TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Elaine Lucas, Assistant General Counsel

Thru: eyy Gitanjali Yadav, Senior Attorney

Litigation

From: Megan Grace, Staff Attorney

Litigation

Date: January 10, 2022

Subject: January 12, 2022 Commission Agenda

Item No. 17 - Dario Jamie Gonzalez dba Dario's Tire Shop

Docket No. 2018-0832-MSW-E

Enclosed please find the following:

Site 1 PCW - Dario Jamie Gonzalez:

§ 328.63(b) was removed from Violation 1 on Page 3.

Respondent Contact:

Zitalli Sary Cardiel Gonzalez 221 East Juarez Avenue Pharr, Texas 78577 (956) 984-9243 saryglz83@gmail.com

Please do not hesitate to call me at (512) 239-3334 if you have any questions regarding this matter.

cc: Ken Moller, Enforcement

Frank Chavero, Harlingen Regional Office Garrett Arthur, Public Interest Counsel

Michael Parrish, Enforcement Leslie Gann, Enforcement Stuart Beckley, Enforcement

Elaine Lucas, Office of the General Counsel Gill Valls, Office of the General Counsel

Zitalli Sary Cardiel Gonzalez

Respondent Dario Jame Contralez das Dario's Tire Shop Respondent Case ID No. 50:274 Reg. Ent. Reference No. RN110294444 Media (Statute) Rule Cite(s) Ru		Screening Date				t No. 2018-0832-MSW-E		PCW
Reg. Ent. Reference No. RN110294444 Media [Statute] Municipal Sold Waste Enf. Coordinator Ken Moller Violation Number Rule Cite(s) 30 Tex. Admin. Code §§ 328.60(a) and 328.63(b) and Tex. Health & Safety Code § 361.112(a) Violation Description Violation Description Violation Description Failed to obtain a scrap tire storage site registration for the Facility prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers. Specifically, appround by 14,488 Sase Penalty 925,000 Percent Release Major Moderate Minor Percent 15,0% Matrix Notes Number of Violation Events Number of Violation Events Number of Violation Events Number of Violation Events Six monthly events are recommended from the December 18, 2017 investigation days daily weekly unareity unareity unareity annual an		<u> </u>		onzalez dba Dari	io's Tire Shop		Policy	Revision 4 (April 2014)
Media Statute Municipal Solid Waste Enf. Coordinator Ken Moller Violation Number Violation Num							PCW R	evision March 26, 2014
Section Number Section Number Section Section Number Section Section Number Section Section Number Section	Reg.							
Violation Number Rule Cite(s) Rule Cite(s) Failed to obtain a scrap tire storage site registration for the Facility prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires were observed on the ground. **Release Major Moderate Minor Percent 0.0% **Programmatic Matrix Harm Matrix Harm Matrix Harm Matrix Harm Moderate Minor Percent 15.0% **Notes				l Waste				
Rule Cite(s) 30 Tex. Admin. Code §§ 328.60(a) and 328.63(b) and Tex. Health & Safety Code § 361.112(a) Failed to obtain a scrap tire storage site registration for the Facility prior to storing more than 500 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 15,0% **Percent** **Percent*** **Specifically** **Percent*** **Specifically** **Spe				a				
Sail 1.12(a) Failed to obtain a scrap tire storage size registration for the Facility prior to storing more than \$00 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires were observed on the ground. Sase Penalty		Violation Number	1					
Violation Description storing more than 500 used or scrap tires on the ground or 7,000 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires in enclosed and lockable containers. Specifically, approximately 14,488 used or scrap tires were observed on the ground. Sase Penalty		Rule Cite(s	30 Tex. Admin	n. Code §§ 328.6			ty Code	
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This violation Final Assessed Penalty (adjusted for limits) \$22,500		Estimat	ed EB Amount		\$2,605	Violation Final Penal	ty Total	\$22,500
				This violation	on Final Asse	ssed Penalty (adjusted for	limits)	\$22,500

