

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**

**DOCKET NO.:** 2009-1421-DCL-E **TCEQ ID:** RN103987848, RN103953642, RN103987954, RN103987889,

RN103953626 **CASE NO.:** 38332

**RESPONDENT NAME:** Y S H CORPORATION dba Reino Cleaners dba Park Cleaners dba Reino Cleaners dba Rochelle Cleaners dba Kim Cooper Cleaners

<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 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><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Reino Cleaners, 3109 South Carrier Parkway, Grand Prairie, Dallas County ("Facility 1"); Park Cleaners, 2510 East Arkansas Lane, Suite 104, Arlington, Tarrant County ("Facility 2"); Reino Cleaners, 3100 West Arkansas Lane, Suite U, Arlington, Tarrant County ("Facility 3"); Rochelle Cleaners, 2700 North O'Connor Road, Suite 140, Irving, Dallas County ("Facility 4"); Kim Cooper Cleaners, 5975 South Cooper Street, Suite 113, Arlington, Tarrant County ("Facility 5")</p> <p><b>TYPE OF OPERATION:</b> Dry cleaning and/or drop station facilities</p> <p><b>SMALL BUSINESS:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> There are no complaints. There is no record of additional pending enforcement actions regarding these facility locations.</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 March 22, 2010. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b>  <b>TCEQ Attorney/SEP Coordinator:</b> None  <b>TCEQ Enforcement Coordinator:</b> Ms. Danielle Porras, Enforcement Division, Enforcement Team 7, MC 128, (512) 239-2602; Ms. Laurie Eaves, Enforcement Division, MC 219, (512) 239-4495  <b>Respondent:</b> Mr. Woon Chung, Director, Y S H CORPORATION, 3109 South Carrier Parkway, Grand Prairie, Texas 75052  <b>Respondent's Attorney:</b> 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>  <input type="checkbox"/> Complaint  <input checked="" type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> None</p> <p><b>Date of Investigation Relating to this Case:</b> July 7, July 10, and July 17, 2009</p> <p><b>Date of NOV/NOE Relating to this Case:</b> July 20 and August 14, 2009 (NOB)</p> <p><b>Background Facts:</b> These were routine investigations.</p> <p><b>WASTE</b></p> <p>1) Failure to renew the registration for Facility 1 by completing and submitting the required registration form to the TCEQ. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p> <p>2) Failure to maintain weekly inspection logs of each secondary containment structure for Facility 1 to ensure that it has not been damaged [30 TEX. ADMIN. CODE § 337.20(e)(6)(B)].</p> <p>3) Failure to maintain documentation of the perchloroethylene purchases for Facility 1 [30 TEX. ADMIN. CODE § 337.72(1)].</p> <p>4) Failure to retain waste disposal records for Facility 1 [30 TEX. ADMIN. CODE § 337.72(2)].</p> <p>5) Failure to renew the registration for Facility 2 by completing and submitting the required registration form to the TCEQ. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation [30 TEX. ADMIN. CODE §</p>	<p><b>Total Assessed:</b> \$8,187</p> <p><b>Total Deferred:</b> \$1,635  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid (Due) to General Revenue:</b> \$252 (remaining \$6,300 due in 35 monthly payments of \$180 each)</p> <p>RN103987848, RN103987954, RN103987889, RN103953626</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input 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>RN103953642</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 Executive Director recognizes that the Respondent has implemented the following corrective measures:</p> <p>a. On September 3, 2009, the Respondent began retaining the invoices for the dry cleaning solvent purchases and the waste disposal records, as required for Facility 1; and</p> <p>b. The Respondent submitted the required registration forms and was issued current dry cleaner and/or drop station registrations for all Facilities on September 30, 2009.</p> <p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, begin conducting weekly inspections for each secondary containment structure at Facility 1 and maintain a log of the inspections; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision a.</p>

<p>337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p> <p>6) Failure to renew the registration for Facility 3 by completing and submitting the required registration form to the TCEQ. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p> <p>7) Failure to renew the registration for Facility 4 by completing and submitting the required registration form to the TCEQ. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p> <p>8) Failure to renew the registration for Facility 5 by completing and submitting the required registration form to the TCEQ. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation [30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH &amp; SAFETY CODE § 374.102].</p>		
---	--	--

Additional ID No(s): TXR000077099





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

<b>DATES</b>	Assigned	17-Aug-2009	Screening	7-Sep-2009	EPA Due	
	PCW	8-Oct-2009				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Y S H CORPORATION dba Reino Cleaners (Facility 1)
Reg. Ent. Ref. No.	RN103987848
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38332	No. of Violations	2
Docket No.	2009-1421-DCL-E	Order Type	1660
Media Program(s)	Dry Cleaner	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

