

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-1273-DCL-E **TCEQ ID:** RN103957171, RN103957304, and RN103957189

CASE NO.: 30793

RESPONDENT NAME: ABZZ Corporation dba Ritz Cleaner, dba American Cleaners, and dba 2000 Dry Clean

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 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 checked="" type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: 1010 South Mason Road, Suite D; 21927 Katy Freeway; and 2944 South Mason Road, Suite A, Katy, Harris County (the "Facilities")</p> <p>TYPE OF OPERATION: Dry cleaning drop stations</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 these facility locations.</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 October 22, 2007. No comments were received.</p> <p>CONTACTS AND MAILING LIST: TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Mr. Marlin Bullard, Enforcement Division, Enforcement Team 7, MC R-09, (254) 761-3038; Mr. Bryan Sinclair, Enforcement Division, MC 219, (512) 239-2171 Respondent: Mr. Arif Ali, Supervisor, ABZZ Corporation, 1010 South Mason Road, Suite D, Katy, Texas 77450 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

DOCKET NO.: 2006-1273-DCL-E

VIOLATION SUMMARY CHART:		
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation: <input type="checkbox"/> Complaint <input type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input checked="" type="checkbox"/> Records Review</p> <p>Date(s) of Complaints Relating to this Case: None</p> <p>Date of Investigation Relating to this Case: May 26 and August 16, 2006</p> <p>Date of NOV/NOE Relating to this Case: August 11 and August 15, 2006 (NOE)</p> <p>Background Facts: These were routine record reviews. Violations were documented at all three Facilities.</p> <p>WASTE</p> <p>1) Failed to renew the Facilities' registration by completing and submitting the required registration form to the TCEQ for the Facilities [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102].</p> <p>2) Failure to pay outstanding dry cleaner registration fees for TCEQ Account No. 24000139 for fiscal year 2006 and associated late fees [30 TEX. ADMIN. CODE § 337.14 (c) and TEX. WATER CODE § 5.702].</p>	<p>Total Assessed: \$3,437</p> <p>Total Deferred: \$687 <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: \$128 (remaining \$2,622 to be paid in 23 monthly payments of \$114 each)</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input 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>1) The Executive Director recognizes that the Respondent:</p> <p>a. Submitted a current registration for the 2000 Dry Clean drop station on June 14, 2006.</p> <p>b. Paid outstanding dry cleaner registration fees for TCEQ Account No. 24000139 for fiscal year 2006 and associated late fees on August 17, 2006.</p> <p>Ordering Provisions:</p> <p>2) The Order will require the Respondent to:</p> <p>a. Within 15 days after the effective date of this Agreed Order, complete and submit the required drycleaner and/or drop station registration form for the remaining two Facilities still not registered; and</p> <p>b. Within 30 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a.</p>

Additional ID(s): TXR000071571



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision May 19, 2005

DATES	Assigned	Aug 14, 2006	Screening	Aug 15, 2006	EPA Due	
	PCW	Aug 22, 2006				

RESPONDENT/FACILITY INFORMATION	
Respondent	ABZZ Corporation dba Ritz Cleaner
Reg. Ent. Ref. No.	RN103957171
Facility/Site Region	12-Houston <
Major/Minor Source	Minor Source <

CASE INFORMATION			
Enf./Case ID No.	30793	No. of Violations	2
Docket No.	2006-1273-DCL-E	Order Type	1660 <
Media Program(s)	Drycleaner <	Enf. Coordinator	Marlin Bullard
Multi-Media		EC's Team	Enforcement Team 8 <
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes

Culpability No < 0% Enhancement **Subtotal 4**

Notes

Good Faith Effort to Comply 0% Reduction **Subtotal 5**

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

Notes

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

Total EB Amounts	<input type="text" value="\$18"/>	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	<input type="text" value="\$250"/>	

SUM OF SUBTOTALS 1-7 **Final Subtotal**

OTHER FACTORS AS JUSTICE MAY REQUIRE **Adjustment**

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 20% Reduction **Adjustment**

