Order Type: 1660 Agreed Order **Findings Order Justification:** N/A Media: PST **Small Business:** No

Location(s) Where Violation(s) Occurred:

Hop In 430453, 3901 South 1st Street, Abilene, Taylor County ("Facility No. 1"); Hop In 430454, 501 East South 11th Street, Abilene, Taylor County ("Facility No. 2"): Hop In 430455, 5002 South 14th Street, Abilene, Taylor County ("Facility No. 3"): Hop In 430456, 1109 South Treadaway Boulevard, Abilene, Taylor County ("Facility No. 4");

Hop In 430458, 1433 South Willis Street, Abilene, Taylor County, ("Facility No. 5"); Hop In 430459, 1033 Cherry Street, Baird, Callahan County ("Facility No. 6"); and Hop In 430460, 1400 Coggin Avenue, Brownwood, Brown County ("Facility No. 7"). **Type of Operation:**

Underground storage tank ("UST") systems and convenience stores with retail sales of gasoline

Other Significant Matters:

Additional Pending Enforcement Actions: No Past-Due Penalties: No Other: N/A **Interested Third-Parties: None** Texas Register Publication Date: October 22, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$164,687 **Amount Deferred for Expedited Settlement:** \$32,935 **Total Paid to General Revenue:** \$131,752 **Total Due to General Revenue:** \$0 Payment Plan: N/A **Compliance History Classifications:** Person/CN - Satisfactory Site/RN - High for Facility Nos. 1-6. Satisfactory for Facility No. 7 Major Source: No Statutory Limit Adjustment: N/A Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A **Complaint Information**: N/A **Date(s) of Investigation:** December 21, 2020 and February 3, 2021 **Date(s) of NOE(s):** February 26, 2021 and January 14, 2021

Violation Information

Facility No. 1:

1. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, inventory control ("IC") records for UST No. 1 for March 2020 through June 2020 indicated a suspected release that was not reported [30 TEX. ADMIN. CODE § 334.72].

2. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST No. 1 for March 2020 through June 2020 indicated a suspected release that was not investigated [30 TEX. ADMIN. CODE § 334.74].

3. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions [30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1)].

4. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days [30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1)].

Facility No. 2:

5. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, IC records for UST No. 1 for July 2020 through September 2020, for UST No. 2 for May 2020 through July 2020, and for UST No. 3 for August 2020 and September 2020 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].

6. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST No. 1 for July 2020 through September 2020, for UST No. 2 for May 2020 through July 2020, and for UST No. 3 for August

2020 and September 2020 indicated suspected releases that were not investigated [30 TEX. ADMIN. CODE § 334.74].

7. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions [30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1)].

8. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days [30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1)].

9. Failed to provide an amended registration for any change or additional information to the agency regarding the UST system within 30 days from the date of the occurrence of the change or addition. Specifically, the registration indicates that UST No. 2 stores gasoline, but it actually stores diesel [30 TEX. ADMIN. CODE § 334.7(d)(1)(C) and (d)(3)].

Facility No. 3:

10. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, IC records for UST Nos. 2 and 4 for July 2020 and August 2020 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].

11. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST Nos. 2 and 4 for July 2020 and August 2020 indicated suspected releases that were not investigated [30 TEX. ADMIN. CODE § 334.74].

Facility No. 4:

12. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and for UST No. 4 for August 2020 and September 2020 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].

13. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and for UST No. 4 for August 2020 and September 2020 indicated suspected releases that were not investigated [30 TEX. ADMIN. CODE § 334.74].

Facility No. 5:

14. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, IC records for UST Nos. 1 and 3 for January 2020 through March 2020 and May 2020 and June 2020, for UST No. 2 for January 2020 and February 2020 and May 2020 through August 2020, and for UST No. 4 for May 2020 and June 2020 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].

15. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST Nos. 1 and 3 for January 2020 through March 2020 and May 2020 and June 2020, for UST No. 2 for January 2020 and February 2020 and May 2020 through August 2020, and for UST No. 4 for May 2020 and June 2020 indicated suspected releases that were not investigated [30 TEX. ADMIN. CODE § 334.74].

16. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions [30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1)].

17. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days [30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1)].

18. Failed to provide release detection for the pressurized piping associated with the UST system. Specifically, the Respondent had not conducted the annual line leak detector and piping tightness tests for all USTs at Facility No. 5 [30 TEX. ADMIN. CODE § 334.50(b)(2) and TEX. WATER CODE § 26.3475(a)].

Facility No. 6:

19. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and September 2020 through December 2020 and for UST Nos. 3 and 4 for October 2020 through December 2020 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].

20. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and September 2020 through December 2020 and for UST Nos. 3 and 4 for October 2020 through December 2020 indicated suspected releases that were not investigated [30 Tex. ADMIN. CODE § 334.74].

21. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions [30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1)].

22. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days [30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1)].

Facility No. 7:

23. Failed to report suspected releases to the agency within 24 hours of discovery. Specifically, IC records for UST Nos. 1 and 2 for November 2019 through January 2020, May 2020 and June 2020, and September 2020 through November 2020 and for UST Nos. 3 and 4 for November 2019 and December 2019, March 2020 and April 2020, and June 2020 and July 2020 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].

24. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, IC records for UST Nos. 1 and 2 for November 2019 through January 2020, May 2020 and June 2020, and September 2020 through November 2020 and for UST Nos. 3 and 4 for November 2019 and December 2019, March 2020 and April 2020, and June 2020 and July 2020 indicated suspected releases that were not investigated [30 TEX. ADMIN. CODE § 334.74].

25. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions [30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1)].

26. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days [30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

a. Conducted the tank and line tightness testing with passing results as part of the suspected release investigation for UST No. 1 at Facility No. 1 on November 5, 2020;

b. Conducted the tank and line tightness testing with passing results as part of the suspected release investigation for the USTs at Facility No. 6 on December 17, 2020; and

c. Conducted the tank and line tightness testing with passing results as part of the suspected release investigation for UST Nos. 1 and 2 at Facility No. 7 on November 23, 2020.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days for Facility No. 1:

i. Develop and implement a process for reporting suspected releases timely;

ii. Submit a Release Determination Report ("RDR") for the suspected release as part of the suspected release investigation and implement appropriate corrective measures; and

iii. Implement a release detection method for the USTs at Facility No. 1 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions.

b. Within 30 days for Facility No. 2:

i. Develop and implement a process for reporting suspected releases timely;

ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures;

iii. Implement a release detection method for the USTs at Facility No. 2 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions; and

iv. Submit an amended UST registration to indicate the current regulated substance stored for UST No. 2 at Facility No. 2.

c. Within 30 days for Facility No. 3:

i. Develop and implement a process for reporting suspected releases timely; and

ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures.

d. Within 30 days for Facility No. 4:

i. Develop and implement a process for reporting suspected releases timely; and

ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures.

e. Within 30 days for Facility No. 5:

i. Develop and implement a process for reporting suspected releases timely;

ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures;

iii. Implement a release detection method for the USTs at Facility No. 5 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions; and

iv. Conduct the annual line leak detector and piping tightness tests for all USTs at Facility No. 5.

f. Within 30 days for Facility No. 6:

i. Develop and implement a process for reporting suspected releases timely;

ii. Submit an RDR for the suspected releases as part of the suspected release investigation and implement appropriate corrective measures; and

iii. Implement a release detection method for the USTs at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions.

g. Within 30 days for Facility No. 7:

i. Develop and implement a process for reporting suspected releases timely;

ii. Complete the investigation of the suspected releases and implement appropriate corrective measures; and

iii. Implement a release detection method for the USTs at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions.

h. Within 45 days, submit written certification, and include detailed supporting documentation to demonstrate compliance with a. through g.

Contact Information

TCEQ Attorney: N/A **TCEQ Enforcement Coordinator:** Hailey Johnson, Enforcement Division, Enforcement Team 6, MC 219, (512) 239-1756; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548 **Respondent:** Marvin K. Hewatt, Manager, West Texas Commercial Properties LLC dba Hop In 430456, 305-A Equipment Court, Lawrenceville, Georgia 30046 **Respondent's Attorney:** N/A

COMMISSION AND AND AND AND AND AND AND AND AND AN	Policy Rev	Pen ision 5 (January 28, 2	•	lculation	Workshe	et (PCV	-	bruary 11, 2021
DATES	Assigned	8-Mar-2021						
DATES	PCW		Screening	17-Mar-2021	EPA Due		<u> </u>	
RESPO	NDENT/FACILI	TY INFORMATI	ON					
	Respondent	West Texas Com	nmercial Prop	oerties LLC dba H	lop In 430453 ("Facility No.	1")	
	g. Ent. Ref. No.	RN101822187				-	-	
Facili	ty/Site Region	3-Abilene			Major/M	inor Source	Minor	
	NFORMATION	60500				.		
En	f./Case ID No.		F		NO. 0	f Violations		
Maa		2021-0454-PST-			Covernment	Order Type		
Mec	Multi-Media	Petroleum Stora	ige Tank		Government		Hailey Johnson	
	multi-meula				E111. V		Enforcement To	
Adı	min.Penalty \$	Limit Minimum	\$0	Maximum	\$25,000			
				Calculatio				
ΤΟΤΑ	L BASE PENA	LTY (Sum of	violation	base penalt	ies)		Subtotal 1	\$21,250
ADJU	STMENTS (+	/-) TO SUBT	OTAL 1					
		otained by multiplying	g the Total Base				tals 2, 3, & 7	\$0
	Compliance Hi			0.0%	Adjustment	Sublo	[ais 2, 3, & 7	\$ U
	Notes		No adjustm	ent for Compliar	ice History.			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Culpability	NO		0.0%	Ennancement			٦Ų
	Notes	The Re	espondent do	es not meet the	culpability crite	ria.		
	Good Faith Eff	ort to Comply T	otal Adjust	mente			Subtotal 5	\$0
				ments			Subtotal S	40
	Feenensie Den	- f '+		0.00/			Culture of C	¢0
	Economic Ben	Total EB Amounts	\$156		Enhancement* I at the Total EB \$ A	mount	Subtotal 6	\$0
	Estimated	d Cost of Compliance				mount		
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal	\$21,250
		AS JUSTICE N			0.1%		Adjustment	\$26
Reduces of	or enhances the Fina	Subtotal by the indi	cated percentag	e.			1	
	Notes	Enhancement to		e avoided cost of Violation No. 1.	compliance ass	ociated with		
						Final Per	alty Amount	\$21,276
STATU	JTORY LIMI	r adjustmer	NT			Final Asse	ssed Penalty	\$21,276
DEFE					20.00/			# 4 2
DEFE		nalty by the indicate	d porconta as		20.0%	Reduction	Adjustment	-\$4,255
Reduces t	ne filial Assesseu Pe	enalty by the indicate	u percentage.				1	
	Notes		Deferral offer	red for expedited	l settlement.			
							- 	
ΡΑΥΑ	BLE PENALT	ſ						\$17,021

	ning Date17-Mar-2021Docket No.2021-0454-PST-EspondentWest Texas Commercial Properties LLC dba Hop In 430453 ("Facility No. 1")	Policy Revie	PC sion 5 (January 28,
	spondent west rexas commercial hoperties LEC usa hop in 450455 (Facility No. 1)		ion 5 (January 28, vision February 11,
	rence No. RN101822187	FCW Ke	vision rebruary 11,
	Media Petroleum Storage Tank		
Enf. Co	ordinator Hailey Johnson		
	Compliance History Worksheet		
Compliance Hi	story Site Enhancement (Subtotal 2)		
Component	Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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%
Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
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%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	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%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
	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%
	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 Percent	age (Sub	ototal 2) 0
Repeat Violato		ane (Suk	ototal 3) 0
		aye (Sub	
Compliance Hi	story Person Classification (Subtotal 7)		
Satisfactory		age (Sub	ototal 7) 0
Compliance Hi	story Summary		1
Compliance History Notes	No adjustment for Compliance History.		
inal Complianc	Total Compliance History Adjustment Percentage (Subt e History Adjustment	otals 2,	3, & 7) 0
	Final Adjustment Percentage	*capped	at 100% 0

	Scree	ning Date	17-Mar-2021		Doc	ket No. 2021-045	4-PST-E		PCW
	Re	spondent	West Texas Co	ommercial Prop	erties LLC db	a Hop In 430453 ("F	acility No. 1")	Policy I	Revision 5 (January 28, 2021)
		se ID No.						PCW Revi	sion February 11, 2021
Reg. E	nt. Refe	rence No.	RN101822187						
		Media	Petroleum Sto	rage Tank					
			Hailey Johnsor	1					
	Violati	on Number	1						
	F	Rule Cite(s)			30 Tex. Adm	iin. Code § 334.72			
	Violation	Description	Specifically, ir	ventory contro	ol ("IC") recoi	o the agency within rds for underground ted a suspected rele	storage tank ("UST	") No. 1	
							Base	Penalty	\$25,000
>> Envi	ronment	al, Prope	rty and Hun	nan Health	Matrix				
		Delesse	Maiau	Harm					
OR		Release Actual		Moderate	Minor				
		Potential				Percent	0.0%		
					I				
>>Prog	rammati								
		Falsification	Major	Moderate	Minor				
			X			Percent	10.0%		
	Matrix Notes			100% of the	rule requirem	nent was not met.			
						Adjustment		\$22,500	
						,		+/	
									\$2,500
Violatio	n Events								
VIOIALIOI									
		Number of V	violation Events	1		320 Number o	of violation days		
			daily						
			weekly monthly						
			quarterly				Violation Base	Penalty	\$2,500
			semiannual				violation base		φ2,500
			annual						
			single event	x					
				One sinc	le event is re	commended			
						commended			
Good Fa	ith Effor	ts to Com		0.0%			R	eduction	\$0
					NOE/NOV to ED	PRP/Settlement Offer			
			Extraordinary						
			Ordinary						
			N/A	×	<u> </u>				
			Notes	The Respond	dent does not	meet the good faith violation.	criteria for this		
							Violation S	Subtotal	\$2,500
Econom	ic Benefi	t (EB) for	[.] this violati	on		Statuto	ory Limit Test		
							-		1
		Estimat	ed EB Amount		\$31	Vio	lation Final Penal	ty Total	\$2,503
				Thi	is violation F	inal Assessed Pen	alty (adjusted fo	r limits)	\$2,503

522 101822187 rroleum Sto		ties LLC dba Ho		0453 ("Facility No. Interest Saved	1") Percent Interest 5.0	Years of Depreciation
522 101822187 rroleum Sto	rage Tank				Percent Interest	
101822187 roleum Sto	rage Tank	Final Date	Yrs	Interest Saved		
roleum Sto	rage Tank	Final Date	Yrs	Interest Saved		
	-	Final Date	Yrs	Interest Saved		
tem Cost	Date Required	Final Date	Yrs	Interest Saved	5.0	Depreciation
tem Cost	Date Required	Final Date	Yrs	Interest Saved	5.0	
tem Cost	Date Required	Final Date	Yrs	Interest Saved		1
				THE CSL SAVEN	Costs Saved	EB Amount
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	<u> </u>
						<u>\$0</u> \$0
						<u>\$0</u>
					1 -	\$0
						\$0
						\$0
			0.00	\$0		\$0
			0.00	\$0	n/a	\$0
\$100	3-Feb-2021	2-Jan-2022	0.91	\$5	n/a	\$5
	•	•	•	•	ig suspected releas	es timeiv. I ne
						mpliance.
ANNUA	LIZE avoided co	osts before er	tering	item (except for	one-time avoide	mpliance. d costs)
ANNUA	LIZE avoided co	osts before er	tering	item (except for \$0	one-time avoide \$0	mpliance. d costs) \$0
ANNUA	LIZE avoided co	osts before er	tering 0.00 0.00	item (except for \$0 \$0	one-time avoide \$0 \$0	mpliance. d costs) \$0 \$0
ANNUA	LIZE avoided co	osts before er	tering 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0
	LIZE avoided co	osts before er	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
	Image: state		tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
ANNUA \$25	LIZE avoided co	osts before en 17-Mar-2021	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0	one-time avoide \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
		timated delayed cost to deve		0.00 0.00	Image: state of the state	0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0 0.00 \$0 \$0