<b>Penalty Calculation Section</b>	
<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b> \$1,000
<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>	
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>	
<b>Compliance History</b>	0.0% Enhancement <b>Subtotals 2, 3, &amp; 7</b> \$0
Notes	No enhancement for compliance history.
<b>Culpability</b>	No 0.0% Enhancement <b>Subtotal 4</b> \$0
Notes	The Respondent does not meet the culpability criteria.
<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b> \$50
<b>Economic Benefit</b>	0.0% Enhancement <b>Subtotal 6</b> \$0
Total EB Amounts	\$5
Approx. Cost of Compliance	\$200
	<small>*Capped at the Total EB \$ Amount</small>
<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b> \$950
<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0% <b>Adjustment</b> \$0
<small>Reduces or enhances the Final Subtotal by the indicated percentage.</small>	
Notes	
	<b>Final Penalty Amount</b> \$950
<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b> \$950
<b>DEFERRAL</b>	20.0% Reduction <b>Adjustment</b> -\$190
<small>Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)</small>	
Notes	Deferral offered for expedited settlement.
<b>PAYABLE PENALTY</b>	<b>\$760</b>

Screening Date 7-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Reino Cleaners (Facility 1)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103987848

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

### 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 submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No enhancement for compliance history.

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

<b>Screening Date</b> 7-Sep-2009	<b>Docket No.</b> 2009-1421-DCL-E	<b>PCW</b>		
<b>Respondent</b> Y S H CORPORATION dba Reino Cleaners (Facility 1)		<small>Policy Revision 2 (September 2002)</small>		
<b>Case ID No.</b> 38332		<small>PCW Revision October 30, 2008</small>		
<b>Reg. Ent. Reference No.</b> RN103987848				
<b>Media [Statute]</b> Dry Cleaner				
<b>Enf. Coordinator</b> Danielle Porras				
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Adm'n. Code § 337.20(e)(6)(B)			
<b>Violation Description</b>	Failed to maintain weekly inspection logs of each secondary containment structure at the Facility to ensure that it has not been damaged.			
<b>Base Penalty</b>		\$5,000		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Harm</b>			
	Release	Major	Moderate	Minor
	Actual			
	Potential			
			<b>Percent</b> 0%	
<b>&gt;&gt; Programmatic Matrix</b>				
			<b>Falsification</b>	
			Major	
			Moderate	
			Minor	
			x	
			<b>Percent</b> 10%	
<b>Matrix Notes</b>	100% of the rule requirement was not met.			
<b>Adjustment</b>			\$4,500	
			<b>\$500</b>	
<b>Violation Events</b>				
<b>Number of Violation Events</b>		1	<b>Number of violation days</b> 52	
<small>mark only one with an x</small>	daily			
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event		x	
			<b>Violation Base Penalty</b> \$500	
One single event is recommended.				
<b>Good Faith Efforts to Comply</b>		0.0% Reduction	<b>\$0</b>	
		<small>Before NOV</small>	<small>NOV to EDCRP/Settlement Offer</small>	
Extraordinary				
Ordinary				
N/A	x	(mark with x)		
<b>Notes</b>	The Respondent does not meet the good faith criteria for this violation.			
<b>Violation Subtotal</b>			\$500	
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b> \$4		<b>Violation Final Penalty Total</b> \$500		
<b>This violation Final Assessed Penalty (adjusted for limits)</b>			\$500	

## Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Reino Cleaners (Facility 1)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103987848  
**Media** Dry Cleaner  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	17-Jul-2009	6-May-2010	0.80	\$4	n/a	\$4
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 maintain inspection records. The Date Required is the investigation date, and the Final Date is the estimated 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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs:

Approx. Cost of Compliance	\$100	<b>TOTAL</b>	\$4
----------------------------	-------	--------------	-----

<b>Screening Date</b> 7-Sep-2009	<b>Docket No.</b> 2009-1421-DCL-E	<b>PCW</b>		
<b>Respondent</b> Y S H CORPORATION dba Reino Cleaners (Facility 1)		<small>Policy Revision 2 (September 2002)</small>		
<b>Case ID No.</b> 38332		<small>PCW Revision October 30, 2009</small>		
<b>Reg. Ent. Reference No.</b> RN103987848				
<b>Media [Statute]</b> Dry Cleaner				
<b>Enf. Coordinator</b> Danielle Porras				
<b>Violation Number</b>	<input type="text" value="2"/>			
<b>Rule Cite(s)</b>	<input type="text" value="30 Tex. Admn. Code § 337.72(1) and (2)"/>			
<b>Violation Description</b>	<input type="text" value="Failed to maintain documentation of the perchloroethylene purchases and documentation of the hazardous waste disposal at the Facility."/>			
<b>Base Penalty</b>		<input type="text" value="\$5,000"/>		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Harm</b>			
	Release	Major	Moderate	Minor
	Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="0%"/>	
<b>&gt;&gt; Programmatic Matrix</b>				
	Falsification	Major	Moderate	Minor
	<input type="text"/>	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="text"/>
		<b>Percent</b>	<input type="text" value="10%"/>	
<b>Matrix Notes</b>	<input type="text" value="100% of the rule requirement was not met."/>			
<b>Adjustment</b>		<input type="text" value="\$4,500"/>		
		<input type="text" value="\$500"/>		
<b>Violation Events</b>				
<b>Number of Violation Events</b>		<input type="text" value="1"/>	<b>Number of violation days</b>	
		<input type="text" value="52"/>		
<small>mark only one with an x</small>	daily	<input type="text"/>		
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input checked="" type="checkbox"/>		
		<b>Violation Base Penalty</b>	<input type="text" value="\$500"/>	
		<input type="text" value="One single event is recommended."/>		
<b>Good Faith Efforts to Comply</b>		<input type="text" value="10.0%"/>	<b>Reduction</b>	
		<small>Before NOV    NOV to EDPRP/Settlement Offer</small>		
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input type="text"/>	<input checked="" type="checkbox"/>		
N/A	<input type="text"/>	<small>(mark with x)</small>		
<b>Notes</b>	<input type="text" value="The Respondent came into compliance on September 3, 2009 after the NOE dated August 14, 2009."/>			
<b>Violation Subtotal</b>		<input type="text" value="\$450"/>		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b>		<input type="text" value="\$1"/>	<b>Violation Final Penalty Total</b>	
		<input type="text" value="\$450"/>		
		<b>This violation Final Assessed Penalty (adjusted for limits)</b>		
		<input type="text" value="\$450"/>		

## Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Reino Cleaners (Facility 1)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103987848  
**Media** Dry Cleaner  
**Violation No.** 2

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

**Delayed Costs**

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	17-Jul-2009	3-Sep-2009	0.13	\$1	n/a	\$1
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 retain invoices of dry cleaning solvent purchases and waste disposal records. The Date Required is the investigation date and the Final Date is the date of compliance.

**Avoided Costs**

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

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

**Notes for AVOIDED costs**

<b>Approx. Cost of Compliance</b>	\$100	<b>TOTAL</b>	\$1
-----------------------------------	-------	--------------	-----

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603512054 Y S H CORPORATION Classification: Average Rating: 40.00  
Regulated Entity: RN103987848 REINO CLEANERS Classification: Site Rating:  
ID Number(s): DRY CLEANERS REGISTRATION INTERNAL 103987848  
Location: 3109 S CARRIER PKWY, GRAND PRAIRIE, TX, 75052  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: September 24, 2009  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: September 24, 2004 to September 24, 2009  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Danielle Porras Phone: (512) 239-2602

## 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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 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 08/14/2009 (764600)
  - 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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

<b>DATES</b>	Assigned	17-Aug-2009	Screening	7-Sep-2009	EPA Due	
	PCW	12-Nov-2009				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Y S H CORPORATION dba Reino Cleaners (Facility 1)		
Reg. Ent. Ref. No.	RN103987848		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38332	No. of Violations	1
Docket No.	2009-1421-DCL-E	Order Type	1660
Media Program(s)	Dry Cleaner	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50
		EC's Team	Enforcement Team 7

<b>Penalty Calculation Section</b>			
<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>		<b>Subtotal 1</b>	<b>\$1,365</b>
<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>			
<small>Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.</small>			
<b>Compliance History</b>	0.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	<b>\$0</b>
Notes	No enhancement for compliance history.		
<b>Culpability</b>	No 0.0% Enhancement	<b>Subtotal 4</b>	<b>\$0</b>
Notes	The Respondent does not meet the culpability criteria.		
<b>Good Faith Effort to Comply Total Adjustments</b>		<b>Subtotal 5</b>	<b>\$136</b>
<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	<b>\$0</b>
Total EB Amounts	\$9	<small>*Capped at the Total EB \$ Amount</small>	
Approx. Cost of Compliance	\$250		
<b>SUM OF SUBTOTALS 1-7</b>		<b>Final Subtotal</b>	<b>\$1,229</b>
<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	<b>\$0</b>
<small>Reduces or enhances the Final Subtotal by the indicated percentage.</small>			
Notes			
		<b>Final Penalty Amount</b>	<b>\$1,229</b>
<b>STATUTORY LIMIT ADJUSTMENT</b>		<b>Final Assessed Penalty</b>	<b>\$1,229</b>
<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	<b>-\$245</b>
<small>Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only, e.g. 20 for 20% reduction.)</small>			
Notes	Deferral offered for expedited settlement.		
<b>PAYABLE PENALTY</b>			<b>\$984</b>

Screening Date 7-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Reino Cleaners (Facility 1)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103987848

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

### Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 0%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

No enhancement for compliance history.