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

Notes

PAYABLE PENALTY

Screening Date Aug 15, 2006 **Docket No.** 2006-1273-DCL-E **PCW**
Respondent ABZZ Corporation dba Ritz Cleaner *Policy Revision 2 (September 2002)*
Case ID No. 30793 *PCW Revision May 19, 2005*
Reg. Ent. Reference No. RN103957171
Media [Statute] Drycleaner
Enf. Coordinator Marlin Bullard

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>)	0	0%
	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%
Convictions	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%
	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	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%
Other	<i>Please Enter Yes or No</i>		
	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)**

N/A

Adjustment Percentage (Subtotal 3) 0%

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

N/A

Adjustment Percentage (Subtotal 7) 0%

>> **Compliance History Summary**

Compliance History Notes: The respondent has no prior orders or NOV's.

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

Screening Date Aug 15, 2006 **Docket No.** 2006-1273-DCL-E **PCW**

Respondent ABZZ Corporation dba Ritz Cleaner *Policy Revision 2 (September 2002)*

Case ID No. 30793 *PCW Revision May 19, 2005*

Reg. Ent. Reference No. RN103957171

Media [Statute] Drycleaner

Enf. Coordinator Marlin Bullard

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

Base Penalty

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

		Harm			
Release		Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

	daily	<input checked="" type="checkbox"/>
	monthly	<input type="checkbox"/>
mark only one	quarterly	<input type="checkbox"/>
use a small x	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>

Violation Base Penalty

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

Estimated EB Amount

Statutory Limit Test

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ABZZ Corporation dba Ritz Cleaner
 Case ID No. 30793
 Reg. Ent. Reference No. RN103957171
 Media [Statute] Drycleaner
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

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

Item	ANNUALIZE [1] avoided costs before entering Item (except for one-time avoided costs)
Disposal	0.0 \$0 \$0 \$0
Personnel	0.0 \$0 \$0 \$0
Inspection/Reporting/Sampling	0.0 \$0 \$0 \$0
Supplies/equipment	0.0 \$0 \$0 \$0
Financial Assurance [2]	0.0 \$0 \$0 \$0
ONE-TIME avoided costs [3]	0.0 \$0 \$0 \$0
Other (as needed)	0.0 \$0 \$0 \$0

Notes for AVOIDED costs

Approx. Cost of Compliance **\$250** TOTAL **\$18**

Screening Date Aug 15, 2006	Docket No. 2006-1273-DCL-E	PCW
Respondent ABZZ Corporation dba Ritz Cleaner	<i>Policy Revision 2 (September 2002)</i>	
Case ID No. 30793	<i>PCW Revision May 19, 2005</i>	
Reg. Ent. Reference No. RN103957171		
Media [Statute] Drycleaner		
Enf. Coordinator Marlin Bullard		
Violation Number <input type="text" value="2"/>		
Primary Rule Cite(s)	<input type="text" value="30 Tex. Admin. Code § 337.14(c)"/>	
Secondary Rule Cite(s)	<input type="text" value="Tex. Water Code § 5.702"/>	
Violation Description	<input type="text" value="Failure to pay outstanding dry cleaner registration fees for TCEQ Account No. 24000139 for fiscal year 2006 and associated late fees, as documented during a record review investigation conducted on August 16, 2006."/>	

Base Penalty

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

		Harm			
	Release	Major	Moderate	Minor	
OR	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input type="text"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

		daily	<input type="text"/>
		monthly	<input type="text"/>
<i>mark only one</i>		quarterly	<input type="text"/>
<i>use a small x</i>	semiannual		<input type="text"/>
	annual		<input type="text"/>
	single event		<input type="text"/>

Violation Base Penalty

No penalty is recommended because penalty and interest will be assessed at the next billing cycle.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent ABZZ Corporation dba Ritz Cleaner
 Case ID No. 30793
 Reg. Ent. Reference No. RN103957171
 Media [Statute] Drycleaner
 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
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	N/A						

Item Description	Yrs	Interest Saved	Onetime Costs	EB Amount
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	N/A			