\$22,500

\$22,500

\$22,500

\$0

PCW 1 of 2 Penalty Calculation Worksheet (PCW) PCW Revision March 26, 2014 Policy Revision 4 (April 2014) 2-Apr-2018 Assigned Screening 12-Jun-2018 **PCW** 7-Jan-2022 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Dario Jaime Gonzalez dba Dario's Tire Shop Reg. Ent. Ref. No. RN110294444 Facility/Site Region 15-Harlingen Major/Minor Source Major **CASE INFORMATION** No. of Violations 1 Enf./Case ID No. 56274 Docket No. 2018-0832-MSW-E Order Type 1660 Media Program(s) Municipal Solid Waste Government/Non-Profit No **Multi-Media** Waste Tires Enf. Coordinator Ken Moller EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 Penalty Calculation Section **TOTAL BASE PENALTY (Sum of violation base penalties)** \$22,500 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Subtotals 2, 3, & 7 **Compliance History** 0.0% Adjustment \$0 No adjustment for compliance history. Notes Culpability No 0.0% Enhancement Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes **Good Faith Effort to Comply Total Adjustments** Subtotal 5 **\$0 Economic Benefit** 0.0% Enhancement* Subtotal 6 **\$0** Total EB Amounts *Capped at the Total EB \$ Amount \$2,605 Estimated Cost of Compliance \$20,100 **SUM OF SUBTOTALS 1-7** \$22,500 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adjustment \$0 Reduces or enhances the Final Subtotal by the indicated percentage.

Final Penalty Amount

Final Assessed Penalty

Adjustment

Reduction

0.0%

Deferral not offered for non-expedited settlement.

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage

Screening Date 12-Jun-2018

Docket No. 2018-0832-MSW-E

PCW

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Respondent Dario Jaime Gonzalez dba Dario's Tire Shop

Case ID No. 56274

Reg. Ent. Reference No. RN110294444

Media [Statute] Municipal Solid Waste Enf. Coordinator Ken Moller

		Compliance History Worksheet		
·> Co	Component	ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
	NOVs	Written notices of violation ("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%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Orders	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	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%
	and Consent Decrees	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%
		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Other	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 Per	centage (Sub	ototal 2) 0%
> Re	peat Violator	(Subtotal 3)		
	N/A	Adjustment Per	centage (Sub	total 3) 0%
·> Co	mpliance Hist	ory Person Classification (Subtotal 7)		
	Unclass	Adjustment Per	centage (Sub	total 7) 0%
>> Co	mpliance Hist	ory Summary		
	Compliance History Notes	No adjustment for compliance history.		
		Total Compliance History Adjustment Percentage (S	Subtotals 2,	3, & 7) 0%
>> Fina	I Compliance	History Adjustment Final Adjustment Percenta	200 *cannod	at 100% 0%
		i mai Aujustinent Percenti	изе сарреи	0.70

	Scree	ning Date	12-Jun-2018		Docke	t No. 2018-0832	-MSW-E	PCW
	Re	espondent	Dario Jaime Go	nzalez dba Dar	io's Tire Shop		Pol	icy Revision 4 (April 2014)
	Ca	se ID No.	56274				PCV	V Revision March 26, 2014
Reg.	Ent. Refe	rence No.	RN110294444					
	Media	[Statute]	Municipal Solid	Waste				
		ordinator	Ken Moller	,				
	Violat	ion Number	1					
	ĺ	Rule Cite(s)						
			30 Tex. Admi	n. Code § 328.6	50(a) and Tex.	Health & Safety Co	ode § 361.112(a)	
			Failed to ob	ntain a scran tire	e storage site	registration for the	Facility prior to	
						on the ground or 2,		
	Violation	Description				Specifically, appro		
				used or scrap	tires were obs	erved on the grour	nd.	
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							Base Penalt	y \$25,000
>> Env	vironmen	tal, Proper	ty and Hum	an Health M	latrix			
		, ,		Harm				
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential				Percent	0.0%	
> > D		a Matrix						
>>Pro	grammati	Falsification	Major	Moderate	Minor			
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								\$3,750
Violati	on Events							
Violativ	on Events							
		Number of V	iolation Events	6		176 Number of	violation days	
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			daily					
			weekly					
			monthly	X				+22 500
			quarterly semiannual			violat	ion Base Penalt	y \$22,500
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400a F	aith Effol	ts to Com		0.0% Before NOE/NOV N	IOE/NOV to EDPRP	/Settlement Offer	Reductio	n \$0
			Extraordinary	COLC NOL/NOV	CL/NOV to LDFRP	/ Joeth Cher		
			Ordinary					
			N/A	Х				
			14/ A					
			Notes	The Responde		eet the good faith	criteria	
			.,,,,,		for this vi	olation.		
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		Estimate	ed EB Amount		\$2,605	Violation Fi	nal Penalty Tota	s22,500
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				i nis violati	on rinai Asse	ssed Penalty (ad	justed for limits	\$22,500