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

<b>Screening Date</b> 7-Sep-2009	<b>Docket No.</b> 2009-1421-DCL-E	<b>PCW</b>		
<b>Respondent</b> Y S H CORPORATION dba Reino Cleaners (Facility 1)		<small>Policy Revision 2 (September 2002)</small>		
<b>Case ID No.</b> 38332		<small>PCW Revision October 30, 2008</small>		
<b>Reg. Ent. Reference No.</b> RN103987848				
<b>Media [Statute]</b> Dry Cleaner				
<b>Enf. Coordinator</b> Danielle Porras				
<b>Violation Number</b>	1			
<b>Rule Cite(s)</b>	30 Tex. Admn. Code § 337.11(e); Tex. Health & Safety Code § 374.102			
<b>Violation Description</b>	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. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.			
<b>Base Penalty</b>		\$50		
<b>&gt;&gt; Environmental, Property and Human Health Matrix</b>				
<b>OR</b>	<b>Harm</b>			
	<b>Release</b>	Major	Moderate	Minor
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<b>Percent</b> <input type="text" value="0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	
<b>&gt;&gt; Programmatic Matrix</b>				
			<b>Falsification</b>	
			Major	
			Moderate	
			Minor	
			<input type="text" value="x"/>	
			<b>Percent</b> <input type="text" value="10%"/>	
<b>Matrix Notes</b>	100% of the rule requirement was not met.			
<b>Adjustment</b>		\$45		
		\$5		
<b>Violation Events</b>				
<b>Number of Violation Events</b>		<input type="text" value="273"/>	<b>Number of violation days</b>	
		<input type="text" value="273"/>		
<small>mark only one with an x</small>	daily	<input type="text" value="x"/>	<b>Violation Base Penalty</b> <input type="text" value="\$1,365"/>	
	weekly	<input type="text"/>		
	monthly	<input type="text"/>		
	quarterly	<input type="text"/>		
	semiannual	<input type="text"/>		
	annual	<input type="text"/>		
	single event	<input type="text"/>		
Two Hundred Seventy-Three daily events are recommended from the December 31, 2008 expiration date to the September 30, 2009 compliance date.				
<b>Good Faith Efforts to Comply</b>		<input type="text" value="10.0%"/>	<b>Reduction</b> <input type="text" value="\$136"/>	
		<small>Before NOV</small>	<small>NOV to EDRP/Settlement Offer</small>	
Extraordinary	<input type="text"/>	<input type="text"/>		
Ordinary	<input type="text"/>	<input type="text" value="x"/>		
N/A	<input type="text"/>	<small>(mark with x)</small>		
<b>Notes</b>	The Respondent came into compliance on September 30, 2009, after the NOE dated August 14, 2009.			
<b>Violation Subtotal</b>		\$1,229		
<b>Economic Benefit (EB) for this violation</b>		<b>Statutory Limit Test</b>		
<b>Estimated EB Amount</b> <input type="text" value="\$9"/>		<b>Violation Final Penalty Total</b> <input type="text" value="\$1,229"/>		
		<b>This violation Final Assessed Penalty (adjusted for limits)</b> <input type="text" value="\$1,229"/>		

## Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Reino Cleaners (Facility 1)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103987848  
**Media** Dry Cleaner  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

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

**Delayed Costs**

Equipment			0.00	\$0	\$0	\$0	
Buildings			0.00	\$0	\$0	\$0	
Other (as needed)			0.00	\$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	\$250	31-Dec-2008	30-Sep-2009	0.75	\$9	n/a	\$9
Other (as needed)			0.00	\$0	n/a	\$0	

Notes for DELAYED costs

The estimated cost to register a dry cleaning or drop facility annually. The Date Required is the expiration date of the previous registration 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]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

**TOTAL**

\$9

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603512054 Y S H CORPORATION Classification: Average Rating: 40.00  
Regulated Entity: RN103987848 REINO CLEANERS Classification: Site Rating:  
ID Number(s): DRY CLEANERS REGISTRATION INTERNAL 103987848  
Location: 3109 S CARRIER PKWY, GRAND PRAIRIE, TX, 75052  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: September 24, 2009  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: September 24, 2004 to September 24, 2009  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Danielle Porras Phone: (512) 239-2602

## 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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 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 08/14/2009 (764800)
  - 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





# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	8-Sep-2009	Screening	17-Sep-2009	EPA Due	
	PCW	12-Nov-2009				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Y S H CORPORATION dba Park Cleaners (Facility 2)		
Reg. Ent. Ref. No.	RN103953642		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38332	No. of Violations	1
Docket No.	2009-1421-DCL-E	Order Type	1660
Media Program(s)	Dry Cleaner	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
Admin. Penalty \$	Limit Minimum \$0	Maximum	\$50
		EC's Team	Enforcement Team 7

## 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**  Enhancement **Subtotals 2, 3, & 7**

Notes:

**Culpability**   Enhancement **Subtotal 4**

Notes:

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5**

**Economic Benefit**  Enhancement **Subtotal 6**

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

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

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  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: 17-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Park Cleaners (Facility 2)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103953642

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

### 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)	1	20%
	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 submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 20%

>> 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 due to one 1660 Agreed Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 17-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Park Cleaners (Facility 2)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103953642

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 337.11(a); Tex. Health & Safety Code § 374.102

Violation Description

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. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.

Base Penalty \$50

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Harm			Percent
	Major	Moderate	Minor	
	X			10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$45

\$5

Violation Events

Number of Violation Events 273 Number of violation days 273

daily	X
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$1,365

Two Hundred Seventy-Three daily events are recommended from the December 31, 2008 expiration date to the September 30, 2009 compliance date.