Approx. Cost of Compliance

TOTAL

Compliance History

Customer/Respondent/Owner-Operator:	CN602458309 ABZZ Corporation	Classification:	Rating:
Regulated Entity:	RN103957171 RITZ CLEANER	Classification:	Site Rating:
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000073494
Location:	1010 S MASON RD STE D, KATY, TX, 77450		
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	August 18, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 18, 2001 to August 18, 2006		

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

Name: N/A Phone: N/A

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? | 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 |

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 08/11/2006 (497226)
 - 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



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision May 19, 2005

DATES	Assigned	Aug 21, 2006		
	PCW	Sept 1, 2006	Screening	Aug 22, 2006
			EPA Due	

RESPONDENT/FACILITY INFORMATION

Respondent	ABZZ Corporation dba American Cleaners		
Reg. Ent. Ref. No.	RN103957304		
Facility/Site Region	12-Houston	Major/Minor Source	Minor Source

CASE INFORMATION

Enf./Case ID No.	30793	No. of Violations	1	
Docket No.	2006-1273-DCL-E	Order Type	1660	
Media Program(s)	Drycleaner	Enf. Coordinator	Marlin Bullard	
Multi-Media		EC's Team	Enforcement Team 8	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$50

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$1,185

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

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

Notes: The respondent has no prior orders or NOV's.

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

Notes: The respondent does not meet the culpability criteria.

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

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

Notes: The respondent does not meet the good faith criteria.

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

Total EB Amounts	\$18	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$1,185

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 \$1,185

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$1,185

DEFERRAL 20% Reduction **Adjustment** -\$237

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

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY **\$948**

Screening Date Aug 22, 2006

PCW.wb3
Docket No. 2006-1273-DCL-E

PCW

Respondent ABZZ Corporation dba American Cleaners

Policy Revision 2 (September 2002)

Case ID No. 30793

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN103957304

Media [Statute] Drycleaner

Enf. Coordinator Marlin Bullard

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>)	0	0%
	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 (<i>number of events</i>)	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%
Other	<i>Please Enter Yes or No</i>		
	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)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The respondent has no prior orders or NOVs.

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

PCW.wb3

Screening Date Aug 22, 2006

Docket No. 2006-1273-DCL-E

PCW

Respondent ABZZ Corporation dba American Cleaners

Policy Revision 2 (September 2002)

Case ID No. 30793

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN103957304

Media [Statute] Drycleaner

Enf. Coordinator Marlin Bullard

Violation Number 1

Primary Rule Cite(s) 30 Tex. Admin. Code § 337.11(e)

Secondary Rule Cite(s) Tex. Health & Safety Code § 374.102

Violation Description The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility.

Base Penalty \$50

>> Environmental, Property and Human Health Matrix

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

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

Adjustment -\$45

Base Penalty Subtotal \$5

Violation Events

Number of Violation Events 237

	daily	x
	monthly	
mark only one	quarterly	
use a small x	semiannual	
	annual	
	single event	

Violation Base Penalty \$1,185

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

Estimated EB Amount \$18

Violation Final Penalty Total \$1,185

This violation Final Assessed Penalty (adjusted for limits) \$1,185

PCW.wb3

Economic Benefit Worksheet

Respondent ABZZ Corporation dba American Cleaners
Case ID No. 30793
Reg. Ent. Reference No. RN103957304
Media [Statute] Drycleaner
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Depreciation	
						Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs The estimated cost to register a dry cleaning or drop station facility annually. The date required is the date that the completed registration form was due and the final date is the date the respondent 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
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250 TOTAL \$18