	E	conomic	Benefit	Woı	rksheet		
Respondent	Dario Jaime Go	onzalez dba Dario	's Tire Shop	_			
Case ID No.		oao_ aba ba	. с с с с р				
Reg. Ent. Reference No.							
	Municipal Solid	i Waste				Percent Interest	Years of
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Item Description							
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	\$20,100	18-Dec-2017	21-Jul-2020	2.59	\$2,605	n/a	\$2,605
Other (as needed)				0.00	\$0	n/a	\$0
	Estimated cost	to obtain a scrar	tire generator	reaistra	ation (\$100) and a	scrap tire storage s	site registration
Notes for DELAYED costs						igation, and the fina	
	(4=0,000)		•		of compliance		
					·		
Avoided Costs	ANNUA	LIZE avoided c	osts before en			r one-time avoide	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0 \$0
Supplies/Equipment Financial Assurance				0.00	\$0 #0	\$0 #0	\$0 #0
rinanciai Assurance				0.00	\$0 \$0	\$0 \$0	\$0 \$0
ONE TIME sucided seeks					30		.50
ONE-TIME avoided costs							
ONE-TIME avoided costs Other (as needed)				0.00	\$0	\$0	\$0
Other (as needed)							
Other (as needed)							
Other (as needed)		\$20,100					

\$16,750

\$16,750

\$16,750

\$0

PCW 2 of 2 Penalty Calculation Worksheet (PCW) PCW Revision March 26, 2014 Policy Revision 4 (April 2014) 9-Jul-2018 Assigned Screening 17-Jul-2018 **PCW** 24-Oct-2019 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent Dario Jaime Gonzalez dba Dario's Tire Shop Reg. Ent. Ref. No. RN110393667 Facility/Site Region 15-Harlingen Major/Minor Source Major **CASE INFORMATION** No. of Violations 3 Enf./Case ID No. 56274 Docket No. 2018-0832-MSW-E Order Type 1660 Media Program(s) Municipal Solid Waste Government/Non-Profit No Multi-Media Enf. Coordinator Ken Moller EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 Penalty Calculation Section **TOTAL BASE PENALTY (Sum of violation base penalties)** \$16,750 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Subtotals 2, 3, & 7 **Compliance History** 0.0% Adjustment \$0 No adjustment for compliance history. Notes Culpability No 0.0% Enhancement Subtotal 4 \$0 The Respondent does not meet the culpability criteria. Notes **Good Faith Effort to Comply Total Adjustments** Subtotal 5 **\$0 Economic Benefit** 0.0% Enhancement* Subtotal 6 **\$0** Total EB Amounts *Capped at the Total EB \$ Amount \$2,303 Estimated Cost of Compliance #NAME? **SUM OF SUBTOTALS 1-7** \$16,750 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% Adjustment \$0 Reduces or enhances the Final Subtotal by the indicated percentage. Notes

STATUTORY LIMIT ADJUSTMENT

Notes

PAYABLE PENALTY

Reduces the Final Assessed Penalty by the indicated percentage

DEFERRAL

Final Penalty Amount

Final Assessed Penalty

Adjustment

Reduction

0.0%

Deferral not offered for non-expedited settlement.

