

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER** Page 1 of 2  
**DOCKET NO.:2004-1232-PST-E TCEQ ID: RN102225448 CASE NO.:18371**  
**RESPONDENT NAME: JESUS JORGE FLORES, SR. DBA CORNER STOP**

<b>ORDER TYPE:</b>		
<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	
<b>CASE TYPE:</b>		
<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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Mile 6 ½ West and Mile 9 North, Weslaco, Hidalgo County</p> <p><b>TYPE OF OPERATION:</b> Convenience store with retail sales of gasoline</p> <p><b>SMALL BUSINESS:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> No one other than the ED and the Respondent has expressed an interest in this matter.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on January 4, 2008. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  TCEQ Attorney: Ms. Rebecca M. Combs, Litigation Division, MC 175 , (512) 239-6939  Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873  TCEQ Enforcement Coordinator: Ms. Elvia Maske, Enforcement Division, MC 149 , (512) 239- 0789  TCEQ Regional Contact: Ms. Jessica Weiss, Harlingen Regional Office, MC R-15, (512) 239-6239  Central Office Contact: Mr. Rob Norris, Financial Assurance Division, MC 184, (512) 239-6239  Respondent: Mr. Jesus Jorge Flores, Sr., Owner, Jesus Jorge Flores dba Corner Stop, 1124 Villas Del Norte, Weslaco, Texas 78596  Respondent's Attorney: Not represented by counsel on this enforcement matter.</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b></p> <p><input type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input checked="" type="checkbox"/> Records Review</p> <p><b>Date of Complaints Relating to this Case:</b> None</p> <p><b>Dates of Investigation Relating to this Case:</b> June 24, 2003 and August 5, 2004</p> <p><b>Date of NOV(s)/NOE(s) Relating to this Case:</b> June 29, 2003 (NOV), August 5, 2004 (NOE)</p> <p><b>Background Facts:</b> The EDPRP was filed on February 25, 2005. The Respondent agreed to pay in full and signed the Agreed Order.</p> <p>The Respondent in this case does not owe any other penalties according to the Administrative Penalty Database Report.</p> <p><b>PST</b></p> <p>Failed to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a petroleum UST [30 TEX. ADMIN. CODE § 37.815(a) and (b)].</p>	<p><b>Total Assessed:</b> \$1,050</p> <p><b>Total Deferred:</b> \$0</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$1,050</p> <p>The Respondent has paid the \$1,050 administrative penalty in full.</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Technical Requirement(s):</b></p> <p>The Respondent shall undertake the following technical requirements:</p> <p>Immediately obtain 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 a petroleum UST.</p>

**Penalty Calculation Worksheet (PCW)**  
 Policy Revision 2 (September 2002) PCW Revision May 17, 2004

**DATES**

PCW	08-Dec-2004	Screening	10-Aug-2004	Priority Due	08-Nov-2004	EPA Due	
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**RESPONDENT/FACILITY INFORMATION**

Respondent	Jesus Jorge Flores dba Corner Stop		
Reg. Ent. Ref. No.	RN102225448		
Additional ID No(s)	Petroleum Storage Tank Registration No. 71235		
Facility/Site Region	15-Harlingen	Major/Minor Source	Minor Source

**CASE INFORMATION**

Enf./Case ID No.	18371	No. of Violations	1
Docket No.	2004-1232-PST-E	Order Type	1660 without deferral
Case Priority	3	Enf. Coordinator	Elvia Maske
Media Program(s)	Petroleum Storage Tank	EC's Team	Enforcement Team 5
Multi-Media			
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

**Penalty Calculation Section**

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

**ADJUSTMENTS (+/-) TO SUBTOTAL 1**

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

**Compliance History** 5% Enhancement **Subtotals 2, 3, & 7** \$50

Notes: Adjustment made for one NOV dated June 24, 2003 with same or similar violations.

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

Notes: Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply** Reduction **Subtotal 5** \$0

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

Notes: The Respondent is not yet in compliance.

**Economic Benefit** 0% Enhancement\* **Subtotal 6** \$0

Total EB Amounts	\$683	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$650	

**SUM OF SUBTOTALS 1-7** **Final Subtotal** \$1,050

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

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

Notes:

**Final Penalty Amount** \$1,050

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty** \$1,050

**DEFERRAL** Reduction Adjustment \$0

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

Notes: No deferral is recommend because the respondent received a prior NOV for the same or a similar violation at this facility location.