Compliance History

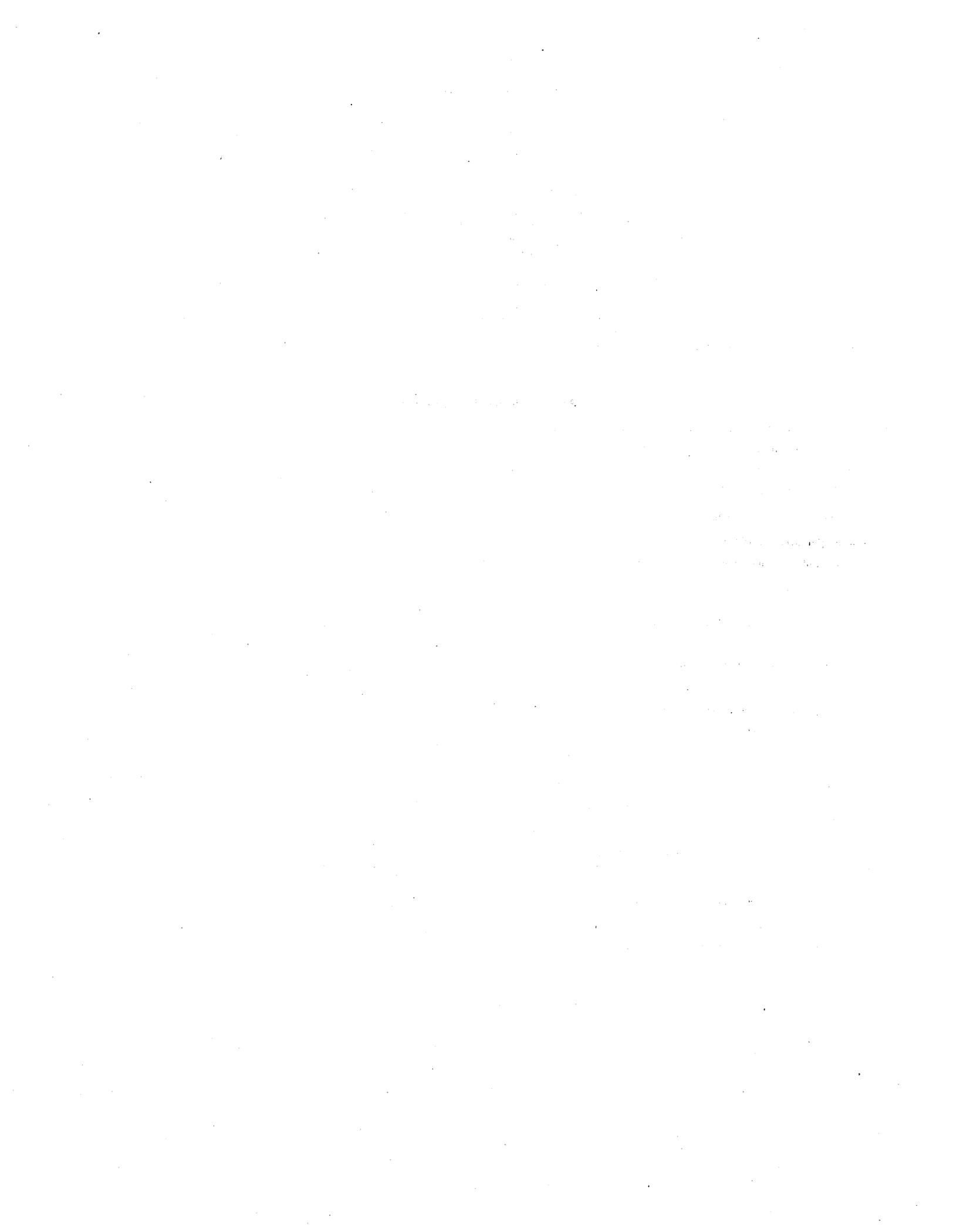
Customer/Respondent/Owner-Operator:	CN602458309 ABZZ Corporation	Classification:	Rating:
Regulated Entity:	RN103957304 AMERICAN CLEANERS	Classification:	Site Rating:
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000071571
Location:	21927 KATY FWY, KATY, TX, 77450		
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	August 22, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 22, 2001 to August 22, 2006		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	N/A	Phone:	N/A

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? | 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 |

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 08/15/2006 (497548)
 - 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





Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW.wps3

PCW Revision May 19, 2005

DATES	Assigned	Aug 21, 2006	Screening	Aug 22, 2006	EPA Due	
	PCW	Sept 15, 2006				

RESPONDENT/FACILITY INFORMATION					
Respondent	ABZZ Corporation dba 2000 Dry Clean				
Reg. Ent. Ref. No.	RN103957189				
Facility/Site Region	12-Houston	<	Major/Minor Source	Minor Source	<