	Screening Date	17-Mar-2021		Docket N	0. 2021-0454-PS	Г-Е	PCW
	Respondent	West Texas Con	nmercial Prop	erties LLC dba Hop In	430453 ("Facility	No. 1") Policy Re	evision 5 (January 28, 2021)
	Case ID No.	60522				PCW	Revision February 11, 2021
Reg.	Ent. Reference No.	RN101822187					
		Petroleum Stora	age Tank				
	Enf. Coordinator	,					
	Violation Number Rule Cite(s)						
				30 Tex. Admin. Cod	e§334.74		
	Violation Description	reporting u Releases) with	nder 30 Tex. nin 30 days.	Admin. Code § 334.7	2 (relating to Repo s for UST No. 1 for	March 2020 through	
						Base Penalty	\$25,000
>> Fn	vironmental, Prope	rty and Hum	an Health	Matrix			
		ity and nam	Harm				
	Release	Major	Moderate	Minor			
OR	Actual Potential				Percent	15.0%	
	rotentia					13.070	
>>Pro	grammatic Matrix						
	Falsification	Major	Moderate	Minor	Deveent	0.00/	
					Percent	0.0%	
				uld be exposed to po nvironmental recepto		exceed levels that are	
	Notes pr						
					Adjustment	\$21,250	1
						Ψ21,230	
							\$3,750
Violati	on Events						\$3,750
Violatio	on Events						\$3,750
Violatio		/iolation Events	4	291	Number of viola	ation days	\$3,750
Violatio			4	291	Number of viola	ation days	\$3,750
Violatio		daily	4	291	Number of viola	ation days	\$3,750
Violatio			4	291	Number of viola	ation days	\$3,750
Violatio		daily weekly monthly quarterly	4	291		ation days olation Base Penalty	
Violatio		daily weekly monthly quarterly semiannual	4	291			
Violatio		daily weekly monthly quarterly	4	291			
Violatio		daily weekly monthly quarterly semiannual annual	4	291			
Violatio	Number of \	daily weekly monthly quarterly semiannual annual single event	4 x		Vi		
Violatio	Number of \	daily weekly monthly quarterly semiannual annual single event			Vi ted release investi	olation Base Penalty	
Violati	Number of \	daily weekly monthly quarterly semiannual annual single event		m the earliest suspec	Vi ted release investi	olation Base Penalty	
	Number of \	daily weekly monthly quarterly semiannual annual single event events are reco	0, 2020 to th 0.0%	m the earliest suspec e March 17, 2021 scr	Vi ted release investi eening date.	olation Base Penalty	\$15,000
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event	0, 2020 to th 0.0%	m the earliest suspec	Vi ted release investi eening date.	olation Base Penalty	\$15,000
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event events are reco 3 ply	0, 2020 to th 0.0%	m the earliest suspec e March 17, 2021 scr	Vi ted release investi eening date.	olation Base Penalty	\$15,000
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event events are reco 3 ply Extraordinary Ordinary	0, 2020 to th 0.0% efore NOE/NOV	m the earliest suspec e March 17, 2021 scr	Vi ted release investi eening date.	olation Base Penalty	\$15,000
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event events are reco 3 ply	0, 2020 to th 0.0% efore NOE/NOV	m the earliest suspec e March 17, 2021 scr	ted release investi eening date.	gation due date of May Reduction	\$15,000
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event events are reco 3 ply Extraordinary Ordinary	0, 2020 to th 0.0% efore NOE/NOV	m the earliest suspected by the earliest suspected by the earliest suspected by the EDPRP/Settle state of the earliest suspected by the EDPRP/Settle state of the earliest suspected by the earliest sus	ted release investi eening date.	gation due date of May Reduction	
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event events are reco g events are reco g ply Extraordinary Ordinary N/A	0, 2020 to th 0.0% efore NOE/NOV	m the earliest suspec e March 17, 2021 scr	ted release investi eening date.	gation due date of May Reduction	\$15,000
	Number of \ Four quarterly	daily weekly monthly quarterly semiannual annual single event events are reco g events are reco g ply Extraordinary Ordinary N/A	0, 2020 to th 0.0% efore NOE/NOV	m the earliest suspected by the earliest suspected by the earliest suspected by the EDPRP/Settle state of the earliest suspected by the EDPRP/Settle state of the earliest suspected by the earliest sus	ted release investi eening date.	gation due date of May Reduction	\$0

Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$57 Violation Final Penalty Total	\$15,018
	This violation Final Assessed Penalty (adjusted for limits)	\$15,018

	Ec	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	60522		ties LLC dba Ho	p In 43	0453 ("Facility No.	1")	
	Petroleum Sto					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	F						
Equipment				0.00	\$0	\$0	\$0
Buildings	[0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0 \$0	\$0	\$0
Engineering/Construction				0.00	\$0 \$0	\$0	\$0
Land Record Keeping System				0.00	\$0	n/a n/a	<u>\$0</u> \$0
				0.00	\$0	n/a	\$0
Training /Sampling							
Training/Sampling Remediation/Disposal						n/a	
Remediation/Disposal	\$400	30-May-2020	5-Nov-2020	0.00	\$0 ¢9	n/a n/a	\$0 ¢9
			2-Jan-2022 luct tank and lir	0.44 1.59 ne tight	\$9 \$48 ness testing for US	n/a n/a n/a T No. 1 at Facility I earliest testing due	\$9 \$48 No. 1 as part of
Remediation/Disposal Other (as needed) Other (as needed)	\$600 Estimated del the suspecte Final Date is th the suspecte	<u>30-May-2020</u> ayed cost to conc ed release investione date of complia ed release as part	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th	0.44 1.59 The tight The Da d delaye ed relea e earlie	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a	n/a n/a T No. 1 at Facility I	\$9 \$48 No. 1 as part of date and the ation Report for nt appropriate
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye ed relea e earlie ce of cor	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance.	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye e d relea e earlie e of con	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs)
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye e earlie e earlie te of cor tering 0.00	\$9 \$48 hess testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for \$0	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide \$0	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs) \$0
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye e d relea e earlie e of con	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs)
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye e earlie e earlie te of cou tering 0.00	\$9 \$48 hess testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for \$0 \$0	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide \$0 \$0	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs) \$0 \$0
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 tight The Da d delaye ed relea e earlie e of con tering 0.00 0.00 0.00	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye d delaye d relea e earlie e of con tering 0.00 0.00 0.00 0.00 0.00 0.00	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for \$0 \$0 \$0 \$0 \$0	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye d delaye d relea e earlie e of con tering 0.00 0.00 0.00 0.00 0.00	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$9 \$48 No. 1 as part of date and the ation Report for at appropriate the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Other (as needed) Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	\$600 Estimated del the suspecte Final Date is th the suspecte corrective me	<u>30-May-2020</u> ayed cost to conc ed release investion ne date of complia ed release as part easures. The Date	2-Jan-2022 luct tank and lir gation (\$400). ance. Estimate of the suspecte e Required is th dat	0.44 1.59 The Da d delaye d delaye d relea e earlie e of con tering 0.00 0.00 0.00 0.00 0.00 0.00	\$9 \$48 ness testing for US te Required is the ed cost to submit a se investigation (\$ st RDR due date a mpliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a T No. 1 at Facility I earliest testing due Release Determin 600) and implemen nd the Final Date is one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$9 \$48 No. 1 as part of date and the ation Report for t appropriate the estimated d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Scre	ening Date	17-Mar-2021		D	ocket No. 2	021-0454	-DST-F			PCW
		-	West Texas Co	mmercial Pror					Policy P	avision 5 (1	anuary 28, 2021)
		ase ID No.		initici cidi i rop			135 (140	incy 100. 1)			
Dam									РСИ	Revision Fe	ebruary 11, 2021
кеg.	Ent. Ref		RN101822187								
			Petroleum Stor	•							
			Hailey Johnson								
	Viola	tion Number	3								
		Rule Cite(s)	30 Tex. /	Admin. Code ٤		1)(B) and (b)(.3475(c)(1)	1)(A) and	Tex. Water Co	de§		
	Violation	n Description	maintained, provider's spe	, and utilized in ecifications an	n accordance d instruction	e with the mar is. Also, failed	nufacturer' to monito	l, calibrated, op s and/or metho or the USTs in a e every 30 day	odology manner		
								Bas	e Penalty		\$25,000
>> Env	vironme	ntal, Prope	rty and Hun	nan Health	Matrix						
			_	Harm							
		Release		Moderate	Minor	_					
OR		Actual									
		Potential	X			P	Percent	15.0%			
>>Pro	gramma	tic Matrix									
		Falsification	Major	Moderate	Minor	1 -		0.00/			
						ј Р	Percent	0.0%			
	Matrix Notes		th or the environ protective of hur		· · · · · ·	tal receptors a					
						Adju	stment		\$21,250		
											\$3,750
Violatio	on Event	ts									
		Number of \	/iolation Events	1]	42 N	lumber of	violation days			
			daily weekly monthly								
			quarterly semiannual annual single event	x				Violation Bas	e Penalty		\$3,750
		One quarter	ly event is reco		m the Februa 021 screenir		vestigatior	n date to the M	arch 17,		
Good F	aith Effo	orts to Com	ply	0.0%					Reduction		\$0
					NOE/NOV to E	EDPRP/Settlement	t Offer				
			Notes	The Respon	dent does no	ot meet the go violation.	od faith cr	iteria for this			
								Violation	Subtotal		\$3,750

Statutory Limit Test
Violation Final Penalty Total \$3,
al Assessed Penalty (adjusted for limits) \$3,
n

	E	conomic l	Benefit	WO	rksheet		
Respondent	. West Texas Co	ommercial Propert	ies LLC dba Ho	p In 43	0453 ("Facility No.	. 1")	
Case ID No.				•		,	
leg. Ent. Reference No.		7					
	Petroleum Sto						Years of
		naye rank				Percent Interest	Depreciation
Violation No.	3						Depreciation
						5.0	1
	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				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	3-Feb-2021	2-Jan-2022	0.91	\$68	n/a	\$68
							•
	Estimated d	lelayed cost to imp	lement a relea	se dete	ction method for t	he USTs at Facility I	No. 1 at least
Notes for DELAVED sosts						he USTs at Facility I and utilized in accore	
Notes for DELAYED costs	once every 30	0 days that is insta	alled, calibrated	d, opera	ated, maintained, a		dance with the
Notes for DELAYED costs	once every 30	0 days that is insta er's and/or method	alled, calibrated lology provider	l, opera 's specit	ited, maintained, a fications and instru	and utilized in accord	dance with the
	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	l, opera 's specif al Date	ited, maintained, a fications and instruits in the estimated d	and utilized in accorductions. The Date R ate of compliance.	dance with the equired is the
Avoided Costs	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera 's specif al Date tering	ited, maintained, a fications and instruits the estimated d item (except fo	and utilized in accorductions. The Date R ate of compliance.	dance with the equired is the dance with the dance with the dance of t
	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specified al Date tering 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0	and utilized in accord uctions. The Date R ate of compliance. r one-time avoide \$0	dance with the equired is the d costs) \$0
Avoided Costs Disposal	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera 's specif al Date tering	ited, maintained, a fications and instruits the estimated d item (except fo	and utilized in accorductions. The Date R ate of compliance.	dance with the equired is the dance with the dance with the dance of t
Avoided Costs Disposal Personnel	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera 's specifical Date tering 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0	and utilized in accord uctions. The Date R ate of compliance. r one-time avoide \$0 \$0	dance with the equired is the d costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specifical Date tering 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0	and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: block-color: block	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	once every 30 manufacture	0 days that is insta r's and/or method investigation da	alled, calibrated lology provider ate and the Fina	d, opera s specification dis specification display="block-color: specification;">	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	and utilized in accorductions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

RECOMMISSION OF THE RECOMMENDATION	Policy Revi	Pe ision 5 (January 28, 2		alculatior	n Worksh	eet (PC		ion February 11, 2021
DATES	Assigned						-	
	PCW	8-Apr-2021	Screening	17-Mar-2021	EPA Due			
RESPO	NDENT/FACILI							
Red	Respondent g. Ent. Ref. No.	West Texas Com RN101769305	nmercial Prop	perties LLC dba H	<u>lop In 430454 (</u>	"Facility No. 2	2")	
	ty/Site Region				Major/M	inor Source	Minor	
	NFORMATION f./Case ID No.	60552			No. o	f Violations	4	
	Docket No.	2021-0454-PST-				Order Type	1660	
Med	lia Program(s)		ige Tank		Government			
	Multi-Media				Enf. (FC's Team	Hailey Johnsor Enforcement T	eam 6
Adr	nin. Penalty \$ I	Limit Minimum	\$0	Maximum	\$25,000	200100		
			Penal	ty Calculat	ion Sectio	n		
ΤΟΤΑΙ	L BASE PENA	LTY (Sum of	ⁱ violation	base penalt	ies)		Subtotal 1	\$25,000
ADJU	STMENTS (+	/-) TO SUBT	OTAL 1					
	Subtotals 2-7 are ob	tained by multiplying	g the Total Base					
	Compliance Hi	story		0.0%	Adjustment	Subto	tals 2, 3, & 7	\$0
	Notes		No adjustm	ent for Complia	nce History.			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	espondent do	es not meet the	culpability crite	ria.		
	Good Faith Effe	ort to Comply T	otal Adjust	ments			Subtotal 5	\$0
	Francis Draw	- C'1					Gerteterte	40
	Economic Bene	Total EB Amounts	\$191		Enhancement* d at the Total EB \$ A	mount	Subtotal 6	\$0
	Estimated	Cost of Compliance	\$3,515					
SUM (OF SUBTOTAI	LS 1-7				F	inal Subtotal	\$25,000
	R FACTORS A				0.3%		Adjustment	\$78
Reduces o	or enhances the Final Notes		o capture the	e. e avoided cost of Violation No. 1.	compliance ass	ociated with		
						Final Per	nalty Amount	\$25,078
								<i>\\</i> 23/676
STATU	JTORY LIMIT		NT			Final Asse	ssed Penalty	\$25,078
DEFE	RRAL				20.0%	Reduction	Adjustment	-\$5,015
Reduces t	he Final Assessed Pe	nalty by the indicate	d percentage.				1	
	Notes		Deferral offer	red for expedited	d settlement.			
ΡΑΥΑ	BLE PENALT	1						\$20,063
								-,

	Screeni	g Date 17-Mar-2021 Docke	et No. 2021-0454-PST-E		PC			
			es LLC dba Hop In 430454 ("Facility No. 2")	Policy Revisi	on 5 (January 28, 2			
		ID No. 60552		PCW Rev	ision February 11, 2			
Reg.	Ent. Refere	ICE NO. RN101769305						
		Media Petroleum Storage Tank						
	Enf. Coor	linator Hailey Johnson						
			History Worksheet					
>> Co		ry Site Enhancement (Subtotal 2)		Number	Adjust			
	Component		h same or similar violations as those in the	Number 0	Adjust.			
	NOVs	current enforcement action (<i>number of NO</i>			00/			
		Other written NOVs Any agreed final enforcement orders cont	taining a denial of liability (number of orders	0	0%			
		meeting criteria)	taining a demai of nability (number of orders	0	0%			
	Orders	denial of liability, or default orders of this	 adjudicated final enforcement orders, agreed final enforcement orders without a hial of liability, or default orders of this state or the federal government, or any final hibitory emergency orders issued by the commission 					
	Judgments		ts or consent decrees containing a denial of vernment (<i>number of judgments or consent</i>	0	0%			
	and Consent Decrees		d default judgments, or non-adjudicated final nout a denial of liability, of this state or the		0%			
	Convictions	Any criminal convictions of this state or the	e federal government (number of counts)	0	0%			
	Emissions	Chronic excessive emissions events (numb	er of events)	0	0%			
		, 2	an intended audit conducted under the Texas Privilege Act, 74th Legislature, 1995 <i>(number</i>)	0	0%			
	Audits		as Environmental, Health, and Safety Audit number of audits for which violations were	0	0%			
		Environmental management systems in pla	ace for one year or more	No	0%			
	Other		s conducted by the executive director under a	No	0%			
	other	Participation in a voluntary pollution reduct	tion program	No	0%			
		Early compliance with, or offer of a p government environmental requirements	product that meets future state or federal	No	0%			
			Adjustment Percent	tage (Sub	total 2) 0%			
>> Re	peat Violator (Subtotal 3)						
	No		Adjustment Percent	tage (Sub	ototal 3) 0%			
>> Co	mpliance Histo	ry Person Classification (Subtotal 7)						
	Satisfactory P	rformer	Adjustment Percent	tage (Sub	ototal 7) 09			
>> Co	mpliance Histo	ry Summary						
	Compliance History Notes	No adjustmo	ent for Compliance History.					
		-	istory Adjustment Percentage (Sub	totals 2,	3, & 7) 0%			
>> Fina	II Compliance	listory Adjustment	Final Adjustment Percentage	*capped	at 100% 09			