**PAYABLE PENALTY** \$1,050

<b>Screening Date</b>	10-Aug-2004	<b>Docket No.</b>	2004-1232-PST-E	<b>PCW</b>
<b>Respondent</b>	Jesus Jorge Flores dba Corner Stop		Policy Revision 2 (September 2002)	
<b>Case ID No.</b>	18371	PCW Revision May 17, 2004		
<b>Reg. Ent. Reference No.</b>	RN102225448			
<b>Additional ID No(s)</b>	Petroleum Storage Tank Registration No. 71235			
<b>Media [Statute]</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Elvia Maske			
<b>Site Address</b>	Mile 6 1/2 West and Mile 9 North, Weslaco, Hidalgo County, Texas.			

**Compliance History Worksheet**

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

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	1	5%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events (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 ( <i>number of audits for which notices were</i>	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	0	0%
<i>Please Enter Yes or No</i>			
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)**

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

**Adjustment Percentage (Subtotal 3)**

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

**Adjustment Percentage (Subtotal 7)**

>> **Compliance History Summary**

**Compliance History Notes**

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

<b>Screening Date</b>	10-Aug-2004	<b>Docket No.</b>	2004-1232-PST-E	<b>PCW</b>
<b>Respondent</b>	Jesus Jorge Flores dba Corner Stop		Policy Revision 2 (September 2002)	
<b>Case ID No.</b>	18371	PCW Revision May 17, 2004		
<b>Reg. Ent. Reference No.</b>	RN102225448			
<b>Additional ID No(s)</b>	Petroleum Storage Tank Registration No, 71235			
<b>Media [Statute]</b>	Petroleum Storage Tank			
<b>Enf. Coordinator</b>	Elvia Maske			
<b>Violation Number</b>	1			
<b>Primary Rule Cite(s)</b>	30 Tex. Admin. Code § 37.815(a) & (b)			
<b>Secondary Rule Cite(s)</b>				
<b>Violation Description</b>	Failure to demonstrate financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum storage tanks.			
<b>Base Penalty</b>	\$10,000			

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				
Potential				

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
	X			10%

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

Adjustment: -\$9,000

**Base Penalty Subtotal** \$1,000

**Violation Events**

Number of Violation Events: 1

daily	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty: \$1,000

One (1) Single event (1 event per tank) is recommended based on the record review conducted on June 24, 2003.

**Economic Benefit (EB) for this violation**      **Statutory Limit Test**

<b>Estimated EB Amount</b>	\$683	<b>Violation Final Penalty Total</b>	\$1,050
<b>This violation Final Assessed Penalty (adjusted for limits)</b>		\$1,050	

### Economic Benefit Worksheet

**Respondent:** Jesus Jorge Flores dba Corner Stop  
**Case ID No.:** 18371  
**Reg. Ent. Reference No.:** RN102225448  
**Additional ID No(s):** Petroleum Storage Tank Registration No. 71235  
**Media [Statute]:** Petroleum Storage Tank  
**Violation No.:** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	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
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]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$650	24-Jun-2002	24-Jun-2003	1.0	\$33	\$650	\$683
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated cost to provide financial assurance for the petroleum USTs. Date required is one year prior to the record review date. Final date is one year later as this is an annual requirement.

Approx. Cost of Compliance \$650

**TOTAL** \$683

## Compliance History

Customer/Respondent/Owner-Operator:	CN601189749 FLORES SR, JESUS JORGE	Classification: AVERAGE BY DEFAULT	Rating: 3.010
Regulated Entity:	RN102225448 CORNER STOP	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	71235
Location:	MILE 6 1 2 W & MILE 9	Rating Date: 9/1/03 Repeat Violator: NO	
TCEQ Region:	REGION 15 - HARLINGEN		
Date Compliance History Prepared:	August 10, 2004		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 10, 1999 to August 10, 2004		

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

Name: chris miller Phone: 3256986136

### Site Compliance History Components

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

### Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A

- B. Any criminal convictions of the state of Texas and the federal government.

