

**FIELD CITATION ON THE 4/6/11 COMMISSIONER'S AGENDA**

<b>April 6, 2011 Agenda</b>	<b>Mailing Address</b>
<b>Item # 2011-0064-WQ-E RN106000078 FC #11359</b>	<b>Mr. Ed Behnke, Vice President Carleton Construction, LTD 5485 Beltline Road, Suite 300 Dallas, Texas 75254</b>
<b>Item # 2011-0042-WOC-E RN104953674 FC #11278</b>	<b>Mr. Larry Gray, Owner/Operator P.O. Box 1655 Vidor, Texas 77670</b>
<b>Item # 2011-0040-WOC-E RN105968192 FC #10802</b>	<b>Mr. Lorenzo E. Mata, Operator P.O. Box 57 Mirando, Texas 78369</b>
<b>Item # 2011-0011-WOC-E RN106021819 FC #11264</b>	<b>Mr. Charley McKelvain 215 W. Elm Street Alvord, Texas 76225-5320</b>
<b>Item # 2011-0041-WOC-E RN106022940 FC #10261</b>	<b>Mr. Dexter Monroe, Owner 214 S. Wollard Athens, Texas 75751</b>
<b>Item # 2011-0018-WQ-E RN106044647</b>	<b>Mr. Doug Tanke, Superintendent Ryan Companies US, Inc. 1915 Benchmark Street Amarillo, Texas 79108</b>  <b>Mr. Robert Goodpaster, Vice President Ryan Companies US, Inc. 1915 Benchmark Street Amarillo, Texas 79108</b>

# Texas Commission on Environmental Quality

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## INTEROFFICE MEMORANDUM

**To:** Office of General Counsel

**Date:** January 18, 2011

**From:** Enforcement Division

**Subject:** Field Citation Compliance Certification  
Ryan Companies US, Inc.  
(Construction Site)  
Docket No. 2011-0018-WQ-E, RN106044647

Regarding the enforcement action listed above, the penalties have been paid and corrective actions have been verified complete by the Field Operations Division.

If there are any questions, please contact Laurie Eaves at (512) 239-4495.



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FIELD CITATION

Field Citation No.

10017

REGION 1Investigation Date: 10/08/2010  
Investigator Name: JOHN FORDTime: 1:45  AM  PM  
Investigator Signature: John FordDocket No.: 2011-0018-WQ-E  
Investigation No.: 869973

Responsible Party (RP): <u>RYAN Companies US INC</u>	CN No. <u>602578288</u>
Regulated Entity: <u>ALSTON ASSEMBLY</u>	RN No. <u>RN104054549(Genove)</u>
Physical Address: <u>1915 BENCHWALK ST AMARILLO TX 79108</u> County: <u>POTTER</u>	Additional ID No. <u>TXR156208</u>

An investigation was conducted at the regulated entity named above. The following violation(s), with a checked box and assessed penalty, are alleged against the responsible party named above:

ALLEGED VIOLATION	Rules Cited TEX. ADMIN. CODE (TAC)	ASSESSED PENALTY	
		MAJOR	MINOR
Failure, by an installer, to ensure that an authorization to construct has been issued prior to beginning construction of an On-site Sewage Facility (OSSF)	30 TAC §283.61(4)	<input type="checkbox"/>	<input type="checkbox"/> \$ 175
Purchasing the dry cleaning solvent perchloroethylene with a non-perchloroethylene registration	30 TAC §337.4 (f)	<input type="checkbox"/>	<input type="checkbox"/> \$ 875
Distributing or selling dry cleaning solvent perchloroethylene without proper registration	30 TAC §337.12(a)(1)	<input type="checkbox"/>	<input type="checkbox"/> \$ 875
Failure to obtain a valid, current Dry Cleaning Facility Registration	30 TAC §337.10(a)(1) or 30 TAC §337.11(e)	<input type="checkbox"/>	<input type="checkbox"/> \$ 100 (≤ 30 days overdue) <input type="checkbox"/> # days ___ x \$4 = \$ ___
Impounding, diverting, or using state water without a required permit	TEX. WATER CODE §11.081 TEX. WATER CODE §11.121	<input type="checkbox"/>	<input type="checkbox"/> \$ 875 <input type="checkbox"/> \$ 350
Failure to obtain a Construction General Permit (stormwater)	30 TAC §281.25(a)(4)	<input type="checkbox"/>	<input checked="" type="checkbox"/> \$ 700
Failure to obtain a Multi-Sector General Permit (stormwater)	30 TAC §281.25(a)(4)	<input type="checkbox"/>	<input type="checkbox"/> \$ 700
Failure to obtain a required occupational license (Program: _____)	30 TAC §30.5 (a)	<input type="checkbox"/>	<input type="checkbox"/> \$ 210
Investigator Comments: (including corrective action), <u>FAILURE TO OBTAIN PERMIT COVERAGE UNDER TXG150000 THE FACILITY MUST SUBMIT NOI FOR PERMIT COVERAGE</u>		TOTAL ASSESSED PENALTY: \$ <u>700<sup>00</sup></u>	

IF YOU CHOOSE TO SETTLE the alleged violation(s) within **30 days** from the investigation date noted above, please submit this form with the Authorized Representative's original signature **AND** check or money order for the total assessed penalty to the address below. Please include the Field Citation No. on your payment method.