	Scre	ening Date	17-Jul-2018		Docke	et No. 2018-0832-MSW-E		PCW
	F	Respondent	Dario Jaime Go	onzalez dba Dar	io's Tire Shop		Policy	Revision 4 (April 2014)
		Case ID No.					PCW Re	evision March 26, 2014
Reg.		ference No.						
			Municipal Solid	Waste				
		Coordinator		1				
	Viola	ation Number	1					
		Rule Cite(s)	30 Tex. Admin	n. Code §§ 328.	56(a)(1) and 3 Code 361.1	328.63(c) and Tex. Health an 12(a)	d Safety	
	Violatio	n Description	tires at the Fac	cility. Also, faile prior to processi	ed to obtain a ng tires onsite	tration prior to storing more t scrap tire storage site registr e. Specifically, approximately served on the ground.	ation for	
						Base	Penalty	\$25,000
>> En	vironme	ntal, Proper	ty and Hum	an Health M	latrix			
		-	_	Harm				
		Release	Major	Moderate	Minor			
OR		Actual				-		
		Potential				Percent 0.0%		
>>Dro	aramma	tic Matrix						
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor			
		Taisincation	X	Moderate	MINO	Percent 15.0%		
			^			15.070		
	Matrix Notes		100	0% of the rule r	equirement w	as not met.		
						Adjustment	\$21,250	
							Г	\$3,750
							L	ψ3/130
Violati	on Event	ts						
		Number of V	iolation Events	3		77 Number of violation of	lays	
			daily					
			weekly					
			monthly quarterly	X		Violation Base	Denalty	\$11,250
			semiannual			Violation base	Penalty	\$11,230
			annual					
			single event					
		Three monthly	, events are rec	commended from	m the May 1 3	2018 investigation date to the	July 17	
		Till CC Infortally	events are rec		creening date.		July 17,	
Good I	Faith Eff	orts to Com	nly	0.0%		n	eduction	\$0
good I	aidi Eil	orts to com			IOE/NOV to EDPRI	P/Settlement Offer	eduction	φυ
			Extraordinary		,			
			Ordinary					
			N/A	Х				
			,/-,		and a	and the second of the second		
			Notes	The Responde	for this vi	neet the good faith criteria iolation.		
						Violation 9	Subtotal	\$11,250
Econo	mic Bene	efit (EB) for	this violation	on		Statutory Limit	Test	
		Estimate	ed EB Amount		\$2,236	Violation Final Penal	ty Total	\$11,250
				This violati	on Final Acce	essed Penalty (adjusted fo	r limite\	\$11,250
				iiis viviati	on i mai Asst	233eu remaity (aujusteu 10		φ11,2JU

Screening Date 17-Jul-2018

Docket No. 2018-0832-MSW-E

PCW

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent Dario Jaime Gonzalez dba Dario's Tire Shop

Case ID No. 56274

Reg. Ent. Reference No. RN110393667

Media [Statute] Municipal Solid Waste Enf. Coordinator Ken Moller

		Compliance History Works	heet	
Co	mpliance Hist Component	ry <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust.
	NOVs	Written notices of violation ("NOVs") with same or similar violation (number of NOVs meeting criters	ations as those in	0%
		Other written NOVs	0	0%
		Any agreed final enforcement orders containing a denial of lia orders meeting criteria)	bility (<i>number of</i> 0	0%
	Orders	Any adjudicated final enforcement orders, agreed final ent without a denial of liability, or default orders of this stat government, or any final prohibitory emergency orders issued b	e or the federal 0	0%
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees c of liability of this state or the federal government (<i>number consent decrees meeting criteria</i>)		0%
	Decrees	Any adjudicated final court judgments and default judgments, o final court judgments or consent decrees without a denial of liabor the federal government	_	0%
	Convictions	Any criminal convictions of this state or the federal governr counts)	ment (<i>number of</i> 0	0%
	Emissions	Chronic excessive emissions events (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit cor Texas Environmental, Health, and Safety Audit Privilege Act, 1995 (number of audits for which notices were submitted)		0%
	riddics	Disclosures of violations under the Texas Environmental, He Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits fo</i> were disclosed)	· · · · · · · · · · · · · · · · · · ·	0%
		Environmental management systems in place for one year or mo	ore No	0%
	Other	Voluntary on-site compliance assessments conducted by the cunder a special assistance program	executive director No	0%
	o circi	Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future government environmental requirements	e state or federal No	0%
Re	epeat Violator		Adjustment Percentage (Su	btotal 2) 0%
	N/A		Adjustment Percentage (Su	btotal 3) 0%
Со	mpliance Hist	ry Person Classification (Subtotal 7)		
	Unclass	Fied A	Adjustment Percentage (Su	btotal 7) 0%
Co	mpliance Hist	ry Summary		
	Compliance History Notes	No adjustment for compliance hist	cory.	
		Total Compliance History Adjustment	Percentage (Subtotals 2,	. 3, & 7) 0%
Fina	al Compliance	listory Adjustment		