Good Faith Efforts to Comply

10.0% Reduction

\$136

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

Notes

The Respondent came into compliance on September 30, 2009, after the NOE dated July 20, 2009.

Violation Subtotal \$1,229

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$1,502

This violation Final Assessed Penalty (adjusted for limits) \$1,502

# Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Park Cleaners (Facility 2)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103953842  
**Media** Dry Cleaner  
**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)				0.00	\$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	\$250	31-Dec-2008	30-Sep-2009	0.75	\$9	n/a	\$9
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to register a dry cleaning or drop facility annually. The Date Required is the expiration 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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

TOTAL

\$9

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603512054 Y S H CORPORATION Classification:Average Rating:40.00  
Regulated Entity: RN103953642 PARK CLEANERS Classification:Average Site Rating:40.00  
ID Number(s): DRY CLEANERS REGISTRATION INTERNAL 103953642  
INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXR000077099  
GENERATION  
Location: 2510 E ARKANSAS LN STE 104, ARLINGTON, TX, 76014  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: September 17, 2009  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: September 17, 2004 to September 17, 2009  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Danielle Porras Phone: (512) 239-2602

## 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/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator? Y S H CORPORATION  
Namma Corporation
4. If Yes, who was/were the prior owner(s)/operator(s) ? Yun Hyung Kim
5. When did the change(s) in owner or operator occur? 08/31/2005
6. Rating Date: 9/1/2009 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.  
Effective Date: 11/18/2006 ADMINORDER 2006-0715-DCL-E  
Classification: Major  
Citation: 30 TAC Chapter 337, SubChapter B 337.11(e)  
TEXAS HEALTH AND SAFETY CODE 374.102(a)  
Description: Failed to renew its registration by completing and submitting the required registration form to the TCEQ for the facility
- 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 06/06/2006 (481061)  
2 09/03/2009 (761320)
- 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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	Assigned	8-Sep-2009	Screening	17-Sep-2009	EPA Due	
	PCW	12-Nov-2009				

<b>RESPONDENT/FACILITY INFORMATION</b>	
Respondent	Y S H CORPORATION dba Reino Cleaners (Facility 3)
Reg. Ent. Ref. No.	RN103987954
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38332	No. of Violations	1
Docket No.	2009-1421-DCL-E	Order Type	1660
Media Program(s)	Dry Cleaner	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
		EC's Team	Enforcement Team 7
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**  Enhancement **Subtotals 2, 3, & 7**

Notes

**Culpability**   Enhancement **Subtotal 4**

Notes

**Good Faith Effort to Comply Total Adjustments** **Subtotal 5**

**Economic Benefit**  Enhancement **Subtotal 6**

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

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

**OTHER FACTORS AS JUSTICE MAY REQUIRE**  **Adjustment**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

**Final Penalty Amount**

**STATUTORY LIMIT ADJUSTMENT** **Final Assessed Penalty**

**DEFERRAL**  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 17-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Reino Cleaners (Facility 3)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103987954

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

### 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)	1	20%
	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 submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

N/A

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 due to one 1660 Agreed Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 17-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Reino Cleaners (Facility 3)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103987954

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 337.11(e); Tex. Health & Safety Code § 374.102

Violation Description

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. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.

Base Penalty \$50

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$45

\$5

Violation Events

Number of Violation Events 273

273 Number of violation days

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$1,365

Two Hundred Seventy-Three daily events are recommended from the December 31, 2008 expiration date to the September 30, 2009 compliance date.

Good Faith Efforts to Comply

10.0% Reduction

\$136

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

Notes

The Respondent came into compliance on September 30, 2009, after the NOE dated July 20, 2009.

Violation Subtotal \$1,229

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$1,502

This violation Final Assessed Penalty (adjusted for limits) \$1,502

## Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Reino Cleaners (Facility 3)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103987954  
**Media** Dry Cleaner  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
------------------	-----------	---------------	------------	-----	----------------	---------------	-----------

No commas or \$

**Delayed Costs**

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$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	\$250	31-Dec-2008	30-Sep-2009	0.75	\$9	n/a	\$9
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to register a dry cleaning or drop facility annually. The Date Required is the expiration 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)**

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

**TOTAL**

\$9

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603512054 Y S H CORPORATION Classification: AVERAGE Rating: 40.00  
Regulated Entity: RN103987954 REINO CLEANERS Classification: Site Rating:  
ID Number(s): DRY CLEANERS REGISTRATION INTERNAL 103987954  
Location: 3100 W ARKANSAS LN STE U, ARLINGTON, TX, 76016  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: September 17, 2009  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: September 17, 2004 to September 17, 2009  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Danielle Porras Phone: (512) 239-2602

## 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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 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.  
Effective Date: 11/18/2006 ADMINORDER 2006-0715-DCL-E  
Classification: Major  
Citation: 30 TAC Chapter 337, SubChapter B 337.11(e)  
TEXAS HEALTH AND SAFETY CODE 374.102(a)  
Description: Failed to renew its registration by completing and submitting the required registration form to the TCEQ for Facility 2
- 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 06/15/2006 (482622)  
2 09/03/2009 (761318)
- 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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