Responde	te 17-Mar-2021	Docket No. 2021-0454-PST-E	PCW
Responde		mmercial Properties LLC dba Hop In 430454 ("Facility No. 2")	Policy Revision 5 (January 28, 2021)
Case ID N	0. 60552		PCW Revision February 11, 2021
Reg. Ent. Reference N	o. RN101769305		
-	lia Petroleum Stora	age Tank	
	or Hailey Johnson	-	
Violation Num	per 1		
Rule Cite	(s)		
		30 Tex. Admin. Code § 334.72	
	Failed to report	t suspected releases to the agency within 24 hours of discovery. Specif	
Violation Descript	inventory cont	trol ("IC") records for underground storage tank ("UST") No. 1 for July 2	
Violation Descript	through Septer	mber 2020, for UST No. 2 for May 2020 through July 2020, and for UST	
	for August 202	20 and September 2020 indicated suspected releases that were not repo	orted.
		Base Pe	enalty \$25,000
>> Environmental, Pro	perty and Hum		
Rele	ise Major	Harm Moderate Minor	
Poter	tial	Percent 0.0%	
_			
>>Programmatic Matri		Madausta	
Falsificat	on Major	Moderate Minor Percent 10.0%	
Matrix		100% of the rule requirement was not met.	
Notes			
		Adjustment \$2	2,500
			\$2,500
Violation Events			
Number	of Violation Events	3 259 Number of violation days	
Number		3 259 Number of violation days	
Number	daily	3 259 Number of violation days	
Number	daily weekly	3 259 Number of violation days	
Number	daily weekly monthly		malty \$7,500
Number	daily weekly	3 259 Number of violation days Violation Base Pe	enalty \$7,500
Number	daily weekly monthly quarterly		enalty\$7,500
Number	daily weekly monthly quarterly semiannual		enalty \$7,500
Number	daily weekly monthly quarterly semiannual annual	Violation Base Pe	enalty \$7,500
	daily weekly monthly quarterly semiannual annual single event	Violation Base Pe	
	daily weekly monthly quarterly semiannual annual single event	Violation Base Pe	
Three	daily weekly monthly quarterly semiannual annual single event	Violation Base Pe).
	daily weekly monthly quarterly semiannual annual single event single events are re	Violation Base Pe).
Three	daily weekly monthly quarterly semiannual annual single event single events are re single events are re	Violation Base Pe).
Three	daily weekly monthly quarterly semiannual annual single event single events are re single events are re bmply	Violation Base Pe).
Three	daily weekly monthly quarterly semiannual annual single event single events are re single events are re Extraordinary Ordinary	Violation Base Per x recommended (one for each UST in which a suspected release occurred) 0.0% Reduction Base Period 0.0% Image: Control of the period of the).
Three	daily weekly monthly quarterly semiannual annual single event single events are re single events are re bmply	Violation Base Pe x recommended (one for each UST in which a suspected release occurred) 0.0% Reduction Base Pe x Reduction Base Pe x).
Three	daily weekly monthly quarterly semiannual annual single event single events are re single events are re Extraordinary Ordinary	Image: Second).
Three	daily weekly monthly quarterly semiannual annual single event single events are re omply Extraordinary Ordinary N/A	Violation Base Pe x recommended (one for each UST in which a suspected release occurred) 0.0% Reduction Base Pe x Reduction Base Pe x).
Three	daily weekly monthly quarterly semiannual annual single event single events are re omply Extraordinary Ordinary N/A	Violation Base Pe x recommended (one for each UST in which a suspected release occurred) 0.0% Reduction: Sefore NOE/NOV NOE/NOV to EDPRP/Settlement Offer x The Respondent does not meet the good faith criteria for this violation.). tion \$0
Three	daily weekly monthly quarterly semiannual annual single event single events are re omply Extraordinary Ordinary N/A	Image: Second). tion \$0
Three	daily weekly monthly quarterly semiannual annual single events are re single events are re Extraordinary Ordinary N/A	Violation Base Per x ecommended (one for each UST in which a suspected release occurred) 0.0% Reduction Sefore NOE/NOV NOE/NOV to EDPRP/Settlement Offer x x The Respondent does not meet the good faith criteria for this violation.). tion \$0
Three Good Faith Efforts to C	daily weekly monthly quarterly semiannual annual single events are mply Extraordinary Ordinary N/A Notes	violation Base Per x commended (one for each UST in which a suspected release occurred) 0.0% Reduction Reduction x The Respondent does not meet the good faith criteria for this violation. Violation Subsection Violation Subsection). tion \$0
Three Good Faith Efforts to C	daily weekly monthly quarterly semiannual annual single events are re single events are re Extraordinary Ordinary N/A	Image: Statutory Limit Test). ction \$0 ototal \$7,500 Total \$7,523

	E	conomic	Benefit	Wo	rksheet		
Respondent	West Texas C	ommercial Propert	ies LLC dba Ho	p In 43	0454 ("Facility No.	2")	
Case ID No.				P		- /	
leg. Ent. Reference No.							
-							Years of
	Petroleum Sto	brage rank				Percent Interest	
Violation No.	1						Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	· · · · · · · · · · · · · · · · · · ·			0.00	\$0	\$0	\$0
Buildings		- <u> </u> -		0.00	\$0	\$0	<u> </u>
Other (as needed)				0.00	\$0	\$0	<u> </u>
Engineering/Construction				0.00	\$0	\$0 \$0	<u> </u>
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	3-Feb-2021	2-Jan-2022	0.91	\$5	n/a	\$5
Notes for DELAYED costs Avoided Costs	Date Re	equired is the inves	stigation date a	ind the	Final Date is the e	ng suspected release stimated date of con	mpliance.
				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	
					4 0		\$0
Inspection/Reporting/Sampling					\$0		<u>\$0</u> \$0
				0.00	\$0 \$0	\$0	\$0
Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				0.00	\$0	\$0 \$0	\$0 \$0
	 	1-Jul-2020	17-Mar-2021	0.00 0.00 0.00	\$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Supplies/Equipment Financial Assurance	 	1-Jul-2020	17-Mar-2021	0.00	\$0	\$0 \$0	\$0 \$0
Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Estimated	avoided cost to re	port the suspe e suspected re	0.00 0.00 0.71 0.00 cted rel	\$0 \$0 \$3 \$0 eases for three US should have been	\$0 \$0 \$0 \$75	\$0 \$0 \$0 \$78 \$0 • The Date

	Date 17-Mar-2021		Docket No. 2021-0454-PST-E		PCW
ncsh0		mmercial Properties LLC	dba Hop In 430454 ("Facility No.	2") Policy Rev	vision 5 (January 28, 2021)
Case 1	ID No. 60552			PCW F	Revision February 11, 2021
Reg. Ent. Referen	ce No. RN101769305				
	Media Petroleum Stor	rage Tank			
Enf. Coord	inator Hailey Johnsor	1			
Violation N]			
Rule	Cite(s)		Admin. Code § 334.74		
Violation Desc	cription Releases) wi September 2	nder 30 Tex. Admin. Co thin 30 days. Specifical 020, for UST No. 2 for M 020 and September 202	spected releases of regulated sub- de § 334.72 (relating to Reporting y, IC records for UST No. 1 for Jul ay 2020 through July 2020, and fo 20 indicated suspected releases the investigated.	of Suspected y 2020 through or UST No. 3 for	
				Base Penalty	\$25,000
>> Environmental,	Property and Hur	nan Health Matrix			
		Harm			
OR	Release Major Actual	Moderate Minor			
	Potential x		Percent	15.0%	
>>Programmatic M	atrix				
-	fication Major	Moderate Minor			
			Percent	0.0%	
Matrix Hum Notes			xposed to pollutants that would ex ental receptors as a result of the v		
			Adjustment	\$21,250	
				Г	\$3,750
					\$3,750
Violation Events					\$3,750
	nber of Violation Events	3	230 Number of violation	n days	\$3,750
	nber of Violation Events daily weekly monthly quarterly	3		n days on Base Penalty	
	daily weekly monthly			,	
Nun	daily weekly monthly quarterly semiannual annual single event	x ecommended from the e		on Base Penalty	
Nun	daily weekly monthly quarterly semiannual annual single event e quarterly events are r July	ecommended from the e 30, 2020 to the March	Violatic earliest suspected release investige 17, 2021 screening date.	on Base Penalty	\$11,250
Nun	daily weekly monthly quarterly semiannual annual single event e quarterly events are r July	ecommended from the e 30, 2020 to the March 0.0% Before NOE/NOV NOE/NOV to	Violatic earliest suspected release investige 17, 2021 screening date.	on Base Penalty	\$11,250
Nun	daily weekly monthly quarterly semiannual annual single event e quarterly events are r July co Comply	ecommended from the et 30, 2020 to the March 0.0% Before NOE/NOV NOE/NOV to	Violatic earliest suspected release investige 17, 2021 screening date.	on Base Penalty	\$11,250
Nun	daily weekly monthly quarterly semiannual annual single event e quarterly events are r July co Comply	ecommended from the etcommended from the etcommende	Violatic earliest suspected release investige 17, 2021 screening date.	on Base Penalty	\$11,250
Nun	daily weekly monthly quarterly semiannual annual single event e quarterly events are r July co Comply	ecommended from the e 30, 2020 to the March 0.0% Before NOE/NOV NOE/NOV to X The Respondent does	violatic earliest suspected release investiga 17, 2021 screening date.	on Base Penalty	\$3,750
Nun	daily weekly monthly quarterly semiannual annual single event e quarterly events are r July co Comply	ecommended from the e 30, 2020 to the March 0.0% Before NOE/NOV NOE/NOV to X The Respondent does	violatic earliest suspected release investiga 17, 2021 screening date.	on Base Penalty	\$11,250

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$38	Violation Final Penalty Total	\$11,285
	This violation Final	Assessed Penalty (adjusted for limits)	\$11,285

	Ε	conomic	Benefit	Wo	rksheet		
Respondent	West Texas C	ommercial Propert	ies LLC dba Ho	p In 43	0454 ("Facility No	. 2")	
Case ID No.				P		- /	
eg. Ent. Reference No.							
							Years of
	Petroleum Sto	brage Tarik				Percent Interest	
Violation No.	. Z						Depreciation
						5.0	1!
	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	<u>\$0</u> \$0
Engineering/Construction				0.00	\$0	\$0	<u>\$0</u> \$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,800	30-Jul-2021	2-Jan-2022	0.43	\$38	n/a	\$38
	Estimated	delayed cost (\$1	200 for testing	(\$400)	per tank plus line :	x = (1, 200) and $(1, 200)$	600 for the
	Loundeed			(4100			
			-	• •	ation of the suspe		
Notes for DELAYED costs	Release Deter	rmination Report)	to conduct an i	nvestig		cted releases and ta	ke appropriate
Notes for DELAYED costs	Release Deter	rmination Report) easures. The Date	to conduct an i Required is th	nvestig e earlie	est suspected relea	cted releases and ta ase investigation due	ke appropriate
	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat	est suspected releated date of complia	cted releases and ta ase investigation due ance.	ke appropriate e date and the
Avoided Costs	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat	est suspected releated date of complia	cted releases and ta ase investigation due ance. r one-time avoide	ke appropriate e date and the d costs)
Avoided Costs Disposal	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat tering 0.00	est suspected releated teleated date of compliant item (except for \$0	cted releases and ta ase investigation due ance. r one-time avoide \$0	ke appropriate e date and the d costs) \$0
Avoided Costs Disposal Personnel	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat tering 0.00	est suspected releated date of compliant item (except for \$0 \$0	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0	ke appropriate a date and the d costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat tering 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0	ke appropriate a date and the d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	rmination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	est suspected releated date of compliant item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	cted releases and ta ase investigation due ance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ke appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Screening Da	ate 17-Mar-2021		D	ocket No.	2021-045	4-PST-E			PCW
	Responde	ent West Texas Co	mmercial Prop	erties LLC d	lba Hop In 43	0454 ("Fa	cility No. 2")	Policy R	evision 5 (J	anuary 28, 2021)
	Case ID I	lo. 60552						PCV	/ Revision F	ebruary 11, 2021
Reg.	Ent. Reference I	No. RN101769305								
		dia Petroleum Stor	•							
		tor Hailey Johnson	1							
	Violation Num								1	
	Rule Cite	(s) 30 Tex.	Admin. Code §		(1)(B) and (b 5.3475(c)(1))(1)(A) an	d Tex. Water Co	ode §		
	Violation Descript	ion maintained provider's sp	, and utilized i	n accordanc	e with the mans. Also, faile	anufacture ed to moni	ed, calibrated, o r's and/or meth tor the USTs in a nce every 30 day	odology a manner /s.		
							Bas	se Penalty		\$25,000
>> Env	vironmental, Pro	perty and Hun	nan Health	Matrix						
			Harm							
OR	Rele	ase Major tual	Moderate	Minor	7					
UK	Pote				-	Percent	15.0%	1		
			JI		<u> </u>	. er cent	15.0 /0	1		
>>Pro	grammatic Matr									
	Falsificat	on Major	Moderate	Minor		_		۰ ۲		
						Percent	0.0%	J		
		nealth or the enviro are protective of hu			ntal receptors	as a resu		1.		
					Adj	ustment		\$21,250		
										\$3,750
Violatio	on Events									
	Number	of Violation Events	1		42	Number o	f violation days			
				1			,			
		daily								
		weekly monthly								
		quarterly	x				Violation Bas	se Penalty		\$3,750
		semiannual								
		annual								
		single event								
					2 2024 :					
	One qu	arterly event is reco		m the Febru 021 screenii	• •	nvestigati	on date to the M	arch 1/,		
			2		ng date.					
Cood E	Saith Efforts to (omnly	0.00/					Doduction		¢0
GUUU F	aith Efforts to C		0.0% Before NOE/NOV	NOF/NOV to F	EDPRP/Settleme	nt Offer		Reduction		\$0
		Extraordinary			, , , , , , , , , , , , , , , , , , , ,					
		, Ordinary								
		N/A						-		
			The Respon	dent does n	ot meet the c	lood faith	criteria for this			
		Notes	пе кезроп	dent dues II	violation.					
								J		
								n Subtotal		\$3,750

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$68	Violation Final Penalty Total	\$3,762
	This violation Final A	Assessed Penalty (adjusted for limits)	\$3,762