N/A

- C. Chronic excessive emissions events.

N/A

- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 08/05/2004 (286773)

2 06/24/2003 (276388)

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

Date: 06/24/2003 (276388)

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 37, SubChapter I 37.815(a)[G]

30 TAC Chapter 37, SubChapter I 37.815(b)[G]

Description: Failure to provide acceptable financial assurance.

- F. Environmental audits.

N/A

- G. Type of environmental management systems (EMSs).

N/A

- H. Voluntary on-site compliance assessment dates.

N/A

- I. Participation in a voluntary pollution reduction program.

N/A

- J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF  
AN ENFORCEMENT ACTION  
AGAINST JESUS JORGE  
FLORES DBA CORNER STOP  
RN102225448**

§  
§  
§  
§  
§

**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2004-1232-PST-E**

### **I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Jesus Jorge Flores dba Corner Stop ("Flores") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation Division, and Flores, appear before the Commission and together stipulate that:

1. Flores owns and operates a convenience store with retail sales of gasoline located at Mile 61/2 West and Mile 9 North in Weslaco, Hidalgo County, Texas (the "Facility").
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and TCEQ rules.
3. The Commission and Flores agree that the Commission has jurisdiction to enter this Agreed Order, and that Flores is subject to the Commission's jurisdiction.
4. Flores received notice of the violations alleged in Section II ("Allegations") on or about June 29, 2003.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Flores of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of one thousand fifty dollars (\$1,050.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Flores has paid one thousand fifty dollars (\$1,050.00) of the administrative penalty.

7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Flores have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Flores has not complied with one or more of the terms or conditions of this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable, and if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## **II. ALLEGATIONS**

Flores is alleged to have violated 30 TEX. ADMIN. CODE § 37.815(a) and (b) by failing to demonstrate acceptable financial assurance, during a record review on June 24, 2003, 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.

## **III. DENIALS**

Flores generally denies the allegation in Section II.

## **IV. ORDER**

1. It is, therefore, ordered by the TCEQ that Flores pay an administrative penalty as set forth in Section I, Paragraph six above. The payment of this administrative penalty and Flores' 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 considering requiring corrective action or penalties for violations which are not raised here.

**Jesus Jorge Flores dba Corner Stop  
TCEQ Docket No. 2004-1232-PST-E  
Agreed Order Page 3**

Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Jesus

Jorge Flores dba Corner Stop 2004-1232-PST-E" to:

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

2. Flores shall undertake the following technical requirements:

a. Immediately upon the effective date of this Agreed Order, Flores shall obtain 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 the petroleum underground storage tank.

b. Flores shall submit a copy of the above referenced financial assurance to:

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

and

Rob Norris, Manager  
Financial Administration Division, MC 184  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

3. The provisions of this Agreed Order shall apply to and be binding upon Flores. Flores is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.

4. If Flores 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, Flores's failure to comply is not a violation of this Agreed Order. Flores shall have the burden of establishing to the Executive Director's satisfaction that

**Jesus Jorge Flores dba Corner Stop**  
**TCEQ Docket No. 2004-1232-PST-E**  
**Agreed Order Page 4**

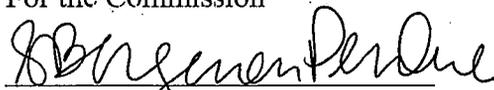
such an event has occurred. Flores shall notify the Executive Director within seven days after Flores becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Flores shall be made in writing to the Executive Director. Extensions are not effective until Flores receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Flores 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's, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T Code § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Flores, or three days after the date on which the Commission mails notice of the Order to Flores, 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

11/29/07

Date

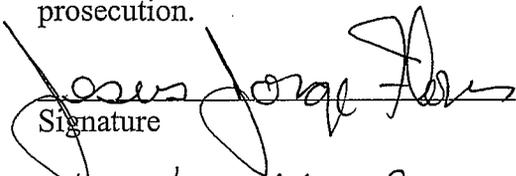
I, the undersigned, have read and understand the attached Agreed Order. I represent that I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ,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

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

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

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

Signature



Date

10/10/2007

Name (Printed or typed)

Jesus Jorge Flores Sr.  
Authorized representative of  
Jesus Jorge Flores dba Corner Stop

Title

President