DATES	Assigned	14-Sep-2009	Screening	23-Sep-2009	EPA Due	
	PCW	12-Nov-2009				

<b>RESPONDENT/FACILITY INFORMATION</b>			
Respondent	Y S H CORPORATION dba Rochelle Cleaners (Facility 4)		
Reg. Ent. Ref. No.	RN103987889		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

<b>CASE INFORMATION</b>			
Enf./Case ID No.	38332	No. of Violations	1
Docket No.	2009-1421-DCL-E	Order Type	1660
Media Program(s)	Dry Cleaner	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danielle Porras
		EC's Team	Enforcement Team 7
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$50

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$1,365
---	-------------------	---------

### 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>	20.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$273
---------------------------	-------------------	--------------------------------	-------

Notes: Enhancement due to one 1660 Agreed Order with a denial of liability.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
--------------------	----	------------------	-------------------	-----

Notes: The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$136
--	-------------------	-------

<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
-------------------------	-------------------	-------------------	-----

Total EB Amounts	\$9
Approx. Cost of Compliance	\$250

\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$1,502
-----------------------------	-----------------------	---------

<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
---	------	-------------------	-----

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

**Final Penalty Amount** \$1,502

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$1,502
-----------------------------------	-------------------------------	---------

<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$300
-----------------	-----------------	-------------------	--------

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

Notes:

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$1,202
------------------------	---------

Screening Date 23-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Rochelle Cleaners (Facility 4

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103987889

Media [Statute]: Dry Cleaner

Enf. Coordinator Danielle Porras

### 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)	1	20%
	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 submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

N/A

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 due to one 1660 Agreed Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date: 23-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent: Y S H CORPORATION dba Rochellé Cleaners (Facility 4)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103987889

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 337.11(e); Tex. Health & Safety Code § 374.102

Violation Description

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. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.

Base Penalty \$50

>> Environmental, Property and Human Health Matrix

OR

Release	Harm			Percent
	Major	Moderate	Minor	
Actual				0%
Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
	X			10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$45

\$5

Violation Events

Number of Violation Events 273 Number of violation days 273

daily	X
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$1,385

Two Hundred Seventy-Three daily events are recommended from the December 31, 2008 expiration date to the September 30, 2009 compliance date.

Good Faith Efforts to Comply

10.0% Reduction

\$138

Before NOV NOV to EOPRP/Settlement Offer

Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes

The Respondent came into compliance on September 30, 2009, after the NOE dated July 20, 2009.

Violation Subtotal \$1,229

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$1,502

This violation Final Assessed Penalty (adjusted for limits) \$1,502

# Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Rochelle Cleaners (Facility 4)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103987889  
**Media** Dry Cleaner  
**Violation No.** 1

<b>Percent Interest</b>	<b>Years of Depreciation</b>
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)				0.00	\$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	\$250	31-Dec-2008	30-Sep-2009	0.75	\$9	n/a	\$9
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to register a dry cleaning or drop facility annually. The Date Required is the expiration 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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

**TOTAL**

\$9

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603512054 Y S H CORPORATION Classification: Average Rating: 40.00  
Regulated Entity: RN103987889 ROCHELLE CLEANERS Classification: Site Rating:  
ID Number(s): DRY CLEANERS REGISTRATION INTERNAL 103987889  
Location: 2700 N O CONNOR RD STE 140, IRVING, TX, 75062  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: September 21, 2009  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: September 21, 2004 to September 21, 2009  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Danielle Porras Phone: (512) 239-2602

## 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/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s) ? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2009 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.  
Effective Date: 11/18/2006 ADMINORDER 2006-0715-DCL-E  
Classification: Major  
Citation: 30 TAC Chapter 337, SubChapter B 337.11(e)  
TEXAS HEALTH AND SAFETY CODE 374.102(e)  
Description: Failed to renew it's registration by completing and submitting the required registration form to the TCEQ for the Facility
- 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 07/11/2006 (485699)  
2 09/10/2009 (761323)
- 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



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

**TCEQ**

DATES	Assigned	14-Sep-2009	Screening	23-Sep-2009	EPA Due	
	PCW	12-Nov-2009				

## RESPONDENT/FACILITY INFORMATION

Respondent	Y S H CORPORATION dba Kim Cooper Cleaners (Facility 5)		
Reg. Ent. Ref. No.	RN103953626		
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor

## CASE INFORMATION

Enf./Case ID No.	38332	No. of Violations	1
Docket No.	2009-1421-DCL-E	Order Type	1660
Media Program(s)	Dry Cleaner	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Danille Porras
Admin. Penalty \$	Limit Minimum \$0	Maximum	\$50
		EC's Team	Enforcement Team 7

## Penalty Calculation Section

**TOTAL BASE PENALTY (Sum of violation base penalties)** *Subtotal 1* **\$1,365**

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

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

**Compliance History** **20.0%** Enhancement *Subtotals 2, 3, & 7* **\$273**

Notes: Enhancement due to one 1660 Agreed Order with a denial of liability.