CASE INFORMATION					
Enf./Case ID No.	30793	No. of Violations	1		
Docket No.	2006-1273-DCL-E	Order Type	1660 <		
Media Program(s)	Drycleaner <	Enf. Coordinator	Marlin Bullard		
Multi-Media		EC's Team	Enforcement Team 8 <		
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50		

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History 0% Enhancement Subtotals 2, 3, & 7

Notes

Culpability No < 0% Enhancement Subtotal 4

Notes

Good Faith Effort to Comply 10% Reduction Subtotal 5

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

Notes

Economic Benefit 0% Enhancement* Subtotal 6

Total EB Amounts	\$10	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$250	

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 20% Reduction Adjustment

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

Notes

PAYABLE PENALTY

Screening Date Aug 22, 2006

PCW:wb3

Docket No. 2006-1273-DCL-E

PCW

Respondent ABZZ Corporation dba 2000 Dry Clean

Policy Revision 2 (September 2002)

Case ID No. 30793

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN103957189

Media [Statute] Drycleaner

Enf. Coordinator Marlin Bullard

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

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

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

N/A

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

The respondent has no prior orders or NOV's.

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

PCW.wb3

Screening Date Aug 22, 2006

Docket No. 2006-1273-DCL-E

PCW

Respondent ABZZ Corporation dba 2000 Dry Clean

Policy Revision 2 (September 2002)

Case ID No. 30793

PCW Revision May 19, 2005

Reg. Ent. Reference No. RN103957189

Media [Statute] Drycleaner

Enf. Coordinator Marlin Bullard

Violation Number

Primary Rule Cite(s)

Secondary Rule Cite(s)

Violation Description

The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility.

Base Penalty

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

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

>> **Programmatic Matrix**

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="10%"/>

Matrix Notes

Adjustment

Base Penalty Subtotal

Violation Events

Number of Violation Events

mark only one use a small x	daily	<input checked="" type="checkbox"/>
	monthly	<input type="checkbox"/>
	quarterly	<input type="checkbox"/>
	semiannual	<input type="checkbox"/>
	annual	<input type="checkbox"/>
	single event	<input type="checkbox"/>

Violation Base Penalty

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

Estimated EB Amount

Violation Final Penalty Total

This violation Final Assessed Penalty (adjusted for limits)

PCW:wb3

Economic Benefit Worksheet

Respondent ABZZ Corporation dba 2000 Dry Clean
 Case ID No. 30793
 Reg. Ent. Reference No. RN103957189
 Media [Statute] Drycleaner
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	14-Jun-2006	0.8	\$10	n/a	\$10
Other (as needed)				0.0	\$0	n/a	\$0

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

Avoided Costs	ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)						
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$250 TOTAL \$10

Compliance History

Customer/Respondent/Owner-Operator:	CN602458309 ABZZ Corporation	Classification:	Rating:
Regulated Entity:	RN103957189 2000 DRY CLEAN	Classification:	Site Rating:
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000072538
Location:	2944 S MASON RD STE A, KATY, TX, 77450		
TCEQ Region:	REGION 12 - HOUSTON		
Date Compliance History Prepared:	August 22, 2006		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	August 22, 2001 to August 22, 2006		

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

Name: N/A Phone: N/A

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 08/15/2006 (497572)
 - E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
 - F. Environmental audits.
N/A
 - G. Type of environmental management systems (EMSs).
N/A
 - H. Voluntary on-site compliance assessment dates.
N/A
 - I. Participation in a voluntary pollution reduction program.
N/A
 - J. Early compliance.
N/A
- Sites Outside of Texas
N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
ABZZ CORPORATION DBA RITZ
CLEANER, DBA AMERICAN
CLEANERS, AND DBA 2000 DRY
CLEAN
RN103957171, RN103957304 AND
RN103957189

§
§
§
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§
§

BEFORE THE

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-1273-DCL-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ABZZ Corporation dba Ritz Cleaner, dba American Cleaners, and dba 2000 Dry Clean ("ABZZ") under the authority of TEX. HEALTH & SAFETY CODE ch. 374 and TEX. WATER CODE chs. 5 and 7. The Executive Director of the TCEQ, through the Enforcement Division, and ABZZ appear before the Commission and together stipulate that:

1. ABZZ owns and operates dry cleaning drop stations at 1010 South Mason Road, Suite D, 21927 Katy Freeway, and 2944 South Mason Road, Suite A, in Katy, Harris County, Texas (the "Facilities").
2. The TCEQ has general authority to regulate the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
3. The Commission and ABZZ agree that the Commission has jurisdiction to enter this Agreed Order, and that ABZZ is subject to the Commission's jurisdiction.
4. ABZZ received notice of the violations alleged in Section II ("Allegations") on or about August 16, 2006 and August 20, 2006.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by ABZZ of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
6. An administrative penalty in the amount of Three Thousand Four Hundred Thirty-Seven Dollars (\$3,437) is assessed by the Commission in settlement of the violations alleged in Section II

("Allegations"). ABZZ has paid One Hundred Twenty-Eight Dollars (\$128) of the administrative penalty and Six Hundred Eighty-Seven Dollars (\$687) is deferred contingent upon ABZZ's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If ABZZ fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require ABZZ to pay all or part of the deferred penalty.

The remaining amount of Two Thousand Six Hundred Twenty-Two Dollars (\$2,622) of the administrative penalty shall be payable in 23 monthly payments of One Hundred Fourteen Dollars (\$114) each. 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 ABZZ 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 ABZZ to meet the payment schedule of this Agreed Order constitutes the failure by ABZZ 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 ABZZ 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 ABZZ:
 - a. Submitted a current registration for the 2000 Dry Clean drop station on June 14, 2006.
 - b. Paid outstanding dry cleaner registration fees for TCEQ Account No. 24000139 for fiscal year 2006 and associated late fees on August 17, 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 ABZZ 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 Facilities, ABZZ is alleged to have:

1. Failed to renew the Facilities' registration by completing and submitting the required registration form to the TCEQ for the Facilities, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during investigations conducted on May 26, 2006.
2. Failure to pay outstanding dry cleaner registration fees for TCEQ Account No. 24000139 for fiscal year 2006 and associated late fees, in violation of 30 TEX. ADMIN. CODE § 337.14 (c) and TEX. WATER CODE § 5.702, as documented during a record review investigation conducted on August 16, 2006.

III. DENIALS

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

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that ABZZ pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and ABZZ'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: ABZZ Corporation dba Ritz Cleaner, dba American Cleaners, and dba 2000 Dry Clean, Docket No. 2006-1273-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. It is further ordered that ABZZ shall undertake the following technical requirements:
 - a. Within 15 days after the effective date of this Agreed Order, complete and submit the required drycleaner and/or drop station registration form for the remaining two Facilities still not registered, in accordance with 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 Agreed Order, submit written certification of compliance with Ordering Provision 2.a. as described below:

The certification shall, include detailed supporting documentation including receipts, and/or other records to demonstrate compliance, 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."

The certification shall be submitted 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:

Waste Section Manager
Houston Regional Office
Texas Commission on Environmental Quality
5425 Polk Street, Houston, Texas
Houston, Texas 77023

3. The provisions of this Agreed Order shall apply to and be binding upon ABZZ. ABZZ is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facilities operations referenced in this Agreed Order.
4. If ABZZ 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, ABZZ's failure to comply is not a violation of this Agreed Order. ABZZ shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. ABZZ shall notify the Executive Director within seven days after ABZZ 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 ABZZ shall be made in writing to the Executive Director. Extensions are not effective until ABZZ 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 ABZZ 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.
7. 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.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to ABZZ, or three days after the date on which the Commission mails notice of the Order to ABZZ, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

ABZZ Corporation dba Ritz Cleaner, dba American Cleaners, and dba 2000 Dry Clean
DOCKET NO. 2006-1273-DCL-E

Page 6

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

John Srdler
For the Executive Director

1/21/2008
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]
Signature

10/31/2006
Date

Amr Alc
Name (Printed or typed)
Authorized Representative of
ABZZ Corporation dba Ritz Cleaner, dba American Cleaners, and dba 2000 Dry Clean

Supervisor
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.

