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**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.: 2009-0118-PST-E TCEQ ID: RN102795408 CASE NO.: 37097**  
**RESPONDENT NAME: MUNOR RAHMAN, INC. DBA SUPER STAR**

<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 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

**SITE WHERE VIOLATION(S) OCCURRED:** 420 South Main Street, Vidor, Orange County

**TYPE OF OPERATION:** retail gasoline station

**SMALL BUSINESS:**  Yes  No

**OTHER SIGNIFICANT MATTERS:** There is no record of additional pending enforcement actions regarding this facility.

**INTERESTED PARTIES:** No one other than the ED and the Respondent expressed an interest in this matter.

**COMMENTS RECEIVED:** The *Texas Register* comment period expired on March 29, 2010. No comments were received.

**CONTACTS AND MAILING LIST:**  
**TCEQ Attorney:** Ms. Tammy L. Mitchell, Litigation Division, MC 175, (512) 239-0736  
Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-3400  
**TCEQ Enforcement Coordinator:** Mr. Michael Pace, Enforcement Section, MC R-4, (817) 588-5933  
**TCEQ Regional Contact:** Mr. Derek Eades, Beaumont Regional Office, MC R-10, (409) 898-3838  
**Respondents:** Mr. Abdul Rahman, President, Munor Rahman, Inc., P.O. Box 606, Vidor, Texas 77670  
**Respondent's Attorney:** Mr. William Thompson, III, Grisson & Thompson, L.L.P., 609 West 10<sup>th</sup> Street, Austin, Texas 78701

<b>VIOLATION SUMMARY CHART:</b>		
<b>VIOLATION INFORMATION</b>	<b>PENALTY CONSIDERATIONS</b>	<b>CORRECTIVE ACTIONS TAKEN/REQUIRED</b>
<p><b>Type of Investigation:</b></p> <p><input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date of Complaint Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> November 18, 2008</p> <p><b>Date of NOE Relating to this Case:</b> February 18, 2009</p> <p><b>Background Facts:</b> The EDPRP was filed May 18, 2009. The EDFARP was filed May 28, 2009. The Respondent filed an answer and the case was referred to SOAH. The agreed order was signed on January 29, 2010.</p> <p><b>Current Compliance Status:</b> No outstanding Technical Requirements.</p> <p><b>PST:</b> Failed to test the line leak detectors at least once per year for performance and operational reliability, and failed to conduct measurement of any water level in the bottom of the tank to the nearest 1/8 inch at least once a month and make appropriate adjustments to the inventory records [30 TEX. ADMIN CODE § 334.50(b)(2)(A)(i)(III) and 334.50(d)(1)(B)(iii)(IV) and TEX. WATER CODE § 26.3475(a)].</p>	<p><b>Total Assessed:</b> \$2,055</p> <p><b>Total Deferred:</b> \$0  <input type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay  <input type="checkbox"/> SEP Conditional Offset</p> <p><b>Total Paid to General Revenue:</b> \$2,055</p> <p>The Respondent paid the 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>Corrective Actions Taken:</b></p> <p>The ED recognizes that the Respondent implemented the following corrective actions:</p> <ol style="list-style-type: none"> <li>1. Successfully conducted the required annual testing of the line leak detectors for performance and operational reliability on December 1, 2008; and</li> <li>2. Began conducting water level measurements in the bottom of each UST and making appropriate adjustments to inventory records on December 1, 2008.</li> </ol>



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	<b>Assigned</b>	20-Jan-2009			
	<b>PCW</b>	5-Mar-2010	<b>Screening</b>	29-Jan-2009	<b>EPA Due</b>

<b>RESPONDENT/FACILITY INFORMATION</b>					
<b>Respondent</b>	MUNOR RAHMAN, INC. dba Super Star				
<b>Reg. Ent. Ref. No.</b>	RN102795408				
<b>Facility/Site Region</b>	10-Beaumont	<b>Major/Minor Source</b>	Minor		

<b>CASE INFORMATION</b>					
<b>Enf./Case ID No.</b>	37097	<b>No. of Violations</b>	1		
<b>Docket No.</b>	2009-0118-PST-E	<b>Order Type</b>	1660		
<b>Media Program(s)</b>	Petroleum Storage Tank	<b>Government/Non-Profit</b>	No		
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Mike Pace		
		<b>EC's Team</b>	Enforcement Team 6		
<b>Admin. Penalty \$</b>	<b>Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000	

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$2,500
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### ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

<b>Compliance History</b>	4.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$100
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Notes: Enhancement for two prior NOVs with dissimilar violations.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$625
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts	\$80	*Capped at the Total EB \$ Amount
Approx. Cost of Compliance	\$173	

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$1,975
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	4.1%	<b>Adjustment</b>	\$80
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes: Recommended enhancement to capture the avoided cost of compliance associated with the violation.