	E	conomic	Benefit	Wo	rksheet		
Pesnondent	West Texas Co	ommercial Pronert	ies II C dha Ho	n In 43	0454 ("Facility No.	2")	
Case ID No.				p III 45			
Reg. Ent. Reference No.							
	Petroleum Sto	orage Tank				Percent Interest	Years of
Violation No.	. 3						Depreciation
						5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Item Description							
Delayed Costs	; 				+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0 ¢0	\$0 #0	\$0 \$0
Other (as needed) Engineering/Construction				0.00	<u>\$0</u> \$0	\$0 \$0	<u>\$0</u> \$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	<u>\$0</u> \$0
Training/Sampling				0.00	\$0	n/a	<u>\$0</u>
Remediation/Disposal				0.00	\$0	n/a	<u>\$0</u>
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	3-Feb-2021	2-Jan-2022	0.91	\$68	n/a	\$68
		3100 2021		0.51		, 🕰	\$00
					ction method for t		
	Estimated d	elayed cost to imp	lement a relea	se dete		he USTs at Facility I	No. 2 at least
Notes for DELAYED costs	Estimated d once every 3	elayed cost to imp 0 days that is insta	olement a relea alled, calibrated	se dete I, opera	ated, maintained, a	he USTs at Facility I and utilized in accord	No. 2 at least dance with the
Notes for DELAYED costs	Estimated d once every 3	elayed cost to imp 0 days that is insta r's and/or methoo	plement a relea alled, calibratec lology provider	se dete I, opera s speci	ated, maintained, a fications and instru	he USTs at Facility I and utilized in accord uctions. The Date R	No. 2 at least dance with the
	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete I, opera s speci al Date	ated, maintained, a fications and instru is the estimated d	he USTs at Facility I and utilized in accord uctions. The Date R ate of compliance.	No. 2 at least dance with the equired is the
Avoided Costs	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete I, opera s speci al Date tering	ited, maintained, a fications and instru- is the estimated d item (except for	the USTs at Facility I and utilized in accord uctions. The Date R ate of compliance. r one-time avoide	No. 2 at least dance with the equired is the d costs)
Avoided Costs Disposal	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete 1, opera s speci al Date tering 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0	he USTs at Facility I and utilized in accorr actions. The Date R ate of compliance. r one-time avoide \$0	No. 2 at least dance with the equired is the d costs) \$0
Avoided Costs Disposal Personnel	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete l, opera s specifi al Date tering 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0	he USTs at Facility f and utilized in accor- uctions. The Date R ate of compliance. r one-time avoide \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete l, opera s specifi al Date tering 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete 1, opera 5 specifi al Date tering 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s specifies al Date tering 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete 1, opera 5 specifi al Date tering 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s speci d Date tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s speci d Date tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s speci d Date tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s speci d Date tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s speci d Date tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Estimated d once every 3 manufacture	elayed cost to imp 0 days that is insta r's and/or method investigation da	plement a relea alled, calibrated lology provider ate and the Fina	se dete d, opera s speci d Date tering 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ited, maintained, a fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility I and utilized in accord actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 2 at least dance with the equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Screening Date	17-Mar-2021		Doc	ket No. 2021-0454-PS	T-E		PCW
	Respondent	West Texas Con	nmercial Prop	erties LLC dba	Hop In 430454 ("Facility	No. 2")	Policy Rev	rision 5 (January 28, 2021)
	Case ID No.	60552					PCW R	Revision February 11, 2021
Reg.	Ent. Reference No.							
		Petroleum Stora	age Tank					
	Enf. Coordinator							
	Violation Number Rule Cite(s)							
			30 Tex	. Admin. Code	§ 334.7(d)(1)(C) and (d)(3)		
	Violation Description	agency regar	rding the UST	system within ally, the regist	n for any change or addit 30 days from the date o ration indicates that UST ly stores diesel.	f the occurrence of	f the	
						Base P	enalty	\$25,000
>> Env	vironmental, Prope	rty and Hum	an Health	Matrix				
		_	Harm					
OR	Release Actual		Moderate	Minor				
UN	Potential				Percent	0.0%		
		<u></u>						
>>Pro	grammatic Matrix	Maiau	Madavata	Minor				
	Falsification	Major x	Moderate	Minor	Percent	10.0%		
			I			1010 /0		
	Matrix Notes	Grea	ater than 70%	of the rule re	equirement was not met.			
					Adjustment	\$	22,500	
							Г	\$2,500
								+_/
Violati	on Events							
	Number of \	/iolation Events	1		42 Number of vio	ation days		
		daily						
		weekly monthly						
		quarterly				Violation Base P	enalty	\$2,500
		semiannual						
		annual single event	x					
		Single event						
			One sir	ngle event is r	ecommended.			
Good F	aith Efforts to Com				PRP/Settlement Offer	Red	uction	\$0
		Extraordinary		NOE/NOV to EDF	repsettiement Oner			
		Ordinary						
		N/A	Х					
		Notes	The Respor	ndent does not	t meet the good faith crite violation.	eria for this		
		E						
						Violation Su	ubtotal	\$2,500

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$2	Violation Final Penalty Total	\$2,508
	This violation Fina	I Assessed Penalty (adjusted for limits)	\$2,508

	E	conomic	Benefit	Wo	rksheet		
Respondent	West Texas C	ommercial Propert	ies I I C dba Ho	n In 43	0454 ("Facility No.	. 2")	
Case ID No.				p 111 13		~ _)	
		-					
eg. Ent. Reference No.							V
	Petroleum Sto	brage Tank				Percent Interest	Years of
Violation No.	4						Depreciation
						5.0	1!
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		Bute Requireu					
Item Description							
Delayed Costs	· · · · · · · · · · · · · · · · · · ·			1			
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	<u>\$0</u> \$0	n/a	<u>\$0</u> \$0
Training/Sampling				0.00	\$0	n/a n/a	<u>\$0</u> \$0
Remediation/Disposal Permit Costs				0.00	\$0	n/a	<u> </u>
Other (as needed)	\$40	3-Feb-2021	2-Jan-2022	0.00	\$0	n/a	<u>\$0</u> \$2
	Estimated	delayed cost to s	ubmit an amen	ded US	T registration to th	ne TCEQ to indicate	the current
Notes for DELAYED costs		ubstance stored fo	r UST No. 2 at	Facility	-	Required is the invest	
Notes for DELAYED costs Avoided Costs	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est	No. 2. The Date F imated date of cor	Required is the invest	stigation date
	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est	No. 2. The Date F imated date of cor	Required is the investigation management of the second sec	stigation date
Avoided Costs	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est	No. 2. The Date F imated date of cor item (except for	Required is the invest mpliance. r one-time avoide	stigation date
Avoided Costs Disposal Personnel	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est tering 0.00 0.00 0.00	No. 2. The Date F imated date of cor item (except for \$0	Required is the invest npliance. r one-time avoide \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est tering 0.00 0.00	No. 2. The Date F imated date of cor item (except for \$0 \$0 \$0 \$0 \$0	Required is the invest mpliance. r one-time avoide \$0 \$0 \$0 \$0 \$0	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est 0.00 0.00 0.00 0.00 0.00	No. 2. The Date F imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	Required is the investigation of the investigation	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est 0.00 0.00 0.00 0.00 0.00 0.00 0.00	No. 2. The Date F imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	Required is the investigation of the investigation	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est 0.00 0.00 0.00 0.00 0.00	No. 2. The Date F imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	Required is the investigation of the investigation	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	regulated su	ubstance stored fo and th	r UST No. 2 at ne Final Date is	Facility the est 0.00 0.00 0.00 0.00 0.00 0.00 0.00	No. 2. The Date F imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	Required is the investigation of the investigation	d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

COMMISSION BY	Policy Revi	Pe sion 5 (January 28, 2		Calculatio	n Worksh	neet (PC		vision February 11, 2021
DATES	Assigned PCW	8-Mar-2021 7-Apr-2021	Screening	g 17-Mar-2021	EPA Due]	
		TY INFORMATI West Texas Com		perties LLC dba l		"Facility No.	3")	
Reg. E	nt. Ref. No. Site Region	RN104586854				linor Source		
CASE INFO	ORMATION							
Enf./	Case ID No. Docket No.	60522 2021-0454-PST-	Ē		No. c	of Violations Order Type		
		Petroleum Stora			Government Fnf.	/Non-Profit		
	-	_imit Minimum	\$0	Maximum	\$25,000		Enforcement T	
					· · · ·			
τοται β		LTY (Sum of		Ity Calcula		on	Subtotal 1	\$12,500
		-					Subtotal 1	<i>412,300</i>
Sub	totals 2-7 are ob	/-) TO SUBT(tained by multiplying to multiplying	the Total Base					¢0
Co	mpliance His	story	N I II I	0.0%	Adjustment	SUDTO	tals 2, 3, & 7	\$0
	Notes		No adjustr	ent for Complian	nce History.			
Cu	lpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent do	bes not meet the	culpability crite	eria.		
Go	od Faith Effo	ort to Comply T	otal Adiust	ments			Subtotal 5	\$0
			j					ŦŦ
Eco	onomic Bene	Total EB Amounts	\$119		Enhancement* d at the Total EB \$ A	Amount	Subtotal 6	\$0
	Estimated	Cost of Compliance	\$1,525					
SUM OF	SUBTOTAL	LS 1-7				F	inal Subtotal	\$12,500
		Subtotal by the indic			0.2%		Adjustment	\$26
	Notes			e avoided cost of Violation No. 1.	f compliance ass	ociated with		
	L					Final Pen	alty Amount	\$12,526
STATUTO	ORY LIMIT	ADJUSTMEN	NT			Final Asse	ssed Penalty	\$12,526
DEFERR					20.0%	Reduction	Adjustment	-\$2,505
Reduces the F	inal Assessed Pe	nalty by the indicated]	
	Notes		Deferral offe	red for expedited	d settlement.			
PAYABL	E PENALTY	(\$10,021

	Screenii	ng Date 17-Mar-2021 Docket No. 2021-0454-PST-E		PC
		west Texas Commercial Properties LLC dba Hop In 430455 ("Facility No. 3")	Policy Revisi	ion 5 (January 28, 20
D		ID No. 60522	PCW Rev	vision February 11, 2
Reg.	Ent. Refere	nce No. RN104586854		
	Enf Coor	Media Petroleum Storage Tank dinator Hailey Johnson		
> C -	were lie waar til inte	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%
		Other written NOVs	0	0%
		Any agreed final enforcement orders containing a denial of liability (<i>number of order meeting criteria</i>)	^{rs} 0	0%
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without denial of liability, or default orders of this state or the federal government, or any fin prohibitory emergency orders issued by the commission		0%
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial liability of this state or the federal government (<i>number of judgments or conserdecrees meeting criteria</i>)		0%
	Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated fin court judgments or consent decrees without a denial of liability, of this state or the federal government		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 Texa Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Aud Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations wer</i> <i>disclosed</i>)		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 special assistance program		0%
	Other	Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future state or feder government environmental requirements	al No	0%
		Adjustment Perce	ntage (Sub	ototal 2) 0%
> Re	peat Violator	(Subtotal 3) Adjustment Perce	ntage (Sul	ototal 3) 0%
- 0	Satisfactory P	ory Person Classification (Subtotal 7) Verformer Adjustment Perce	ntage (Sul	ototal 7) 0%
> Co	mpliance Histo	ory Summary		
	Compliance History Notes	No adjustment for Compliance History.		
		Total Compliance History Adjustment Percentage (Su	btotals 2,	3, & 7) 0%
> Fina	al Compliance	History Adjustment Final Adjustment Percentag	9 *connod	at 100% 0%
		i mai Aujustment FerCentay	- capped	at 100 70 0%

PCW

	Screening Date	17-Mar-2021		Do	cket No.	2021-0454-PS	ST-E		PCW
	Respondent		mmercial Pro	perties LLC d	dba Hop In 4	430455 ("Facil	ity No. 3")	Policy R	evision 5 (January 28, 2021)
_	Case ID No.							РСИ	/ Revision February 11, 2021
Reg.	Ent. Reference No.		.						
	Enf. Coordinator	Petroleum Stor	-						
	Violation Number		1						
	Rule Cite(s)								
	Rule ene(3)			30 Tex. Ad	lmin. Code §	§ 334.72			
		Failed to	report suspec	ted releases	to the ager	ncy within 24 h	hours of disco	overy.	
	Violation Description	Specifically, in	ventory control	ol ("IC") reco	ords for und	lerground stora suspected rele	age tank ("U	ST") Nos. 2 pre pot	
					reported.	suspected refe			
							Ba	se Penalty	\$25,000
									420,000
>> En\	vironmental, Prope	rty and Hun	nan Health Harm	Matrix					
	Release	Major	Moderate	Minor	_				
OR	Actual							1	
	Potential				J	Percent	0.0%		
>>Pro	grammatic Matrix								
	Falsification	Major	Moderate	Minor	7	_		1	
		Х			J	Percent	10.0%		
	Matrix Notes		100% of the	rule require	ement was n	not met.			
	Notes								
					Adi	justment		\$22,500	
									\$2,500
Violatio	on Events								
	Number of V	/iolation Events	2	ו	197	Number of vic	plation days		
			2	<u> </u>	<u> </u>				
		daily							
		weekly monthly							
		quarterly				Ň	/iolation Ba	se Penalty	\$5,000
		semiannual							
		annual single event	×						
		single event		<u> </u>					
	Two singl	e events are re	commonded (and for each	LICT in whi	ich a cuchacta	d rolonco occ	urrod)	
		e events are re				ich a suspected		urreu).	
				1					
Good F	aith Efforts to Com		0.0% Before NOE/NOV		DPRP/Settlem	ent Offer		Reduction	\$0
		Extraordinary							
		Ordinary							
		N/A	x					,	
		Natas	The Respon	dent does no	ot meet the	good faith crit	eria for this		
		Notes			violation.				
								1	
							Violatio	n Subtotal	\$5,000
Econor	mic Benefit (EB) for	[·] this violati	on			Statutory	Limit Test		
	Estimat	ed EB Amount		\$31]	Violati	on Final Pe	alty Total	\$5,010
				·	-			-	
			í n	is violation		essed Penalty	y (aujusted	ior limits)	\$5,010

	RN104586854	7					
Media Violation No.	Petroleum Sto 1	rage Tank				Percent Interest	Years of Depreciation
						5.0	1
	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 Other (as needed)	\$100	3-Feb-2021	2-Jan-2022	0.00	\$0 \$5	n/a n/a	<u>\$0</u> \$5
				-	· · · · · · · · · · · · · · · · · · ·	n/ a	<u> </u>
Notes for DELAYED costs		•			process for reportir	ng suspected releas stimated date of co	ses timely. The
Notes for DELAYED costs Avoided Costs	Date Re	quired is the inve	stigation date a	ind the	process for reportin Final Date is the e	ng suspected releas	ses timely. The ompliance.
	Date Re	quired is the inve	stigation date a	ind the	process for reportin Final Date is the e	ng suspected releas stimated date of co	ses timely. The ompliance.
Avoided Costs	Date Re	quired is the inve	stigation date a	nd the	Final Date is the e item (except for \$0 \$0	ng suspected releas stimated date of co r one-time avoide \$0 \$0	es timely. The property of the
Avoided Costs Disposal	Date Re	quired is the inve	stigation date a	tering 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0 \$0	ng suspected releas stimated date of co r one-time avoide \$0 \$0 \$0	es timely. The property of the
Avoided Costs Disposal Personnel	Date Re	quired is the inve	stigation date a	tering 0.00 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0	stimated date of co stimated date of co r one-time avoide \$0 \$0 \$0 \$0 \$0	es timely. The property of the
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Date Re	ALIZE avoided co	stigation date a	tering 0.00 0.00 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ng suspected releases stimated date of co r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	es timely. The property of the
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Date Re	quired is the inve	stigation date a	tering 0.00 0.00 0.00 0.00 0.00 0.00 0.54	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	es timely. The ompliance. ed costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Date Re	ALIZE avoided co	stigation date a	tering 0.00 0.00 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ng suspected releases stimated date of co r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	es timely. The property of the

Screening Date	7-Mar-2021	Docket No. 2021-0454-PST-E	PCW
Respondent	est Texas Commercial Properties	LLC dba Hop In 430455 ("Facility No. 3")	Policy Revision 5 (January 28, 2021)
Case ID No.	0522		PCW Revision February 11, 2021
Reg. Ent. Reference No.	N104586854		
	etroleum Storage Tank		
Enf. Coordinator	ailey Johnson		
Violation Number	2		
Rule Cite(s)	30 Te	ex. Admin. Code § 334.74	
Violation Description	reporting under 30 Tex. Admin eleases) within 30 days. Specific	Il suspected releases of regulated substances . Code § 334.72 (relating to Reporting of Sus ally, IC records for UST Nos. 2 and 4 for July uspected releases that were not investigated.	pected 2020 and
		Base	e Penalty \$25,000
>> Environmental, Proper	y and Human Health Mat	trix	
<u> </u>	Harm		-
OR Release	Major Moderate Mi	inor	
Potential	X	Percent 15.0%	2
>>Programmatic Matrix			
Falsification	Major Moderate Mi	nor	_
		Percent 0.0%	2
Notes are pr		onmental receptors as a result of the violation Adjustment	\$21,250
Violation Events			\$3,750
	daily weekly	168 Number of violation days	
	monthly quarterly x semiannual annual single event	Violation Base	e Penalty \$7,500
Two quar	•	m the suspected release investigation due da March 17, 2021 screening date.	te of
Good Faith Efforts to Com	lv 0.0%		Reductio \$0
	-	NOV to EDPRP/Settlement Offer	
	Extraordinary		
	Ordinary		
	N/A x		7
	Notes The Respondent of	does not meet the good faith criteria for this violation.	