**Culpability** **No** **0.0%** Enhancement *Subtotal 4* **\$0**

Notes: The Respondent does not meet the culpability criteria.

**Good Faith Effort to Comply Total Adjustments** *Subtotal 5* **\$136**

**Economic Benefit** **0.0%** Enhancement *Subtotal 6* **\$0**

Total EB Amounts \$9  
 Approx. Cost of Compliance \$250  
 \*Capped at the Total EB \$ Amount

**SUM OF SUBTOTALS 1-7** *Final Subtotal* **\$1,502**

**OTHER FACTORS AS JUSTICE MAY REQUIRE** **0.0%** *Adjustment* **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

*Final Penalty Amount* **\$1,502**

**STATUTORY LIMIT ADJUSTMENT** *Final Assessed Penalty* **\$1,502**

**DEFERRAL** **20.0%** Reduction *Adjustment* **-\$300**

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** **\$1,202**

Screening Date 23-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Kim Cooper Cleaners (Facili

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103953626

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

### 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)	1	20%
	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 submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%

Please Enter Yes or No

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

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

N/A

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 due to one 1660 Agreed Order with a denial of liability.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 20%

Screening Date 23-Sep-2009

Docket No. 2009-1421-DCL-E

PCW

Respondent Y S H CORPORATION dba Kim Cooper Cleaners (Facility 5)

Policy Revision 2 (September 2002)

Case ID No. 38332

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN103953626

Media [Statute] Dry Cleaner

Enf. Coordinator Danielle Porras

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 337.11(e); Tex. Health & Safety Code § 374.102

Violation Description

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. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.

Base Penalty \$50

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$45

\$5

Violation Events

Number of Violation Events 273

273 Number of violation days

daily	x
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	

mark only one with an x

Violation Base Penalty \$1,365

Two Hundred Seventy-Three daily events are recommended from the December 31, 2008 expiration date to the September 30, 2009 compliance date.

Good Faith Efforts to Comply

10.0% Reduction

\$136

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

Notes

The Respondent came into compliance on September 30, 2009, after the NOV dated July 20, 2009.

Violation Subtotal \$1,229

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$9

Violation Final Penalty Total \$1,502

This violation Final Assessed Penalty (adjusted for limits) \$1,502

## Economic Benefit Worksheet

**Respondent** Y S H CORPORATION dba Kim Cooper Cleaners (Facility 5)  
**Case ID No.** 38332  
**Reg. Ent. Reference No.** RN103953626  
**Media** Dry Cleaner  
**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)				0.00	\$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	\$250	31-Dec-2008	30-Sep-2009	0.75	\$9	n/a	\$9
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to register a dry cleaning or drop facility annually. The Date Required is the expiration 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]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$250

**TOTAL**

\$9

# Compliance History Report

Customer/Respondent/Owner-Operator: CN603512054 Y S H CORPORATION Classification: Average Rating: 40.00  
Regulated Entity: RN103953626 KIM COOPER CLEANERS Classification: Site Rating:  
ID Number(s): DRY CLEANERS REGISTRATION INTERNAL 103953626  
Location: 5975 S COOPER ST STE 113, ARLINGTON, TX, 76017  
TCEQ Region: REGION 04 - DFW METROPLEX  
Date Compliance History Prepared: September 21, 2009  
Agency Decision Requiring Compliance History: Enforcement  
Compliance Period: September 24, 2004 to September 21, 2009  
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History  
Name: Danielle Porras Phone: (512) 239-2602

## 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/operator of the site during the compliance period? Yes
3. If Yes, who is the current owner/operator? YSH CORPORATION  
Namma Corporation
4. If Yes, who was/were the prior owner(s)/operator(s)? Yun Hyung Kim
5. When did the change(s) in owner or operator occur? 08/31/2005
6. Rating Date: 9/1/2009 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.  
Effective Date: 11/18/2006 ADMINORDER 2006-0715-DCL-E  
Classification: Major  
Citation: 30 TAC Chapter 337, SubChapter B 337.11(e)  
TEXAS HEALTH AND SAFETY CODE 374.102(a)  
Description: Failed to renew its registration by completing and submitting the required registration form to the TCEQ for Facility 4
- 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 06/15/2006 (482676)  
2 09/09/2009 (761321)
- 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	§	BEFORE THE
CONCERNING	§	
Y S H CORPORATION DBA REINO	§	
CLEANERS DBA PARK CLEANERS	§	
DBA REINO CLEANERS DBA	§	TEXAS COMMISSION ON
ROCHELLE CLEANERS DBA KIM	§	
COOPER CLEANERS	§	
RN103987848, RN103953642,	§	
RN103987954, RN103987889, AND	§	
RN103953626	§	ENVIRONMENTAL QUALITY