**Final Penalty Amount** \$2,055

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$2,055
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<b>DEFERRAL</b>	0.0% Reduction	<b>Adjustment</b>	\$0
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Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes: Deferral not offered for non-expedited settlement.

<b>PAYABLE PENALTY</b>	\$2,055
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**Screening Date** 29-Jan-2009

**Docket No.** 2009-0118-PST-E

**PCW**

**Respondent** MUNOR RAHMAN, INC. dba Super Star

*Policy Revision 2 (September 2002)*

**Case ID No.** 37097

*PCW Revision October 30, 2008*

**Reg. Ent. Reference No.** RN102795408

**Media [Statute]** Petroleum Storage Tank

**Enf. Coordinator** Mike Pace

### 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	2	4%
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 submitted</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)** 4%

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

No

**Adjustment Percentage (Subtotal 3)** 0%

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

Average Performer

**Adjustment Percentage (Subtotal 7)** 0%

>> **Compliance History Summary**

**Compliance History Notes**

Enhancement for two prior NOVs with dissimilar violations.

**Total Adjustment Percentage (Subtotals 2, 3, & 7)** 4%

Screening Date 29-Jan-2009 Docket No. 2009-0118-PST-E PCW

Respondent MUNOR RAHMAN, INC. dba Super Star Policy Revision 2 (September 2002)

Case ID No. 37097 PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102795408

Media [Statute] Petroleum Storage Tank

Enf. Coordinator Mike Pace

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 334.50(b)(2)(A)(i)(III) and (d)(1)(B)(iii)(IV), and Tex. Water Code § 26.3475(a)

Violation Description Failed to the test line leak detectors at least once per year for performance and operational reliability. Failed to conduct measurement of any water level in the bottom of the tank to the nearest 1/8 inch at least once a month, and appropriate adjustments to the inventory records.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0%

Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1 72 Number of violation days

mark only one with an x	daily		Violation Base Penalty \$2,500
	weekly		
	monthly		
	quarterly	x	
	semiannual		
	annual		
	single event		

One quarterly event is recommended based on documentation of the violation during the November 18, 2008 investigation to the January 29, 2009 screening date.

Good Faith Efforts to Comply 25.0% Reduction \$625

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

Notes The Respondent came into compliance on December 4, 2008 prior to the NOE dated January 16, 2009.

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation Statutory Limit Test

Estimated EB Amount \$80 Violation Final Penalty Total \$2,055

This violation Final Assessed Penalty (adjusted for limits) \$2,055

## Economic Benefit Worksheet

**Respondent** MUNOR RAHMAN, INC. dba Super Star  
**Case ID No.** 37097  
**Reg. Ent. Reference No.** RN102795408  
**Media** Petroleum Storage Tank  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	\$100	18-Nov-2008	4-Dec-2008	0.04	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to conduct measurement of any water in the bottom of the tank. The date required is the investigation date and the final date is the date of compliance.

### Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$73	18-Nov-2007	1-Dec-2008	1.96	\$7	\$73	\$80
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The actual cost to conduct testing of the line leak detectors per receipt submitted by the Respondent. The date required is one year prior to the investigation date and the final date is the date of compliance.

Approx. Cost of Compliance

\$173

**TOTAL**

\$80

# Compliance History Report

Customer/Respondent/Owner-Operator:	CN601475973    MUNOR RAHMAN, INC.	Classification: AVERAGE	Rating: 3.00
Regulated Entity:	RN102795408    Super Star	Classification: AVERAGE	Site Rating: 3.00
ID Number(s):	PETROLEUM STORAGE TANK                      REGISTRATION		24028
Location:	420 S MAIN ST, VIDOR, TX, 77662		
TCEQ Region:	REGION 10 - BEAUMONT		
Date Compliance History Prepared:	January 21, 2009		
Agency Decision Requiring Compliance History:	Enforcement		
Compliance Period:	January 21, 2004 to January 21, 2009		
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History			
Name:	Mike Pace	Phone:	817-588-5933

## Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? Yes
3. If Yes, who is the current owner? MUNOR RAHMAN, INC.
4. If Yes, who was/were the prior owner(s)? Texas Transeastern, Inc.
5. When did the change(s) in ownership occur? 08/05/2000  
03/09/2004
6. Rating Date: 9/1/2008 Repeat Violator: NO

### 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	08/13/2004	(287723)
2	08/29/2006	(489721)
3	11/06/2006	(514287)
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
 

Date:	08/29/2006	(489721)	CN601475973
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 115, SubChapter C 115.245(2)		
Description:	Failure to verify proper operation of the Stage II equipment at least once every 12 months.		
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 115, SubChapter C 115.242(3)		
Description:	Failure to maintain the Stage II vapor recovery system in proper operating condition, as specified by the manufacturer and/or any applicable CARB Executive Order(s).		
Date:	11/06/2006	(514287)	CN601475973
Self Report?	NO		Classification: Moderate
Citation:	30 TAC Chapter 115, SubChapter C 115.242(3)		
Description:	Failure to maintain the Stage II vapor recovery system in proper operating		

condition, as specified by the manufacturer and/or any applicable CARB Executive Order(s).