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$88	Violation Final Penalty Total	\$7,516
	This violation Fin	al Assessed Penalty (adjusted for limits)	\$7,516

s Commercial Prope 854 Storage Tank st Date Required 1 1 1 1 1 1 1 1 1 1 1 1 1			Interest Saved \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	Percent Interest	1. EB Amount \$0 \$0 \$0 \$0 \$0 \$0
Storage Tank st Date Required	Final Date	0.00 0.00 0.00 0.00 0.00	Interest Saved \$0 \$0 \$0 \$0 \$0 \$0 \$0	5.0 Costs Saved \$0 \$0 \$0 \$0 \$0	Depreciation 1: EB Amount \$0 \$0 \$0 \$0 \$0
Storage Tank st Date Required	Final Date	0.00 0.00 0.00 0.00 0.00	Interest Saved \$0 \$0 \$0 \$0 \$0 \$0 \$0	5.0 Costs Saved \$0 \$0 \$0 \$0 \$0	Sepreciation 1 EB Amount \$0 \$0 \$0 \$0 \$0 \$0
Storage Tank st Date Required	Final Date	0.00 0.00 0.00 0.00 0.00	Interest Saved \$0 \$0 \$0 \$0 \$0 \$0 \$0	5.0 Costs Saved \$0 \$0 \$0 \$0 \$0	Depreciation 1: EB Amount \$0 \$0 \$0 \$0 \$0
st Date Required	Final Date	0.00 0.00 0.00 0.00 0.00	Interest Saved \$0 \$0 \$0 \$0 \$0 \$0 \$0	5.0 Costs Saved \$0 \$0 \$0 \$0 \$0	Depreciation 1: EB Amount \$0 \$0 \$0 \$0 \$0
	Final Date	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$ 0	5.0 Costs Saved \$0 \$0 \$0 \$0 \$0 \$0	11 EB Amount \$0 \$0 \$0 \$0 \$0 \$0
	Final Date	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$ 0	Costs Saved \$0 \$0 \$0 \$0 \$0	EB Amount \$0 \$0 \$0 \$0 \$0
	Final Date	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$ 0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$ 0	\$0 \$0 \$0	\$0 \$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$ 0	\$0 \$0 \$0	\$0 \$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$ 0	\$0 \$0 \$0	\$0 \$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$ 0	\$0 \$0 \$0	\$0 \$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$ 0	\$0 \$0 \$0	\$0 \$0 \$0
		0.00 0.00 0.00	\$0 \$0 \$ 0	\$0 \$0	\$0 \$0
		0.00	\$0 \$0	\$0	\$0
		0.00	\$0		
		0 00		11/4	\$0
		0.00	\$0	n/a	\$0
		0.00	\$0	n/a	\$0
		0.00	\$0	n/a	\$0
		0.00	\$0	n/a	\$0
30-Sep-2020	2-Jan-2022	1.26	\$88	n/a	\$88
d delayed cost (\$800 mination Report) to ve measures. The D	conduct an inve ate Required is	stigation the susp	of the suspected pected release inve	releases and take a stigation due date a	ppropriate
MIALTZE avaided			•		d costs)
	Costs Defore el				
					<u>\$0</u> \$0
					<u>\$0</u> \$0
					<u>\$0</u> \$0
					<u>\$0</u>
					\$0
		0.00	\$0	\$0	\$0
	ve measures. The D	ve measures. The Date Required is Date is the es	Ve measures. The Date Required is the susp Date is the estimated NUALIZE avoided costs before entering 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ve measures. The Date Required is the suspected release inversion Date is the estimated date of compliance NUALIZE avoided costs before entering item (except for 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0	ve measures. The Date Required is the suspected release investigation due date a Date is the estimated date of compliance. NUALIZE avoided costs before entering item (except for one-time avoided costs before entering item (except for one-time avoided costs) 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0

S COMMISSION S COMMISSION S COMMENTAL OF	Policy Revi	Pe ision 5 (January 28, 2		Calculatio	n Worksh	ieet (PC	,	vision February 11, 2021
DATES	-	8-Mar-2021					1	
	PCW	8-Apr-2021	Screening	17-Mar-2021	EPA Due			
RESPO	NDENT/FACILI				L 1 120456 (4.11.2	
Reg	g. Ent. Ref. No.	West Texas Com RN102033727	imercial Prop	erties LLC dba h	<u> 10p In 430456 (</u>	"Facility No. 4	4" <u>)</u>	
	ty/Site Region				Major/M	inor Source	Minor	
CASE I	NFORMATION							
En	f./Case ID No.		-		No. o	f Violations		
Med	DOCKET NO. lia Program(s)	2021-0454-PST- Petroleum Stora			Government	Order Type /Non-Profit		
	Multi-Media		2			Coordinator	Hailey Johnsor	
Adr	nin. Penalty \$ I	Limit Minimum	\$0	Maximum	\$25,000	EC's Team	Enforcement T	eam 6
			Donal	ty Calcula	tion Costic			
TOTAL				•	tion Sectio	רו רו		+10 750
ΙΟΙΑΙ	L BASE PENA	LIY (Sum of	violation	base penalt	les)		Subtotal 1	\$18,750
ADJUS	STMENTS (+							
	Compliance His	otained by multiplying story	g the Total Base	Penalty (Subtotal 1 0.0%) by the indicated pe Adjustment		tals 2, 3, & 7	\$0
	Notes		No adjustmo	ent for Compliar				
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent do	es not meet the	culpability crite	ria.		
	Good Faith Effe	ort to Comply T	otal Adjustr	ments			Subtotal 5	\$0
	Economic Bene		+170		Enhancement*		Subtotal 6	\$0
	Estimated	Total EB Amounts Cost of Compliance	\$178 \$1,950	*Capped	d at the Total EB \$ A	mount		
SUM C	OF SUBTOTAI	LS 1-7				E	inal Subtotal	\$18,750
	R FACTORS A				0.3%		Adjustment	\$52
	Notes	Enhancement to		avoided cost of Violation No. 1.	compliance ass	ociated with		
						Final Pen	alty Amount	\$18,802
STATI	JTORY LIMIT		NT			Final Asse	ssed Penalty	\$18,802
DEFE					20.0%	Reduction	Adjustment	-\$3,760
Reduces t	he Final Assessed Pe	nalty by the indicated	d percentage.					
	Notes		Deferral offer	ed for expedited	d settlement.			
ΡΑΥΑ	BLE PENALT	(\$15,042

		Ing Date 17-Mar-2021 Docket No. 2021-0454-PST-E			PCW
Rea	Cas	pondent West Texas Commercial Properties LLC dba Hop In 430456 ("Facility No. 4") e ID No. 60522 ence No. RN102033727	Policy Revisio PCW Revi	on 5 (January ision February	
Reg		Media Petroleum Storage Tank rdinator Hailey Johnson			
		Compliance History Worksheet			
>> Co		ory <i>Site</i> Enhancement (Subtotal 2) Number of	Number	Adjust	
	Component	Written notices of violation ("NOVs") with same or similar violations as those in the	Number	Adjust.	1
	NOVs	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 (<i>number of orders meeting criteria</i>)	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%	
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	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%	
	Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%	
	Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%	
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%	
	Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
		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 Percer	ntage (Sub	ototal 2)	0%
>> Re	peat Violator (No	(Subtotal 3) Adjustment Percer	ntage (Sub	ototal 3)	0%
>> Coi		bry Person Classification (Subtotal 7)			0.10
	Satisfactory F		ntage (Sub	ototal 7)	0%
>> Co	mpliance Histo	ory Summary			
	Compliance History Notes	No adjustment for Compliance History.			
		Total Compliance History Adjustment Percentage (Sul	btotals 2.	- 3, & 7)	0%
>> Fina	I Compliance	History Adjustment		-, -,)	070
		Final Adjustment Percentage	e *capped	at 100%	0%

	Screening Date				ket No. 2021-04			PCW
	•		nmercial Prop	erties LLC db	oa Hop In 430456 (("Facility No. 4")	Policy Rev	vision 5 (January 28, 2021)
	Case ID No.						PCW I	Revision February 11, 2021
Reg.	Ent. Reference No.							
		Petroleum Stora	ige Tank					
	Enf. Coordinator Violation Number							
	Rule Cite(s)			30 Tex. Adı	min. Code § 334.72	2		
	Violation Description	Specifically, inv	ventory contr e 2020 and J	ol ("IC") reco uly 2020 and	ords for undergrour	in 24 hours of discond ad storage tank ("US August 2020 and Se e not reported.	ST") Nos. 1	
						Ba	se Penalty	\$25,000
>> Env	vironmental, Prope	rty and Hum		Matrix				
	Release	Major	Harm Moderate	Minor				
OR	Actual		Moderate	MINU				
	Potential				Percent	t 0.0%	, o	
							_	
>>Prog	grammatic Matrix Falsification	Major	Modorato	Minor				
	Faisincation	Major x	Moderate	Minor	Percent	t 10.0%	6	
						10.07	<u> </u>	
	Matrix Notes		100% of the	e rule require	ment was not met.			
					Adjustmen	t	\$22,500	
								\$2,500
violatio	on Events							
	Number of \	/iolation Events	3		228 Number	of violation days		
		daily						
		weekly monthly						
		quarterly				Violation Ba	se Penalty	\$7,500
		semiannual						
		annual single event	X					
		Single event						
	Three sin	gle events are re	commended	(one for each	uUST in which a su	spected release occ	curred).	
Good F	aith Efforts to Com		0.0%				Reduction	\$0
			efore NOE/NOV	NOE/NOV to ED	PRP/Settlement Offer			
		Extraordinary						
		Ordinary N/A	x					
		Notes	The Respon	ident does no	ot meet the good fa violation.	aith criteria for this		
						Violatio	n Subtotal	\$7,500
Econon	nic Benefit (EB) for	this violatio	n		Statut	ory Limit Test		
		ed EB Amount		\$57		violation Final Pe	nalty Total	\$7,521
	Lotiniati						_	
			Т	his violatior	n Final Assessed	Penalty (adjusted	for limits)	\$7,521

	E	conomic	Benefit	Wo	rksheet		
Respondent	West Texas Co	ommercial Propert	ies LLC dba Ho	p In 43	0456 ("Facility No.	. 4")	
Case ID No.				•		,	
eg. Ent. Reference No.		,					
	Petroleum Sto						Years of
Violation No.		haye fallk				Percent Interest	Depreciatio
violation No.	1						Depreciatio
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment	<u> </u>			0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0 \$0	<u>\$0</u>
Other (as needed)				0.00	\$0	\$0	<u> </u>
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	3-Feb-2021	2-Jan-2022	0.91	\$5	n/a	\$5
	Cative at a dial	laviad as at the davie	less and insulation				
Notes for DELAYED costs	Date Re	quired is the inves	stigation date a	nd the	Final Date is the e	ng suspected release stimated date of co	mpliance.
Avoided Costs	Date Re	quired is the inves	stigation date a	nd the	Final Date is the e	stimated date of con	mpliance. d costs)
Avoided Costs Disposal	Date Re	quired is the inves	stigation date a	nd the tering	Final Date is the e item (except for \$0	stimated date of course of the stimated date of course of the stime avoide \$0	mpliance. d costs) \$0
Avoided Costs Disposal Personnel	Date Re	quired is the inves	stigation date a	nd the tering 0.00 0.00	Final Date is the e item (except for \$0 \$0	r one-time avoide \$0 \$0	mpliance. d costs) \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	Date Re	quired is the inves	stigation date a	nd the tering 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel	Date Re	quired is the inves	stigation date a	nd the tering 0.00 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	Date Re	quired is the inves	stigation date a	nd the tering 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Date Re	ALIZE avoided co	osts before en	nd the 0.00 0.00 0.00 0.00 0.00	Final Date is the e item (except for \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Date Re ANNUA \$25 \$25 Estimated avo	ALIZE avoided co	stigation date a osts before en 17-Mar-2021 17-Mar-2021 the suspected	nd the 0.00 0.00 0.00 0.00 0.00 0.62 0.46	Final Date is the e item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$1 \$1 \$1 \$2 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5 \$5	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$26 \$26 \$26 \$26 \$26

	Screening Date					21-0454-PST-E		PCW
	•		nmercial Prop	erties LLC dba	a Hop In 4304	56 ("Facility No. 4") Policy R	evision 5 (January 28, 2021
	Case ID No.						PCW	Revision February 11, 202
Reg. Er	nt. Reference No.							
		Petroleum Stora	ge Tank					
	Enf. Coordinator Violation Number							
	Rule Cite(s)							
				30 Tex. Adm	iin. Code § 334	1.74		
,	violation Description	reporting ur Releases) withir	nder 30 Tex. n 30 days. S for UST No.	Admin. Code § pecifically, IC 4 for August 2	§ 334.72 (relat records for US	ember 2020 indica	f Suspected June 2020 and	
							Base Penalty	\$25,00
>> Envir	ronmental, Prope	rty and Hum	an Haalth	Matrix				
	onnental, Prope	ity and muni-	Harm	Matrix				
0.5	Release	Major	Moderate	Minor				
OR	Actual Potential				Po	rcent 1	5.0%	
	Fotential	X			Fe		5.0%	
>>Progr	ammatic Matrix							
	Falsification	Major	Moderate	Minor				
					Pe	rcent	0.0%	
					•	that would excee result of the viola		
	ph							l
					Adjust	ment	\$21,250	
					Aujust	incht	Ψ21,230	
							l	\$3,75
Violation	n Events							
		_						
	Number of V	iolation Events	3		199 Nu	mber of violation d	ays	
		daily						
		weekly						
		monthly						
		quarterly	Х			Violatio	n Base Penalty	\$11,25
		semiannual annual						
		single event						
	Three quarte	rly events are re	commended	from the earli	est suspected	release investigati	on due date of	
		Augus	st 30, 2020 to	o the March 17	7, 2021 screer	ing date.		
Good Fai	ith Efforts to Com		0.0%			~	Reduction	\$
		Extraordinary	fore NOE/NOV	NOE/NOV to EDI	PRP/Settlement O	ffer		
		Ordinary						
		N/A	х					
				dont doop not	most the sec	d faith critoria for	thic	
		Notes	The Respon	uent does not	violation.	d faith criteria for	.1115	
						Vio	ation Subtotal	\$11,25
								+==/25

Economic Benefit (EB) for this violatio	n Statutory Limit Test	
Estimated EB Amount	\$121 Violation Final Penalty Total	\$11,281
	This violation Final Assessed Penalty (adjusted for limits)	\$11,281

Case ID No. eg. Ent. Reference No.		,					
	Petroleum Sto					Percent Interest	Years of Depreciation
						5.0	1.
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	Ì						
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 ¢0	n/a	\$0
Record Keeping System				0.00	<u>\$0</u> \$0	n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0	n/a n/a	\$0 \$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,800				30	11/ a	30
	Estimated		200 for testing	• •		n/a x 3 = \$1,200) and \$	\$121 600 for the
Notes for DELAYED costs	Estimated Release Deter	delayed cost (\$1, mination Report) easures. The Date	200 for testing to conduct an i e Required is th	(\$400 nvestig le earlie	per tank plus line a ation of the suspe	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation due	\$121 6600 for the ake appropriate
Notes for DELAYED costs	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 investig ne earlie estimat	per tank plus line a ation of the suspe- est suspected relea red date of complia	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation dur ance.	\$121 6600 for the ake appropriate e date and the
	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 investig ne earlie estimat	per tank plus line a ation of the suspe- est suspected relea red date of complia	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation due	\$121 6600 for the ake appropriate e date and the d costs)
Notes for DELAYED costs Avoided Costs	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 nvestig e earlie estimat	per tank plus line a ation of the suspe- est suspected relea ed date of complia item (except for	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation du ance. r one-time avoide	\$121 600 for the ake appropriate e date and the d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 nvestig e earlie estimat tering 0.00	per tank plus line p ation of the susper est suspected releated ed date of compliant item (except for \$0	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation durance. r one-time avoide \$0 \$0 \$0	\$121 5600 for the ake appropriate e date and the d costs) \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 nvestig estimat tering 0.00 0.00 0.00 0.00	per tank plus line a ation of the suspe- est suspected relea ed date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation durance. r one-time avoide \$0 \$0 \$0 \$0 \$0	\$121 5600 for the ake appropriate e date and the d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 nvestig estimat tering 0.00 0.00 0.00 0.00 0.00	per tank plus line a ation of the suspe- est suspected releated red date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation durance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$121 5600 for the ake appropriate e date and the d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 nvestig estimat tering 0.00 0.00 0.00 0.00 0.00 0.00	per tank plus line a ation of the suspe- est suspected relea eed date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation durance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$121 5600 for the ake appropriate e date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Estimated Release Deter corrective me	delayed cost (\$1, mination Report) easures. The Date Fi	200 for testing to conduct an i e Required is th nal Date is the	(\$400 nvestig estimat tering 0.00 0.00 0.00 0.00 0.00	per tank plus line a ation of the suspe- est suspected releated red date of complian item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a x 3 = \$1,200) and \$ cted releases and ta ase investigation durance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$121 5600 for the ake appropriate e date and the d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

