposition of an administrative penalty
and corrective action of the responde	ent. The respondent made the subject of this Order is Meldimaa
Enterprise, Inc. dba Silverline Dry C	Cleaners ("Meldimaa").

The Commission makes the following Findings of Fact and Conclusions of Law:

#### FINDINGS OF FACT

- 1. Meldimaa owns, in accordance with Tex. Health & Safety Code § 374.001(12), and operates a dry cleaning facility located at 2501 County Road 89, Suite B, Pearland, Brazoria County, Texas (the "CR 89 site"), and dry cleaner drop stations located at 15058 Highway 6, Rosharon, Brazoria County, Texas (the "Rosharon site"), 1801 Country Place Parkway, Pearland, Brazoria County, Texas (the "Country Place site"), and 10228 Broadway Street, Suite 148, Pearland, Brazoria County, Texas (the "Broadway site") (collectively the "Facilities".)
- 2. The CR 89 site is a retail commercial establishment that operates or has operated, in whole or in part, for the purpose of cleaning garments or other fabrics using a process that involves any use of dry cleaning solvents. As such, the Facility is a dry cleaning facility as defined in Tex. Health & Safety Code § 374.001(7). The Rosharon site, the Country Place site, and the Broadway site are retail commercial establishments the primary business of which is to act as a collection point for the drop-off and pick-up of garments or other fabrics that are sent to a dry cleaning facility for processing. As such, the Rosharon site, the Country Place site,

- and the Broadway site are dry cleaning drop stations as defined in Tex. Health & Safety Code § 374.001(6).
- 3. During an investigation conducted May 23, 2006, through May 24, 2006, a TCEQ Houston Regional Office investigator documented that Meldimaa failed to register the Facilities with the Commission.
- 4. Meldimaa received notice of the violations on or about August 2, 2006.
- 5. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Meldimaa Enterprise, Inc. dba Silverline Dry Cleaner(s)" (the "EDPRP") in the TCEQ Chief Clerk's office on November 7, 2006.
- 6. By letter dated November 7, 2006, sent via certified mail, return receipt requested, and via first class mail, postage prepaid, the Executive Director served Meldimaa with notice of the EDPRP. According to the return receipt "green card," Meldimaa received notice of the EDPRP on November 9, 2006, as evidenced by the signature on the card.
- 7. More than 20 days have elapsed since Meldimaa received notice of the EDPRP, provided by the Executive Director. Meldimaa failed to file an answer to the EDPRP, failed to request a hearing, and failed to schedule a settlement conference.

#### **CONCLUSIONS OF LAW**

- 1. As evidenced by Finding of Fact Nos. 1 and 2, Meldimaa is subject to the jurisdiction of the TCEQ pursuant to Tex. Water Code ch. 7, Tex. Health & Safety Code ch. 374, and the rules of the Commission.
- 2. As evidenced by Finding of Fact No. 3 Meldimaa failed to register the Facilities with the Commission, in violation of 30 Tex. Admin. Code § 337.10(a) and Tex. Health & Safety Code § 374.102.
- 3. As evidenced by Finding of Fact Nos. 5 and 6, the Executive Director timely served Meldimaa with proper notice of the EDPRP, as required by Tex. WATER CODE § 7.055 and 30 Tex. ADMIN. CODE § 70.104(a).
- 4. As evidenced by Finding of Fact No. 7, Meldimaa failed to file a timely answer to the EDPRP, as required by Tex. Water Code § 7.056 and 30 Tex. Admin. Code § 70.105.

Pursuant to Tex. Water Code § 7.057 and 30 Tex. Admin. Code § 70.106, the Commission may enter a Default Order against Meldimaa and assess the penalty recommended by the Executive Director.

- 5. Pursuant to Tex. Water Code § 7.051, the Commission has the authority to assess an administrative penalty against Meldimaa for violations of the Texas Health and Safety Code within the Commission's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 6. An administrative penalty in the amount of four thousand seven hundred forty dollars (\$4,740.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. Water Code §§ 7.053 and 7.0525(c).
- 7. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

#### ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. Meldimaa is assessed an administrative penalty in the amount of four thousand seven hundred forty dollars (\$4,740.00) for violations of the Texas Health & Safety Code and the rules of the TCEQ. The payment of this administrative penalty and Meldimaa's compliance with all the terms and conditions set forth in this Order completely resolve the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations which are not raised here. All checks submitted to pay the penalty imposed by this Order shall be made out to the "Texas Commission on Environmental Quality." The administrative penalty assessed by this Order shall be paid within 30 days after the effective date of this Order and shall be sent with the notation "Re: Meldimaa Enterprise, Inc. dba Silverline Dry Cleaner(s); Docket No. 2006-1132-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. Meldimaa shall undertake the following technical requirements:

a. Within 15 days after the effective date of this Order, Meldimaa shall complete and submit the required dry cleaner/dry cleaner drop station registration form, as applicable, for each Facility, pursuant to 30 Tex. ADMIN. Code ch. 337 to:

Dry Cleaning Registration Team
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

b. Within 30 days after the effective date of this Order, Meldimaa shall submit written certification and detailed supporting documentation, including photographs, receipts, and other records, to demonstrate compliance with ordering provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

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

Meldimaa shall submit the written certification and copies of documentation necessary to demonstrate compliance with Ordering Provision No. 2.a. to:

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

with a copy to:

Nicole Bealle, Waste Section Manager Texas Commission on Environmental Quality Houston Regional Office 5425 Polk Street, Ste. H Houston, Texas 77023-1452

- 3. All relief not expressly granted in this Order is denied.
- 4. The provisions of this Order shall apply to and be binding upon Meldimaa. Meldimaa is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facility operations referenced in this Order.
- 5. If Meldimaa fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Meldimaa's failure to comply is not a violation of this Order. Meldimaa shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Meldimaa shall notify the Executive Director within seven days after Meldimaa becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Meldimaa shall be made in writing to the Executive Director. Extensions are not effective until Meldimaa receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Meldimaa if the Executive Director determines that Meldimaa has not complied with one or more of the terms or conditions in this Order.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 9. The Chief Clerk shall provide a copy of this Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners Docket No. 2006-1132-DCL-E Page 6

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

#### AFFIDAVIT OF LENA ROBERTS

STATE OF TEXAS §

COUNTY OF TRAVIS §

"My name is Lena Roberts. I am of sound mind, capable of making this affidavit, and the facts stated in this affidavit are within my personal knowledge and are true and correct.

On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Meldimaa Enterprise, Inc. dba Silverline Dry Cleaners" (the "EDPRP") was filed with the Office of the Chief Clerk on November 7, 2006.

The EDPRP was mailed to Meldimaa at its last known address on November 7, 2006, via certified mail, return receipt requested, and via first class mail, postage prepaid. According to the return receipt "green card," Meldimaa received notice of the EDPRP on November 9, 2006, as evidenced by the signature on the card.

More than 20 days have elapsed since Meldimaa received notice of the EDPRP. Meldimaa failed to file an answer to the EDPRP, failed to request a hearing, and failed to schedule a settlement conference."

Lena Roberts, Attorney

Office of Legal Services, Litigation Division Texas Commission on Environmental Quality

Before me, the undersigned authority, on this day personally appeared Lena Roberts, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this 1st day of May, A.D., 2007.

Margaret Jackson
Notary Public
State of Texas
My Commission Expires
OCTOBER 06, 2009

Notary Signature