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter C 115.242(3)(L)

Description: Failure to maintain the Stage II vapor recovery system in proper operating condition and free of defects that would impair the effectiveness of the system.

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  
MUNOR RAHMAN, INC. DBA  
SUPER STAR;  
RN102795408**

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**BEFORE THE  
TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

**AGREED ORDER  
DOCKET NO. 2009-0118-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 Munor Rahman, Inc. dba Super Star (“Munor Rahman”) under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, represented by the Litigation Division, and Munor Rahman, represented by William W. Thompson, III, of the law firm of Grissom & Thompson, L.L.P., appear before the Commission and together stipulate that:

1. Munor Rahman owns and operates a retail gasoline service station located at 420 South Main Street, Vidor, Orange County, Texas (the “Facility”). Munor Rahman’s two underground storage tanks (“USTs”) are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission. Munor Rahman’s USTs contain a regulated petroleum substance as defined in the rules of the Commission.
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 Munor Rahman agree that the Commission has jurisdiction to enter this Agreed Order, and that Munor Rahman is subject to the Commission's jurisdiction.
4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Munor Rahman of any violation alleged in Section II (“Allegations”), nor of any statute or rule.
5. An administrative penalty in the amount of two thousand fifty five dollars (\$2,055.00) is assessed by the Commission in settlement of the violations alleged in Section II

(“Allegations”). Munor Rahman paid two thousand fifty-five dollars (\$2,055.00) of the administrative penalty.

6. 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.
7. The Executive Director of the TCEQ and Munor Rahman agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
8. The Executive Director recognizes that Munor Rahman implemented the following corrective measures at the Facility in response to this enforcement action:
  - a. Successfully conducted the required annual testing of the line leak detectors for performance and operational reliability on December 1, 2008; and
  - b. Began conducting water level measurements in the bottom of each UST and making appropriate adjustments to inventory records on December 4, 2008.
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 Munor Rahman has not complied with one or more of the terms or conditions in 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**

1. During an investigation conducted on November 18, 2008, a TCEQ Beaumont Regional Office investigator documented that Munor Rahman violated 30 TEX. ADMIN CODE § 334.50(b)(2)(A)(i)(III) and 334.50(d)(1)(B)(iii)(IV) and TEX. WATER CODE § 26.3475(a) by failing to test the line leak detectors at least once per year for performance and operational reliability, and failing to conduct measurement of any water level in the bottom of the tank to the nearest 1/8 inch at least once a month and make appropriate adjustments to the inventory records.
2. Munor Rahman received notice of the violations on or about February 23, 2009.

### III. DENIALS

Munor Rahman generally denies each allegation in Section II (“Allegations”).

### IV. ORDERING PROVISIONS

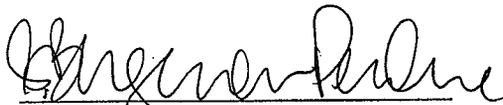
1. It is, therefore, ordered by the TCEQ that Munor Rahman pay an administrative penalty as set forth in Section I, Paragraph 5, above. The payment of this administrative penalty and Munor Rahman’s compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering or requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to “Texas Commission on Environmental Quality” and shall be sent with the notation “Re: Munor Rahman, Inc. dba Super Star, Docket No. 2009-0118-PST-E” to:  
  

Financial Administration Division, Revenues Section  
Attention: Cashier’s Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The provisions of this Agreed Order shall apply to and be binding upon Munor Rahman.
3. This Agreed Order, issued by the Commission, shall not be admissible against Munor Rahman 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.
4. 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.
5. 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 Agreed Order to Munor Rahman, or three days after the date on which the Commission mails notice of this Agreed Order to Munor Rahman, 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

3/10/2010  
\_\_\_\_\_  
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 Provisions, if any, in this order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on Munor Rahman's compliance history;
- Greater scrutiny of any permit applications submitted by Munor Rahman;
- 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 Munor Rahman;
- Automatic referral to the Attorney General's Office of any future enforcement actions against Munor Rahman; and
- TCEQ seeking other relief as authorized by law.

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

  
\_\_\_\_\_  
Signature

1/29/10  
\_\_\_\_\_  
Date

Abdul Rahman  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized representative of  
Munor Rahman, Inc. dba Super Star

President and Director  
\_\_\_\_\_  
Title