	E	conomic	Benefit	Wo	rksheet		
Respondent	Dario Jaime G	onzalez dba Dario	's Tire Shop				
Case ID No.							
Reg. Ent. Reference No.							
							Years of
	Municipal Solid	i waste				Percent Interest	Depreciation
Violation No.	1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
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	+20.400	1.14 2010	24 1 1 2020	0.00	\$0	n/a	\$0
Permit Costs	\$20,100	1-May-2018	21-Jul-2020	2.22	\$2,236	n/a	\$2,236
Other (as needed)				0.00	\$0	n/a	\$0
	Estimated cos	t to obtain a scrap	tire generator	registra	ation (\$100) and a	a scrap tire storage :	site registration
Notes for DELAYED costs	(\$20,000) fo	r the Facility. The	date required i	s the in	vestigation date, a	and the final date is	the estimated
	, ,	•			mpliance.		
Aidad Casta	ANNUL	NITTE sucided a	acta bafava av	toring	itam (aveant fa	r one-time avoide	d costs)
Avoided Costs	ANNUA	ALIZE avoided Co	osts before er	0.00			
Disposal Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0	\$0
Supplies/Equipment				0.00	\$0 \$0	\$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
•		· · · · · · · · · · · · · · · · · · ·					
Notes for AVOIDED costs							
Ammune Cont of Come !!		#20 100			TOTAL		#2 22C
Approx. Cost of Compliance		\$20,100			IUIAL		\$2,236

		conomic	Donofit	14/0	ulchoot		
				VVO	rksneet		
		onzalez dba Dario	's Tire Shop				
Case ID No.	56274						
Reg. Ent. Reference No.	RN110393667						
Media	Municipal Soli	d Waste				Dawasuk Tukawask	Years of
Violation No.	2					Percent Interest	Depreciation
2.0.000						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		·					
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	1100	1 11 2212	0.1.7.1.0000	0.00	\$0	n/a	\$0
Other (as needed)	\$100	1-May-2018	21-Jul-2020	2.22	\$11	n/a	\$11
Notes for DELAYED costs		date, an	d the final date	is the	estimated date of	•	J
Avoided Costs	ANNU	ALIZE avoided co	osts before er			r one-time avoide	•
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				0.00	\$0 \$0	\$0 \$0	\$0
ONE-TIME avoided costs				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	1 \$0	\$0	<u>\$U</u>
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$100			TOTAL		\$11

	Screening Date		PCW
	Respondent	Dario Jaime Gonzalez dba Dario's Tire Shop	Policy Revision 4 (April 2014)
	Case ID No.		PCW Revision March 26, 2014
Reg.	Ent. Reference No.		
		Municipal Solid Waste	
	Enf. Coordinator		
	Violation Number	2	
	Rule Cite(s)	30 Tex. Admin. Code § 328.56(d)(4)	
		Failed to monitor tires stored outside for vectors, and utilize appropriate vec	tor
	Violation Description	control measures at least once every two weeks.	
		Base Per	nalty \$25,000
		buse rel	11arcy \$25,000
>> En	vironmental, Propei	ty and Human Health Matrix	
	Release	Harm Major Moderate Minor	
OR	Actual	Major Moderate Million	
O.C	Potential	x Percent 7.0%	
		, , , , , , , , , , , , , , , , , , ,	
>>Pro	grammatic Matrix		
	Falsification	Major Moderate Minor	
		Percent 0.0%	
		h or the environment will or could be exposed to insignificant amounts of polluta	
	Notes that would no	t exceed levels that are protective of human health or environmental receptors result of the violation.	as a
		result of the violation.	
		Adjustment \$2	3,250
			\$1,750
Violati	on Events		
Violati	OII LVCIICS		
	Number of \	iolation Events 1 77 Number of violation days	
		daily	
		weekly	
		monthly Wielstien Base Base	#1 7F0
		quarterly Violation Base Per semiannual	nalty \$1,750
		annual	
		single event x	
		One single event is recommended.	
Good F	aith Efforts to Com	ply 0.0% Redu	iction \$0
		Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	•
		Extraordinary	
		Ordinary	
		N/A x	
		The Respondent does not meet the good faith criteria for	
		Notes this violation.	
		Violation Sub	stotal \$1,750
Fconc	mic Benefit (EB) for	this violation Statutory Limit Tes	et
ECONO	inc benefit (EB) 101	Statutory Ellint Tes	
	Estimate	ed EB Amount \$11 Violation Final Penalty	Total \$1,750
		This violation Final Assessed Penalty (adjusted for lin	mits) \$1,750
		· · ·	