S COM MISSING	Policy Revi	Pe ision 5 (January 28, 2	-	Calculation	n Worksh	neet (PC	-	vision February 11, 2021
DATES		8-Mar-2021					1	
	PCW	7-Apr-2021	Screening	17-Mar-2021	EPA Due		J	
RESPO		TY INFORMATI						
Rec	Respondent g. Ent. Ref. No.	West Texas Com RN102261955	mercial Prop	perties LLC dba H	<u>lop In 430458 (</u>	"Facility No. !	<u>5")</u>	
	ty/Site Region				Major/M	inor Source	Minor	
CASE I	NFORMATION							
	f./Case ID No.	60522			No. o	of Violations	3	
		2021-0454-PST-			. .	Order Type		
мес	Multi-Media	Petroleum Stora	ge Tank		Government Enf.		No Hailey Johnsor	1
							Enforcement T	
Adr	min. Penalty \$ I	Limit Minimum	\$0	Maximum	\$25,000			
			Donal	ty Calcula	tion Sectio	n		
TOTAL		ITV (Sum of		1			Cubbabal 1	¢ 29.750
IUIA	L DASE PENA	LTY (Sum of	VIOIALION	base penan	les)		Subtotal 1	\$28,750
ADJUS	STMENTS (+)	/-) TO SUBT	DTAL 1					
	Subtotals 2-7 are ob Compliance His	tained by multiplying	the Total Base	Penalty (Subtotal 1) 0.0%) by the indicated pe Adjustment		tals 2, 3, & 7	\$0
					<u> </u>]	
	Notes		No adjustm	ent for Compliar	nce History.			
								+
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent do	es not meet the	culpability crite	ria.		
							1	
	Good Faith Effe	ort to Comply T	otal Adjust	ments			Subtotal 5	\$0
	Economic Bene	efit			Enhancement*		Subtotal 6	\$0
	Estimated	Total EB Amounts Cost of Compliance	<u>\$339</u> \$4,086	*Capped	d at the Total EB \$ A	Amount		
			4.7000	-				
SUM C	OF SUBTOTAI	LS 1-7				F	inal Subtotal	\$28,750
OTHE	R FACTORS A	S JUSTICE M	AY REOU	TRF	0.6%		Adjustment	\$177
		Subtotal by the indic			0.070		Aujustment	φ177
	N	Enhancement to	capture the	e avoided cost of	compliance ass	ociated with		
	Notes		Vio	lation Nos. 1 and	d 3.			
						Final Per	alty Amount	\$28,927
SIAIU			11			Final Asse	ssed Penalty	\$28,927
DEFE	RRAL				20.0%	Reduction	Adjustment	-\$5,785
		nalty by the indicated	l percentage.				1	+-,
	Notoc		Optorral offer	red for expedited	d cottlomont			
	Notes				a settiement.			
PAYA	BLE PENALT	1						\$23,142

	Screeni	ng Date 17-Mar-2021 Docket No. 2021-0454-PST-E			PCW
Reg.	Case	pondent West Texas Commercial Properties LLC dba Hop In 430458 ("Facility No. 5") e ID No. 60522 ence No. RN102261955	Policy Revisio PCW Revi	on 5 (January ision Februar	
		Media Petroleum Storage Tank			
	Enf. Coo	rdinator Hailey Johnson			
		Compliance History Worksheet			
		ory Site Enhancement (Subtotal 2)			
Г	Component	Number of	Number	Adjust.	1
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%	
		Other written NOVs	0	0%	l
		Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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%	
	Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%	
	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%	
	Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	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%	
	Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)		0%	
[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		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		0%	
•		Adjustment Percen	tage (Sub	total 2)	0%
·> Rej	peat Violator (No	(Subtotal 3) Adjustment Percen	itage (Sub	total 3)	0%
> Cor		ory Person Classification (Subtotal 7)			0 70
[Satisfactory P		tage (Sub	total 7)	0%
> Cor	mpliance Histo	ory Summary			
	Compliance History Notes	No adjustment for Compliance History.			
	Compliance	Total Compliance History Adjustment Percentage (Sub	ototals 2,	3, & 7)	0%
> rina	Compliance	History Adjustment Final Adjustment Percentage	*canned :	at 100%	0%
					0 /0

Screening Date	17-Mar-2021		Do	cket No. 2021-0454-PST-E		PCW
Respondent	West Texas Cor	mmercial Prop	perties LLC d	lba Hop In 430458 ("Facility No	o. 5") Policy R	Revision 5 (January 28, 2021)
Case ID No.	60522				PCV	V Revision February 11, 2021
Reg. Ent. Reference No.	RN102261955					
Media	Petroleum Stor	age Tank				
Enf. Coordinator	Hailey Johnson	_				
Violation Number	r <u>1</u>					1
Rule Cite(s)			20 7			
			30 Tex. Ad	dmin. Code § 334.72		
				s to the agency within 24 hours	-	
Violation Description		•		ords for underground storage t	. ,	
Violation Description			-	2020 and May 2020 and June 2 d May 2020 through August 20	-	
				ited suspected releases that we		
					•	
					Base Penalty	\$25,000
					Buserenary	\$23,000
>> Environmental, Prope	erty and Hum	an Health Harm	Matrix			
Release		Moderate	Minor			
OR Actua						
Potentia				Percent	0.0%	
>>Programmatic Matrix						
Falsification	Major	Moderate	Minor			
	X			Percent	10.0%	
						1
Matrix		100% of the	rulo roquiro	ement was not met.		
Notes		100% 01 the	e rule require	ement was not met.		
				Adjustment	\$22,500	
						\$2,500
Violation Events						
Number of V	Violation Events	4		381 Number of violatio	n days	
			· · ·			
	daily					
	weekly monthly					
	quarterly			Viola	ation Base Penalty	\$10,000
	semiannual				-	
	annual					
	single event	Х				
Four sing	gle events are re	commended (one for each	h UST in which a suspected rel	ease occurred).	
						J
Good Faith Efforts to Com		0.0%			Reduction	\$0
			NOE/NOV to E	DPRP/Settlement Offer		
	Extraordinary					
	Ordinary					
	N/A					
	Notes	The Respon	dent does no	ot meet the good faith criteria	for this	
				violation.		
	-				Violation Subtotal	¢10 በባባ
					Violation Subtotal	\$10,000
Economic Benefit (EB) fo	r this violatio	on		Statutory Limi		\$10,000
	r this violatio		\$57	Statutory Limi		
				Statutory Limi	t Test Final Penalty Total	\$10,062

Violation No. 1 5.0	ears of preciatio 3 Amount
Case ID No. 80022 Reg. Ent. Reference No. Nices for DELAYED costs Petroleum Storage Tank Percent Interest V Der Storage Tank Violation No. Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Item Description Delayed Costs Equipment Buildings Other (as needed) Other (as needed) Land Record Keeping System Training/Sampling 0.00 \$0 \$0 Stimated delayed cost to develop and implement a process for reporting suspected releases the Date Required is the investigation date and the Final Date is the estimated date of complex Personnel Notes for DELAYED costs ANUNALIZE avoided costs before entering item (except for one-time avoided cost Personnel Disposal Personnel	preciatio
Reg. Ent. Reference No. Media Violation No. RN102261955 Petroleum Storage Tank Percent Interest 5.0 Y Deg 5.0 Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Item Description Equipment Buildings Other (as needed) Engineering/Construction Land 0.00 \$0 \$0 \$0 Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) 0.00 \$0 0.00 \$0 n/a a Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a a Notes for DELAYED costs ANNUALIZE avoided costs before entering item (except for one-time avoided costs Personnel Personnel O.00 \$0 \$0 \$0 Disposal Personnel 0.00 \$0 \$0 \$0 \$0 \$0 Disposal Personnel 0.00 \$0 \$0 \$0 \$0 \$0 Permit Costs Other (as needed) 0.00 \$0 \$0 \$0 \$0 \$0 Notes for DELAYED costs ANNUALIZE avoided costs before entering item (except for one-time avoided costs Personnel 0.00 \$0 \$0 Notes for DELAYED costs Disposal Personnel <th>preciatio</th>	preciatio
Media Petroleum Storage Tank Percent Interest Yer Violation No. 1 Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Delayed Costs Equipment 0.00 \$0 \$0 \$0 \$0 Buildings 0.00 \$0 \$0 \$0 \$0 \$0 Other (as needed) 0.00 \$0	preciatio
Violation No. 1 Percent Interest Deg 5.0 Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Item Cost Delayed Costs Equipment Buildings Other (as needed) 0.00 \$0 \$0 \$0 \$0 Cher (as needed) 0.00 \$0 \$0 \$0 \$0 \$0 \$0 Land 0.00 \$0 <	preciatio
Violation No. 1 Jumphotological contraction Jumpho	1
Item Cost Date Required Final Date Yrs Interest Saved Costs Saved EB Item Description Delayed Costs Equipment 0.00 \$0 <th></th>	
Item Description Delayed Costs Equipment Buildings Other (as needed) 0.00 \$0 \$0 Engineering/Construction Land 0.00 \$0 \$0 \$0 Record Keeping System Training/Sampling 0.00 \$0 n/a 0.00 \$0	3 Amoun
Item Description Delayed Costs Equipment Buildings 0.00 \$0 \$0 Buildings Other (as needed) 0.00 \$0 \$0 Engineering/Construction Land 0.00 \$0 \$0 \$0 Record Keeping System 0.00 \$0 n/a \$0 Training/Sampling 0.00 \$0 n/a \$0 Remediation/Disposal Permit Costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Motes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Disposal Personnel 0.00 \$0 \$0 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 \$0 \$0	
Delayed Costs Equipment Buildings Other (as needed) Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs Other (as needed) 1 0.00 \$100 \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 0.00 \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 Notes for DELAYED costs Disposal Personnel Disposal Personnel 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 0.00 \$0 \$100 3-Feb-2021 2-Jan-2022 0.91 \$100 3-Feb-2021 2-Jan-2022 0.91 \$100 3-Feb-2021 2-Jan-2022 0.91 \$100 3-Feb-2021 \$100 3-Feb-2021 \$100 3-Feb-2021 <	
Equipment Buildings 0.00 \$0 \$0 Other (as needed) 0.00 \$0 \$0 Engineering/Construction Land 0.00 \$0 \$0 Record Keeping System Training/Sampling 0.00 \$0 n/a Remediation/Disposal Permit Costs 0.00 \$0 n/a Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Estimated delayed cost to develop and implement a process for reporting suspected releases tin Date Required is the investigation date and the Final Date is the estimated date of compliant Disposal 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 \$0 \$0 Notes for DELAYED costs 0.00 \$0 \$0 \$0 Disposal Personnel 0.00 \$0 \$0 \$0 Notes for DELAYED costs 0.00 \$0 \$0 \$0	
Equipment Buildings Other (as needed) 0.00 \$0 \$0 Engineering/Construction Land 0.00 \$0 \$0 Record Keeping System Training/Sampling Remediation/Disposal Permit Costs 0.00 \$0 n/a Permit Costs 0.00 \$0 n/a 0.00 \$0 Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Disposal Personnel ANNUALIZE avoided costs before entering item (except for one-time avoided cost 0.00 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 \$0 \$0 Notes for DELAYED costs ANNUALIZE avoided costs before entering item (except for one-time avoided cost 0.00 \$0 \$0 \$0 \$0 Disposal Personnel 0.00 \$0 \$0 \$0 \$0 \$0	
Buildings Other (as needed) 0.00 \$0 \$0 Engineering/Construction Land 0.00 \$0 \$0 Record Keeping System Training/Sampling 0.00 \$0 n/a Remediation/Disposal Permit Costs 0.00 \$0 n/a Motes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Spisposal Personnel Disposal Personnel ANNUALIZE avoided costs before entering item (except for one-time avoided cost 0.00 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0	
Other (as needed) Engineering/Construction 0.00 \$0 \$0 Land 0.00 \$0 \$0 \$0 Record Keeping System 0.00 \$0 n/a \$0 Training/Sampling 0.00 \$0 n/a \$0 Remediation/Disposal 0.00 \$0 n/a \$0 Permit Costs 0.00 \$0 n/a \$0 Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a \$0 Disposal Personnel 0.00 \$0 \$0 \$0 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0 \$0 \$0	<u>\$0</u>
Engineering/Construction Land Record Keeping System Training/Sampling Remediation/Disposal Permit Costs 0.00 \$0 n/a Remediation/Disposal Permit Costs Other (as needed) 0.00 \$0 n/a Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs Estimated delayed cost to develop and implement a process for reporting suspected releases tin Date Required is the investigation date and the Final Date is the estimated date of complia 0.00 \$0 \$0 Personnel Inspection/Reporting/Sampling 0.00 \$0 \$0 \$0	<u>\$0</u>
Land 0.00 \$0 n/a Record Keeping System 0.00 \$0 n/a Training/Sampling 0.00 \$0 n/a Remediation/Disposal 0.00 \$0 n/a Permit Costs 0.00 \$0 n/a Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs Estimated delayed cost to develop and implement a process for reporting suspected releases time Date Required is the investigation date and the Final Date is the estimated date of compliants Disposal 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0	\$0 ¢0
Record Keeping System 0.00 \$0 n/a Training/Sampling 0.00 \$0 n/a Remediation/Disposal 0.00 \$0 n/a Permit Costs 0.00 \$0 n/a Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Avoided Costs ANNUALIZE avoided costs before entering item (except for one-time avoided compliated before entering item (except for one-time avoided compliat	\$0 \$0
Training/Sampling 0.00 \$0 n/a Remediation/Disposal 0.00 \$0 n/a Permit Costs 0.00 \$0 n/a Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Avoided Costs Estimated delayed cost to develop and implement a process for reporting suspected releases tim Date Required is the investigation date and the Final Date is the estimated date of compliant Date Required is the investigation date and the Final Date is the estimated date of compliant Personnel 0.00 \$0 \$0 Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0	<u>\$0</u> \$0
Remediation/Disposal 0.00 \$0 n/a Permit Costs 0.00 \$0 n/a Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs Estimated delayed cost to develop and implement a process for reporting suspected releases tim Date Required is the investigation date and the Final Date is the estimated date of compliant Avoided Costs ANNUALIZE avoided costs before entering item (except for one-time avoided costs Disposal Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 \$0	<u>\$0</u> \$0
Permit Costs 0.00 \$0 n/a Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs Estimated delayed cost to develop and implement a process for reporting suspected releases time Date Required is the investigation date and the Final Date is the estimated date of complia Avoided Costs ANNUALIZE avoided costs before entering item (except for one-time avoided costs before entering	<u>\$0</u> \$0
Other (as needed) \$100 3-Feb-2021 2-Jan-2022 0.91 \$5 n/a Notes for DELAYED costs Estimated delayed cost to develop and implement a process for reporting suspected releases to Date Required is the investigation date and the Final Date is the estimated date of complia Avoided Costs ANNUALIZE avoided costs before entering item (except for one-time avoided costs before ent	<u>\$0</u> \$0
Notes for DELAYED costs Estimated delayed cost to develop and implement a process for reporting suspected releases to Date Required is the investigation date and the Final Date is the estimated date of compliant to Date Required is the investigation date and the Final Date is the estimated date of compliant to Disposal Personnel Inspection/Reporting/Sampling Inspection (Reporting Supposed Su	<u>\$0</u> \$5
Disposal Personnel Image: Constraint of the system 0.00 \$0	ance.
Personnel 0.00 \$0 \$0 Inspection/Reporting/Sampling 0.00 \$0 <td></td>	
Inspection/Reporting/Sampling 0.00 \$0 \$0	\$0
	\$0
Supplies / Equipment	\$0
	\$0
Other (as needed) <u>\$25 1-Jul-2020 17-Mar-2021 0.71 \$1 \$25 </u>	\$26
Financial Assurance 0.00 \$0 \$0 ONE-TIME avoided costs \$25 1-Mar-2020 17-Mar-2021 1.04 \$1 \$25 Other (as needed) \$25 1-Jul-2020 17-Mar-2021 0.71 \$1 \$25 Estimated avoided cost to report the suspected releases. The Date Required is the earliest of the suspected releases. The Date Required is the earliest of the suspected releases. \$1 \$25	\$0 \$26 <u>\$26</u>