Financial Administration Division, MC 214  
Texas Commission on Environmental Quality  
PO Box 13088  
Austin, Texas 78711-3088

Certification of **completed corrective action** for each alleged violation must be submitted to the TCEQ region address circled on the back of this form within **45 days** from the investigation date. Your signature below and penalty payment within 30 days from the investigation date indicates that you will correct the alleged violation(s). Failure to provide documentation of completed corrective action within 45 days may result in additional penalties.

The RP named above generally denies the alleged violation(s) with an assessed penalty above. Payment of the penalty is made only in the interest of settlement.

As an Authorized Representative, I understand that by signing this citation and agreeing to pay the administrative penalty, I waive certain procedural rights, including the right to formal notice of violation(s) alleged in this citation, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal.

Robert Goodpaster Sr. Supt  
Authorized Representative Signature Printed Name Title V. PRES Date 10-8-10/10-19-10

FOR COMMISSION USE ONLY	
Commission Signature	Date

IF YOU CHOOSE TO CONTEST the alleged violation(s) in this citation, notify the investigator named above. The alleged violation(s) above will be referred to the TCEQ's Enforcement Division. Please be aware this Field Citation total assessed penalty amount will no longer be available.

**FAILURE TO RESPOND TO THIS CITATION:** If you fail to pay the assessed penalty, the TCEQ Enforcement Division will pursue further enforcement action including assessment of increased administrative penalties. Financial inability to pay the penalty does not excuse failure to respond to and correct the alleged violation(s).

Water (CWTR)  Waste/Multimedia (CWST)  Air (CAIR)  Dry Cleaner (CDRY)



**Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000)**

**TCEQ Office Use Only**  
 Permit No.: TXR15  
 RN:  
 CN:  
 Ref No:



Sign up now for ePermits NOI at [www6.tceq.state.tx.us/steers](http://www6.tceq.state.tx.us/steers)  
 Get Instant Permit Coverage and only pay a \$225 application fee.

If filing a paper NOI you can pay the application fee on line? Go to <https://www6.tceq.state.tx.us/epay/>

**IMPORTANT:**

- Use the **INSTRUCTIONS** to fill out each question in this form.
- Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information.
- Incomplete applications WILL delay approval or result in automatic Denial.**

**Renewal of General Permit**

Is this NOI to renew an ACTIVE permit?

Yes - What is your permit number? Permit No. TXR15 \_\_\_\_\_

No - a permit number will be issued.

**Application Fee if mailing a paper NOI:**

You must pay the \$325 Application Fee to TCEQ for the application to be considered complete. Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses.

**Provide your payment information below, for us to verify payment of the application fee:**

Mailed:	Check/Money Order No.:	Company Name on checking account:
EPAY:	Voucher No.: 105109	Is the Payment Voucher copy attached? Yes

**A. OPERATOR (applicant)**

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?  
 CN 602578288 (Search Central Registry)

2. What is the Legal Name of the entity (applicant) applying for this permit?

Ryan Companies US, Inc.

*(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)*

3. What is the name and title of the person signing the application?

*(The person must be an official meeting signatory requirements in TAC 305.43(a).)*

Name: Robert Goodpaster

Title: Vice President

4. What is the Operator's (applicant) mailing address as recognized by the US Postal Service? (verify at [USPS.com](http://USPS.com))

Address: 55 Shuman Blvd.

Suite No./Bldg. No./Mail Code: Suite 800

City: Naperville

State: Illinois

ZIP Code: 60563

Country Mailing Information (if outside USA).

Country Code:

Postal Code:

5. Phone No.: ( 630 ) 328-1104

Extension:

6. Fax No.: ( 630 ) 328-1304

E-mail Address: david.erickson@ryancompanies.com

7. Indicate the type of Customer:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Individual             | <input type="checkbox"/> Sole Proprietorship-D.B.A. | <input type="checkbox"/> Limited Partnership |
| <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> Federal Government         | <input type="checkbox"/> General Partnership |
| <input type="checkbox"/> State Government       | <input type="checkbox"/> County Government          | <input type="checkbox"/> City Government     |
| <input type="checkbox"/> Other Government       | <input type="checkbox"/> Other (describe):          |  |