AGREED ORDER  
DOCKET NO. 2009-1421-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 Y S H CORPORATION dba Reino Cleaners dba Park Cleaners dba Reino Cleaners dba Rochelle Cleaners dba Kim Cooper Cleaners ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 374 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates dry cleaning and/or drop station facilities (collectively referred to as "Facilities") at the following locations:
  - a. Reino Cleaners, 3109 South Carrier Parkway, Grand Prairie, Dallas County, Texas ("Facility 1");
  - b. Park Cleaners, 2510 East Arkansas Lane, Suite 104, Arlington, Tarrant County, Texas ("Facility 2");
  - c. Reino Cleaners, 3100 West Arkansas Lane, Suite U, Arlington, Tarrant County, Texas ("Facility 3");

- d. Rochelle Cleaners, 2700 North O'Connor Road, Suite 140, Irving, Dallas County, Texas ("Facility 4"); and
  - e. Kim Cooper Cleaners, 5975 South Cooper Street, Suite 113, Arlington, Tarrant County, Texas ("Facility 5").
2. The TCEQ has general authority concerning the Facilities pursuant to TEX. HEALTH & SAFETY CODE § 374.051.
  3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
  4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 25, 2009 and August 19, 2009.
  5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 
6. An administrative penalty in the amount of Eight Thousand One Hundred Eighty-Seven Dollars (\$8,187) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Two Hundred Fifty-Two Dollars (\$252) of the administrative penalty and One Thousand Six Hundred Thirty-Five Dollars (\$1,635) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Six Thousand Three Hundred Dollars (\$6,300) of the administrative penalty shall be payable in 35 monthly payments of One Hundred Eighty Dollars (\$180) 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 the Respondent 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 the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent 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 the Respondent 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 the Respondent has implemented the following corrective measures:

- a. On September 3, 2009, the Respondent began retaining the invoices for the dry cleaning solvent purchases and the waste disposal records, as required for Facility 1; and
  - b. The Respondent submitted the required registration forms and was issued current dry cleaner and/or drop station registrations for all Facilities on September 30, 2009.
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 the Respondent 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, the Respondent is alleged to have:

1. Failed to renew the registration for Facility 1 by completing and submitting the required registration form to the TCEQ, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on July 17, 2009. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.
2. Failed to maintain weekly inspection logs of each secondary containment structure for Facility 1 to ensure that it has not been damaged, in violation of 30 TEX. ADMIN. CODE § 337.20(e)(6)(B), as documented during an investigation conducted on July 17, 2009.
3. Failed to maintain documentation of the perchloroethylene purchases for Facility 1, in violation of 30 TEX. ADMIN. CODE § 337.72(1), as documented during an investigation conducted on July 17, 2009.
4. Failed to retain waste disposal records for Facility 1, in violation of 30 TEX. ADMIN. CODE § 337.72(2), as documented during an investigation conducted on July 17, 2009.
5. Failed to renew the registration for Facility 2 by completing and submitting the required registration form to the TCEQ, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on July 10, 2009. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.
6. Failed to renew the registration for Facility 3 by completing and submitting the required registration form to the TCEQ, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX.

HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on July 7, 2009. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.

7. Failed to renew the registration for Facility 4 by completing and submitting the required registration form to the TCEQ, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on July 7, 2009. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.
8. Failed to renew the registration for Facility 5 by completing and submitting the required registration form to the TCEQ, in violation of 30 TEX. ADMIN. CODE § 337.11(e) and TEX. HEALTH & SAFETY CODE § 374.102, as documented during an investigation conducted on July 7, 2009. Specifically, the previous registration expired on December 31, 2008 and was not renewed at the time of the investigation.

### III. DENIALS

---

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

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent'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: Y S H CORPORATION dba Reino Cleaners dba Park Cleaners dba Reino Cleaners dba Rochelle Cleaners dba Kim Cooper Cleaners, Docket No. 2009-1421-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 the Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, begin conducting weekly inspections for each secondary containment structure at Facility 1 and maintain a log of the inspections, in accordance with 30 TEX. ADMIN. CODE § 337.20; and
  - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines 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  
Dallas/Fort Worth Regional Office  
Texas Commission on Environmental Quality  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent 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 the Respondent 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, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent 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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent 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 the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this

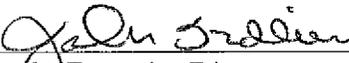
Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

7. This 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 under this Agreed Order.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, 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

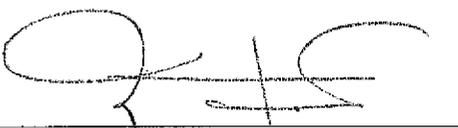
3/30/2010  
Date

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 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 failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

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

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

  
\_\_\_\_\_  
Signature

Jan. 20 - 2010  
Date

Woon Chung  
Name (Printed or typed)  
Authorized Representative of

Owner  
Title

Y S H Corporation dba Reino Cleaners dba Park Cleaners dba Reino Cleaners dba Rochelle Cleaners dba Kim Cooper Cleaners

**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.