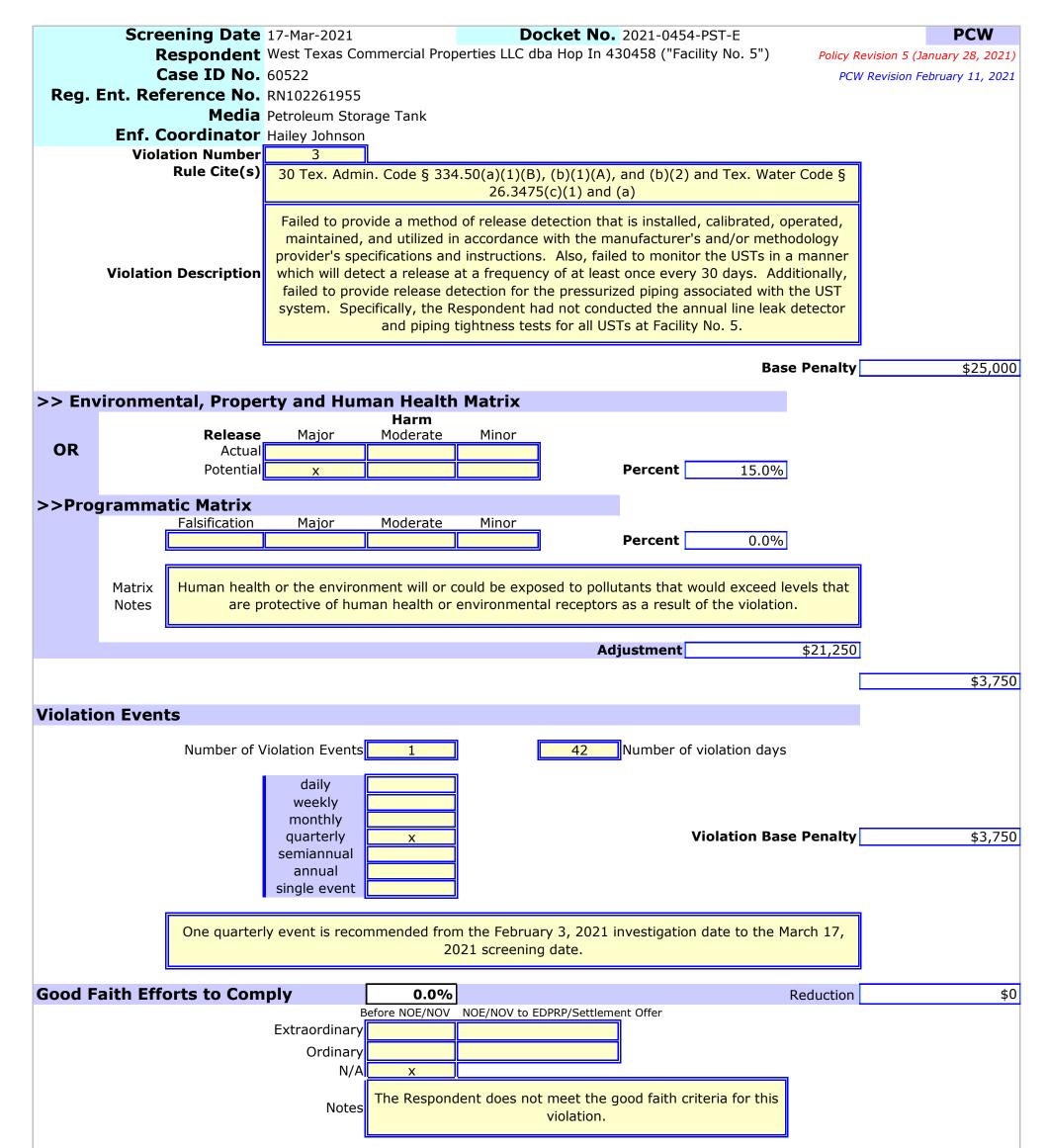
Screening Date		Docket No. 2021-0454-PST		PCW
-		perties LLC dba Hop In 430458 ("Facility N	No. 5") Policy Revi	ision 5 (January 28, 2021)
Case ID No.			PCW R	evision February 11, 2021
Reg. Ent. Reference No.				
Enf. Coordinator	Petroleum Storage Tank Hailey Johnson			
Violation Number				
Rule Cite(s)		30 Tex. Admin. Code § 334.74		
Violation Description	reporting under 30 Tex. Releases) within 30 days. S through March 2020 and M February 2020 and May 202	nfirm all suspected releases of regulated so Admin. Code § 334.72 (relating to Reporti Specifically, IC records for UST Nos. 1 and ay 2020 and June 2020, for UST No. 2 for 20 through August 2020, and for UST No. 4 ted suspected releases that were not invest	ng of Suspected 3 for January 2020 January 2020 and 4 for May 2020 and	
			Base Penalty	\$25,000
>> Environmental, Prope	rty and Human Healtl	h Matrix		
	Harm			
OR Release		Minor		
Potential		Percent	15.0%	
>>Programmatic Matrix Falsification	Major Moderate	Minor		
		Percent	0.0%	
		could be exposed to pollutants that would environmental receptors as a result of the		
		Adjustment	\$21,250	
				\$3,750
Violation Events				
Violation Events				
Number of V	/iolation Events 4 daily weekly monthly	Number of violat	tion days	
	quarterlyxsemiannualannualsingle event	Viola [.]	tion Base Penalty	\$15,000
Four quarter		from the earliest suspected release investion the March 17, 2021 screening date.	gation due date of	
Good Faith Efforts to Com			Reduction	\$1
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
	Extraordinary Ordinary N/A x			
	The Respon	dent does not meet the good faith criteria	for this	

violation	Subtotal	

C 1		() (M N
	15,	υυ	JU.

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$84	Violation Final Penalty Total	\$15,092
	This violation Final Asse	ssed Penalty (adjusted for limits)	\$15,092

		ommercial Propert	ies LLC dba Ho	p In 43	0458 ("Facility No.	5")	
Case ID No.	60522						
eg. Ent. Reference No.		5					
	Petroleum Sto						Years of
Violation No.		5				Percent Interest	Depreciation
						5.0	. 1
	Item Cost	Date Required	Final Date	Vrs	Interest Saved	Costs Saved	EB Amount
Item Description		Bute Required					ED Amount
Item Description							
Delayed Costs							
Equipment) 			0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	<u> </u>
Other (as needed)				0.00	\$0	\$0 \$0	<u>\$0</u> \$0
Engineering/Construction				0.00	\$0	\$0	<u>\$0</u>
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,200	30-Mar-2021		0.76	\$84	n/a	\$84
	Estimated	delayed cost (\$1,	600 for testing	(\$400	per tank plus line :	< 4 = \$1,600) and \$	
				• • •		x 4 = \$1,600) and $$$	600 for the
Notes for DELAYED costs	Release Deter	mination Report)	to conduct an i	nvestig	ation of the suspe	cted releases and ta	600 for the ke appropriat
Notes for DELAYED costs	Release Deter	mination Report) easures. The Date	to conduct an i e Required is th	nvestig ne earlie	ation of the suspected relea	cted releases and ta se investigation due	600 for the ke appropriate
	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig ne earlie estimat	ation of the suspected releated date of complia	cted releases and ta use investigation due ance.	600 for the lke appropriate e date and the
Notes for DELAYED costs Avoided Costs Disposal	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig ne earlie estimat	ation of the suspected releated date of compliated terms (except for	cted releases and ta se investigation due ance. one-time avoide	600 for the ake appropriate addression of the ad
Avoided Costs	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig ne earlie estimat	ation of the suspected releated date of complia	cted releases and ta use investigation due ance.	600 for the lke appropriate e date and the
Avoided Costs Disposal Personnel	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat tering 0.00	ation of the suspected releated to the suspected releated to the suspected releated to the suspected releated to the suspect of the suspect o	cted releases and ta se investigation due ance. r one-time avoide \$0	600 for the ake appropriate a date and the d costs) \$0
Avoided Costs Disposal Personnel	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat tering 0.00 0.00	ation of the suspected releated date of compliant term (except for \$0 \$0	cted releases and ta se investigation due ance. r one-time avoide \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	estimat estimat 0.00 0.00 0.00	ation of the susper est suspected releated ed date of compliated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	ted releases and ta se investigation due ance. r one-time avoide \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00	ation of the suspected releated to the suspected releated to the suspect of the suspected releated to the suspect of the suspe	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00	ation of the susper est suspected releated ed date of compliated item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ation of the susper st suspected releated red date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ation of the susper st suspected releated red date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ation of the susper st suspected releated red date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriat a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ation of the susper st suspected releated red date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs Other (as needed)	Release Deter corrective me	mination Report) easures. The Date Fi	to conduct an i e Required is th nal Date is the	nvestig e earlie estimat 0.00 0.00 0.00 0.00 0.00 0.00 0.00	ation of the susper st suspected releated red date of complia item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	600 for the ake appropriate a date and the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0



		Violation Subtotal	\$3,750
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$198	Violation Final Penalty Total	\$3,773
	This violation Final	Assessed Penalty (adjusted for limits)	\$3,773

	E	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	60522		ties LLC dba Ho	p In 43	0458 ("Facility No	. 5")	
	Petroleum Sto					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs					I	1	
Equipment	<u> </u>			0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)	<u> </u>			0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0 ¢0	n/a	\$0
Record Keeping System Training/Sampling	\$118	3-Feb-2021	2-Jan-2022	0.00	<u>\$0</u> \$5	n/a n/a	<u>\$0</u> \$5
Remediation/Disposal	<u>\$110</u>	<u>3-FED-2021</u>	<u>Z-Jall-2022</u>	0.91	\$0	n/a	\$5 \$0
Permit Costs				0.00	\$0	n/a	\$0 \$0
Other (as needed)	\$1,500	3-Feb-2021	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2				
	Estimated d	elayed cost to im	•			he USTs at Facility	
Notes for DELAYED costs	Estimated d once every 30 manufactur delayed co	elayed cost to im) days that is inst er's and/or methost to conduct the	plement a relea alled, calibrateo odology provide e annual line lea	ise dete d, opera er's spec ak detec	ction method for t ited, maintained, a cifications and inst ctor and piping tigl		No. 5 at least dance with the nd estimated . The Date
Notes for DELAYED costs	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im) days that is inst er's and/or methost to conduct the red is the investion	plement a relea alled, calibrated odology provide e annual line lea gation date and	ise dete d, opera er's spec ak detec the Fin	ction method for t ited, maintained, a cifications and inst ctor and piping tig al Date is the estin	he USTs at Facility and utilized in accor ructions (\$1,500) a htness tests (\$118) mated date of comp	No. 5 at least dance with the nd estimated . The Date liance.
	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im) days that is inst er's and/or methost to conduct the red is the investion	plement a relea alled, calibrated odology provide e annual line lea gation date and	se dete d, opera er's spec ak detec the Fin tering	ction method for t ited, maintained, a cifications and inst ctor and piping tig al Date is the estin item (except fo	he USTs at Facility and utilized in accor ructions (\$1,500) a ntness tests (\$118) mated date of comp r one-time avoide	No. 5 at least dance with the nd estimated . The Date liance. d costs)
Notes for DELAYED costs Avoided Costs	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im) days that is inst er's and/or methost to conduct the red is the investion	plement a relea alled, calibrated odology provide e annual line lea gation date and	ise dete d, opera er's spec ak detec the Fin	ction method for t ited, maintained, a cifications and inst ctor and piping tig al Date is the estin	he USTs at Facility and utilized in accor ructions (\$1,500) a htness tests (\$118) mated date of comp	No. 5 at least dance with the nd estimated . The Date liance.
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im) days that is inst er's and/or methost to conduct the red is the investion	plement a relea alled, calibrated odology provide e annual line lea gation date and	se dete d, opera r's spec the Fin tering 0.00	ction method for to ited, maintained, a cifications and inst ctor and piping tig al Date is the estin item (except fo \$0	he USTs at Facility and utilized in accor ructions (\$1,500) a ntness tests (\$118) mated date of comp r one-time avoide \$0	No. 5 at least dance with the nd estimated . The Date liance. d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im) days that is inst er's and/or methost to conduct the red is the investion	plement a relea alled, calibrated odology provide e annual line lea gation date and	se dete d, opera r's spec ak detec the Fin tering 0.00	ction method for to ted, maintained, a cifications and inst ctor and piping tig al Date is the estin item (except fo \$0 \$0	he USTs at Facility and utilized in accorructions (\$1,500) a ntness tests (\$118) mated date of comp r one-time avoide \$0 \$0 \$0 \$0 \$0	No. 5 at least dance with the nd estimated . The Date liance. d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im 0 days that is inst er's and/or metho ost to conduct the red is the investig LIZE avoided c	plement a relea alled, calibrated odology provide e annual line lea gation date and osts before er	se dete d, opera r's spec ak detec the Fin 0.00 0.00 0.00 0.00 0.00	ction method for to ted, maintained, a ifications and inst ctor and piping tigl al Date is the estivation item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility and utilized in accorructions (\$1,500) a ntness tests (\$118) mated date of comp r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 5 at least dance with the nd estimated . The Date liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	Estimated do once every 30 manufactur delayed co Requi	elayed cost to im) days that is inst er's and/or methost to conduct the red is the investion	plement a relea alled, calibrated odology provide e annual line lea gation date and	se dete d, opera r's spec ak detec the Fin 0.00 0.00 0.00 0.00 0.00 1.12	ction method for to ted, maintained, a cifications and inst ctor and piping tigl al Date is the estimation item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility and utilized in accorructions (\$1,500) a ntness tests (\$118) mated date of comp r one-time avoide \$0 \$0 \$0 \$0 \$0	No. 5 at least dance with the nd estimated . The Date liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Estimated d once every 30 manufactur delayed co Requi	elayed cost to im 0 days that is inst er's and/or metho ost to conduct the red is the investig LIZE avoided c	plement a relea alled, calibrated odology provide e annual line lea gation date and osts before er	se dete d, opera r's spec ak detec the Fin 0.00 0.00 0.00 0.00 0.00	ction method for to ted, maintained, a ifications and inst ctor and piping tigl al Date is the estivation item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility and utilized in accorructions (\$1,500) a ntness tests (\$118) mated date of comp r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 5 at least dance with the nd estimated . The Date liance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Estimated de once every 30 manufactur delayed co Requi ANNUA \$118 Estimated a	elayed cost to im O days that is inst er's and/or metho ost to conduct the red is the investig LIZE avoided cost 3-Feb-2020	plement a relea alled, calibrated odology provide e annual line lea gation date and osts before er	se dete d, opera r's spec ak detec the Fin 0.00 0.00 0.00 0.00 1.12 0.00 1.12 0.00	ction method for to ted, maintained, a cifications and inst ctor and piping tigl al Date is the estin item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	he USTs at Facility and utilized in accor ructions (\$1,500) a htness tests (\$118) mated date of comp r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	No. 5 at least dance with the nd estimated . The Date diance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