	Screening Date	17-Jul-2018		Docket No. 2018-0832-N	4SW-E	PCW
	Respondent	Dario Jaime Go	nzalez dba Dario's Tire	Shop	Policy	Revision 4 (April 2014)
	Case ID No.	56274			PCW R	evision March 26, 2014
Reg.	Ent. Reference No.	RN110393667				
	Media [Statute]	Municipal Solid	Waste			
	Enf. Coordinator	Ken Moller	_			
	Violation Number	3				
	Rule Cite(s)		30 Tev Adm	in. Code § 328.58(a)		
			JO TEX. Adm			
		- · · · ·				
		niococ trancno		individual load of used or so		
	Violation Description			Specifically, the Respondent per of tires removed, generat		
				d or scrap tires on their scra		
		, , , , ,				
					Base Penalty	\$25,000
>> Fn	vironmental, Propei	rty and Hum	an Health Matrix			
· · =		. cy and man	Harm			
	Release		Moderate Minor			
OR	Actual					
	Potential			Percent	0.0%	
D						
>>Pro	grammatic Matrix Falsification	Major	Moderate Miner			
	Faisilication	Major	Moderate Minor	Percent	15.0%	
		Х		Percent	15.0%	
	Matrix	10	00% of the rule requirer	ment was not met		
	Notes	10	70 70 Of the fale require	Henr was not met.		
				Adjustment	\$21,250	
					11	
						\$3,750
\/:_ _+:	F					
violati	ion Events					
	Number of \	Violation Events	1	77 Number of v	iolation days	
					•	
		daily				
		weekly				
		monthly			_	
		quarterly	X	Violati	on Base Penalty	\$3,750
		semiannual				
		annual				
		single event				
	One quarterly	event is recomi	mended from the May 1	, 2018 investigation date to	the July 17, 2018	
			screening o	late.		
Good F	Faith Efforts to Com	ply	0.0%		Reduction	\$0
			Before NOE/NOV NOE/NOV	to EDPRP/Settlement Offer	_	
		Extraordinary				
		Ordinary				
		N/A	X			
			The Pernandent does	not meet the good faith crite	ria for	
		Notes	-	this violation.	aria for	
					alation Cultivia	#2.7F0
				VI	olation Subtotal	\$3,750
Econo	mic Benefit (EB) for	this violation	on	Statutory	Limit Test	
						#2.7F0
	Eatimate	~4 ED V~~~~	*	56 Wislatian Fin		
	Estimate	ed EB Amount	\$	Violation Fin	al Penalty Total	\$3,750

	_	-	- C'-				
	E	conomic	Benefit	Wo	rksheet		
Respondent	Dario Jaime G	onzalez dba Dario	's Tire Shop				
Case ID No.	56274						
Reg. Ent. Reference No.	RN110393667						
	Municipal Soli					Percent Interest	Years of Depreciation
riolation noi						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description						00000 00000	
Item Description							
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	\$500	1-May-2018	21-Jul-2020	2.22	\$56	n/a	\$56
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 Avoided Costs		fi	nal date is the	estimat	ed date of complia	I is the investigation ince.	·
	ANIO	ALIZE AVOIDED C	osts before en	0.00	\$0		\$0
Disposal Personnel				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$500			TOTAL		\$56