REAL ROOM MISSING	Policy Revi	Pe		Calculatio	n Workst	neet (PC		vision February 11, 2021
DATES	Assigned PCW		Scrooning	17-Mar-2021	EPA Due		1	
				<u>1/-Mdr-2021</u>	EPA Due			
RESPO	NDENT/FACILI Respondent	TY INFORMATI West Texas Com		erties LLC dba H	lop In 430459 (("Facility No. (6")	
	g. Ent. Ref. No.	RN102431764						
	ty/Site Region	5-ADITETIE			мајог/ м	linor Source		
	NFORMATION f./Case ID No.	60522			No. c	of Violations	3	
	Docket No.	2021-0454-PST				Order Type	1660	
Mec	lia Program(s) Multi-Media		ge lank		Government Enf.		No Hailey Johnsor	1
A -1-	nin Denelhut I		¢0				Enforcement T	
Adi	min. Penalty \$ I		\$0	Maximum	\$25,000			
			Penal	ty Calcula	tion Section	on		
TOTA	L BASE PENA	LTY (Sum of	violation	base penalt	ties)		Subtotal 1	\$25,000
ADJU	STMENTS (+)	/-) TO SUBT	OTAL 1					
	Subtotals 2-7 are ob Compliance His	tained by multiplying	g the Total Base	Penalty (Subtotal 1 0.0%) by the indicated p Adjustment		tals 2, 3, & 7	\$0
	Notes		No adjustm	ent for Compliar	5			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	espondent do	es not meet the	culpability crite	eria.		
	Good Faith Eff	ort to Comply T	otal Adjusti	ments			Subtotal 5	\$0
	Economic Ben				Enhancement*		Subtotal 6	\$0
		Total EB Amounts l Cost of Compliance		*Capped	d at the Total EB \$ /	Amount		
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal	\$25,000
	R FACTORS A				0.2%		Adjustment	\$51
Reduces t	Notes		o capture the	avoided cost of Violation No. 1.	f compliance ass	sociated with		
						Final Per	alty Amount	\$25,051
STATU	JTORY LIMIT	ADJUSTMEI	Т			Final Asse	ssed Penalty	\$25,051
DEFE	RAL				20.0%	Reduction	Adjustment	-\$5,010
	he Final Assessed Pe	nalty by the indicate	d percentage.]	+-,
	Notes		Deferral offer	ed for expedited	d settlement.			
PAYA	BLE PENALT	ſ						\$20,041
								· · ·

Reg	Re Ca	ning Date17-Mar-2021Docket No.2021-0454-PST-EspondentWest Texas Commercial Properties LLC dba Hop In 430459 ("Facility No. 6")se ID No.60522rence No.RN102431764MediaPetroleum Storage Tank	Policy Revisio PCW Revi	n 5 (January sion February	
	Enf. Co	ordinator Hailey Johnson			
		Compliance History Worksheet			
		tory Site Enhancement (Subtotal 2)			
	Component	Number of		Adjust.	1
	NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%	
		Other written NOVs	0	0%	
		Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	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%	
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	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%	
	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%	
	Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%	
		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%	
		Participation in a voluntary pollution reduction program	No	0%	I
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%	
		Adjustment Percent	tage (Sub	ototal 2)	0%
>> Re		r (Subtotal 3)	tago (Suk	statal 2)	0.00
	N		laye (Sub	ilotai 3)	0%
>> Coi	-	v Performer Adjustment Percent	tage (Sub	ototal 7)	0%
>> Coi		story Summary			0 /0
	Compliance History Notes	No adjustment for Compliance History.			
		Total Compliance History Adjustment Percentage (Sub	totals 2,	3, & 7)	0%
>> Fina	I Compliance	e History Adjustment Final Adjustment Percentage	*capped	at 100%	0%

	Screening Date	17-Mar-2021		Doc	ket No. 2021-0454-PST-E		PCW
	Respondent	West Texas Co	mmercial Prop	erties LLC dba	a Hop In 430459 ("Facility No.	6") Policy	Revision 5 (January 28, 2021)
	Case ID No.	60522				PC	W Revision February 11, 2021
Reg. E	Ent. Reference No.	RN102431764					
	Media	Petroleum Stor	age Tank				
	Enf. Coordinator	· · ·	<u></u>				
	Violation Number	1					a
	Rule Cite(s)			20 Toy Admi	in Codo 5 224 72		
				SU TEX. Autili	in. Code § 334.72		
						C 11	
					the agency within 24 hours of the agency within 24 hours of the start	•	
	Violation Description				ptember 2020 through Decem		
					h December 2020 indicated si		
				that were	e not reported.		
						Base Penalty	\$25,000
	dua nun antal Duana					_	
>> Env	vironmental, Prope	rty and Hun	h an Health Harm	Matrix			
	Release	Major	Moderate	Minor			
OR	Actual						
	Potential				Percent	0.0%	
>>Prog	grammatic Matrix	Major	Madarata	Minor			
	Falsification	Major x	Moderate	Minor	Percent	10.0%	
						10.0 /0	
	Matrix		100% of the	rule requirem	ent was not met.		
	Notes						
							-
					Adjustment	\$22,500	
					Aujustinent	+==,===	
					Adjustment	+/	\$2,500
					Adjustment	+/	\$2,500
Violatio	on Events						\$2,500
Violatio		∕iolation Events	4				\$2,500
Violatio		Violation Events	4		228 Number of violation		\$2,500
Violatio		Violation Events daily	4				\$2,500
Violatio		daily weekly	4] [\$2,500
Violatio		daily weekly monthly	4		228 Number of violation	ı days	
Violatio		daily weekly monthly quarterly	<u>4</u>] [228 Number of violation		
Violatio		daily weekly monthly quarterly semiannual	4		228 Number of violation	ı days	
Violatio		daily weekly monthly quarterly	4		228 Number of violation	ı days	
Violatio		daily weekly monthly quarterly semiannual annual			228 Number of violation	ı days	
Violatio	Number of N	daily weekly monthly quarterly semiannual annual single event			228 Number of violation Violation	n days on Base Penalty	
Violatio	Number of N	daily weekly monthly quarterly semiannual annual single event		one for each U	228 Number of violation	n days on Base Penalty	
Violatio	Number of N	daily weekly monthly quarterly semiannual annual single event		one for each U	228 Number of violation Violation	n days on Base Penalty	
	Number of N	daily weekly monthly quarterly semiannual annual single event		one for each U	228 Number of violation Violation	n days on Base Penalty	
	Number of N	daily weekly monthly quarterly semiannual annual single event	commended (o		228 Number of violation Violation	n days on Base Penalty ase occurred).	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event	commended (o		228 Number of violation Violation	n days on Base Penalty ase occurred).	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event le events are rea ply Extraordinary Ordinary	commended (o		228 Number of violation Violation	n days on Base Penalty ase occurred).	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event le events are rea	commended (o		228 Number of violation Violation	n days on Base Penalty ase occurred).	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event le events are rea ply Extraordinary Ordinary N/A	commended (o	NOE/NOV to ED	228 Number of violation Violation	n days on Base Penalty ase occurred). Reduction	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event le events are rea ply Extraordinary Ordinary	commended (o	NOE/NOV to ED	228 Number of violation Violation	n days on Base Penalty ase occurred). Reduction	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event le events are rea ply Extraordinary Ordinary N/A	commended (o	NOE/NOV to ED	228 Number of violation Violation	n days on Base Penalty ase occurred). Reduction	\$10,000
	Number of N	daily weekly monthly quarterly semiannual annual single event le events are rea ply Extraordinary Ordinary N/A	commended (o	NOE/NOV to ED	228 Number of violation Violation	n days on Base Penalty ase occurred). Reduction	\$10,000
Good Fa	Number of N Four sing	daily weekly monthly quarterly semiannual annual single event le events are ree ply Extraordinary Ordinary N/A Notes	commended (o	NOE/NOV to ED	228 Number of violation Violation	on Base Penalty ase occurred). Reduction or this olation Subtotal	\$10,000
Good Fa	Number of N	daily weekly monthly quarterly semiannual annual single event le events are ree ply Extraordinary Ordinary N/A Notes	commended (o	NOE/NOV to ED	228 Number of violation Violation	on Base Penalty ase occurred). Reduction or this olation Subtotal	\$10,000
Good Fa	Number of N Four sing aith Efforts to Com	daily weekly monthly quarterly semiannual annual single event le events are ree ply Extraordinary Ordinary N/A Notes	commended (or commended (or commended) (or commende	NOE/NOV to ED	228 Number of violation Violation Violation PRP/Settlement Offer Image: Comparison of the set of the good faith criteria for violation. Violation Violation	on Base Penalty ase occurred). Reduction or this olation Subtotal	\$0
Good Fa	Number of N Four sing aith Efforts to Com	daily weekly monthly quarterly semiannual annual single event le events are ree bply Extraordinary Ordinary N/A Notes	commended (or commended (or co	NOE/NOV to ED	228 Number of violation Violation Violation PRP/Settlement Offer Image: Comparison of the set of the good faith criteria for violation. Violation Violation	on Base Penalty on Base Penalty ase occurred). Reduction or this olation Subtotal t Test al Penalty Total	\$10,000 \$0 \$10,000 \$10,000

	E	conomic	Benefit	Wo	rksheet		
Respondent	West Texas C	ommercial Propert	ies LLC dba Ho	p In 43	0459 ("Facility No	. 6")	
Case ID No.				-		- /	
Reg. Ent. Reference No.		1					
-	Petroleum Sto						Years of
		haye fallk				Percent Interest	
Violation No.	L						Depreciation
						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment		<u>т т</u>		0.00	\$0	\$0	\$0
Buildings		╬─────────────────────────────────────		0.00	\$0	\$0	<u> </u>
Other (as needed)				0.00	\$0	\$0	<u> </u>
Engineering/Construction				0.00	\$0	\$0	<u> </u>
Land		†		0.00	\$0	n/a	\$0
Record Keeping System		†		0.00	\$0	n/a	<u>\$0</u> \$0
Training/Sampling		ii		0.00	\$0	n/a	\$0
Remediation/Disposal		i i i i i i i i i i i i i i i i i i i		0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100	3-Feb-2021	2-Jan-2022	0.91	\$5	n/a	\$5
Notes for DELAYED costs		•	•	•	•	ng suspected release	aa timaalu Th
		•				stimated date of co	mpliance.
Avoided Costs		•		tering	item (except for	r one-time avoide	mpliance.
Disposal		•		tering	item (except for \$0	r one-time avoide \$0	mpliance. d costs) \$0
Disposal Personnel		•		tering 0.00 0.00	item (except fo \$0 \$0	r one-time avoide \$0 \$0	mpliance. d costs) \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling		•		tering 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0	d costs) d costs) \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment		•		tering 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU#	ALIZE avoided co	osts before er	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNUA	ALIZE avoided co	osts before er	tering 0.00 0.00 0.00 0.00 0.00 0.62	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$1	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$25	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$26
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	ANNU#	ALIZE avoided co	osts before er	tering 0.00 0.00 0.00 0.00 0.00	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	ANNUA \$25 \$25 Estimated	ALIZE avoided co	17-Mar-2021 17-Mar-2021	tering 0.00 0.00 0.00 0.00 0.62 0.29	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$1 \$0 eases. The Date F	r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$25	mpliance. d costs) \$0 \$0 \$0 \$0 \$0 \$26 \$25 est date the

		ening Date lespondent	17-Mar-2021 West Texas Co	mmercial Prop			2021-0454- 30459 ("Faci		Policy	Revision 5 (Ja	PCW nuary 28, 2021)
	C	Case ID No.	60522						PC	W Revision Fe	bruary 11, 2021
Reg.	Ent. Ref		RN102431764								
			Petroleum Stor	5							
			Hailey Johnson	1							
	VIOIa	ation Number Rule Cite(s)									
		Rule elle(3)			30 Tex. Adı	min. Code §	334.74				
	Violatio	n Description	Releases) withi July 2020 an	nder 30 Tex. / n 30 days. Sj d September 3	Admin. Code pecifically, IC 2020 throug ecember 202	§ 334.72 (r records for h December	relating to Re UST Nos. 1 2020 and fo	eporting of Sus	pected 2020 and nd 4 for		
								Bas	e Penalty		\$25,000
									,		+==,===
>> Env	vironme	ntal, Prope	rty and Hun		Matrix						
		Release	Major	Harm Moderate	Minor						
OR		Actual	-] -								
		Potential	X				Percent	15.0%			
		tic Motrix									
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor						
				Hoderate			Percent	0.0%			
	Notes	are p	protective of hur	nan health or	environmen		s as a result	of the violation	\$21,250		¢2 750
											\$3,750
Violatio	on Even	ts									
		Number of \	/iolation Events	3]	199	Number of	violation days			
			daily weekly monthly quarterly semiannual annual single event				•	Violation Bas	e Penalty		\$11,250
		Three quarte	rly events are re Augu	ecommended st 30, 2020 to				-	e date of		
Good F	aith Eff	orts to Com	ply	0.0%					Reduction		\$0
				X]				
			Notes	The Respon	dent does no	ot meet the violation.	good faith cr	iteria for this			
								Violation	Subtatal		¢11 250

Economic Benefit (EB) for this violation	Statutory Limit Test	
Estimated EB Amount	\$64 Violation Final Penalty Total	\$11,273
	This violation Final Assessed Penalty (adjusted for limits)	\$11,273

	EC	conomic	Benefit	Wo	rksheet		
Respondent Case ID No. Reg. Ent. Reference No.	60522		ties LLC dba Ho	p In 43	0459 ("Facility No.	6")	
	Petroleum Sto					Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	1						
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 #0	n/a	\$0 \$0
Remediation/Disposal	<u></u>	20 Aug 2020	17 Dec 2020	0.00	\$0	n/a	\$0
Other (as needed) Other (as needed)	<u>\$1,600</u> \$600	30-Aug-2020		0.30	\$24	n/a	\$24
	Estimated de	layed cost to cond		-	-	n/a e USTs at Facility N .600). The Date Re	
Notes for DELAYED costs	Estimated de the suspect earliest testing Release Dete	layed cost to cond ed release invest g due date and th ermination Report nplement approp	duct tank and lin igation (\$400 pe ne Final Date is t t for the suspect riate corrective	ne tight er tank the date ted rele measur	ness testing for th plus line x 4 = \$1, e of compliance. E ases as part of the es. The Date Req	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest	o. 6 as part of quired is the ost to submit a investigation
Notes for DELAYED costs	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	ne tight er tank the date ted rele measur the est	ness testing for th plus line x 4 = \$1, e of compliance. E eases as part of the res. The Date Req imated date of cor	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance.	o. 6 as part of quired is the ost to submit a investigation RDR due date
Notes for DELAYED costs Avoided Costs	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	ne tight er tank the date ted rele measur the est tering	ness testing for th plus line x 4 = \$1, e of compliance. E ases as part of the res. The Date Req imated date of cor item (except for	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance.	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs)
Notes for DELAYED costs Avoided Costs Disposal	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	ter tight the date ted rele measur the est tering 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E ases as part of the es. The Date Req imated date of cor item (except for \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	te tight ter tank the date ted rele measur the est tering 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E ases as part of the es. The Date Req imated date of cor item (except for \$0 \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0 \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	te tight ter tank the date ted rele measur the est tering 0.00 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E ases as part of the res. The Date Req imated date of cor item (except for \$0 \$0 \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0 \$0 \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	te tight ter tank the date ted rele measur the est tering 0.00 0.00 0.00 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E eases as part of the res. The Date Req imated date of cor item (except for \$0 \$0 \$0 \$0 \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0 \$0 \$0 \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	te tight ter tank the date ted rele measur the est tering 0.00 0.00 0.00 0.00 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E eases as part of the res. The Date Req imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	te tight ter tank the date ted rele measur the est tering 0.00 0.00 0.00 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E eases as part of the res. The Date Req imated date of cor item (except for \$0 \$0 \$0 \$0 \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0 \$0 \$0 \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	Estimated de the suspect earliest testing Release Dete (\$600) and ir	layed cost to cond ed release invest g due date and th ermination Report nplement approp and th	duct tank and lin igation (\$400 pe he Final Date is t t for the suspect riate corrective he Final Date is	ted rele measur the est ted rele measur the est tering 0.00 0.00 0.00 0.00 0.00 0.00	ness testing for th plus line x 4 = \$1, e of compliance. E eases as part of the res. The Date Req imated date of cor item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	e USTs at Facility N 600). The Date Re stimated delayed c suspected release uired is the earliest npliance. one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	o. 6 as part of quired is the ost to submit a investigation RDR due date d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

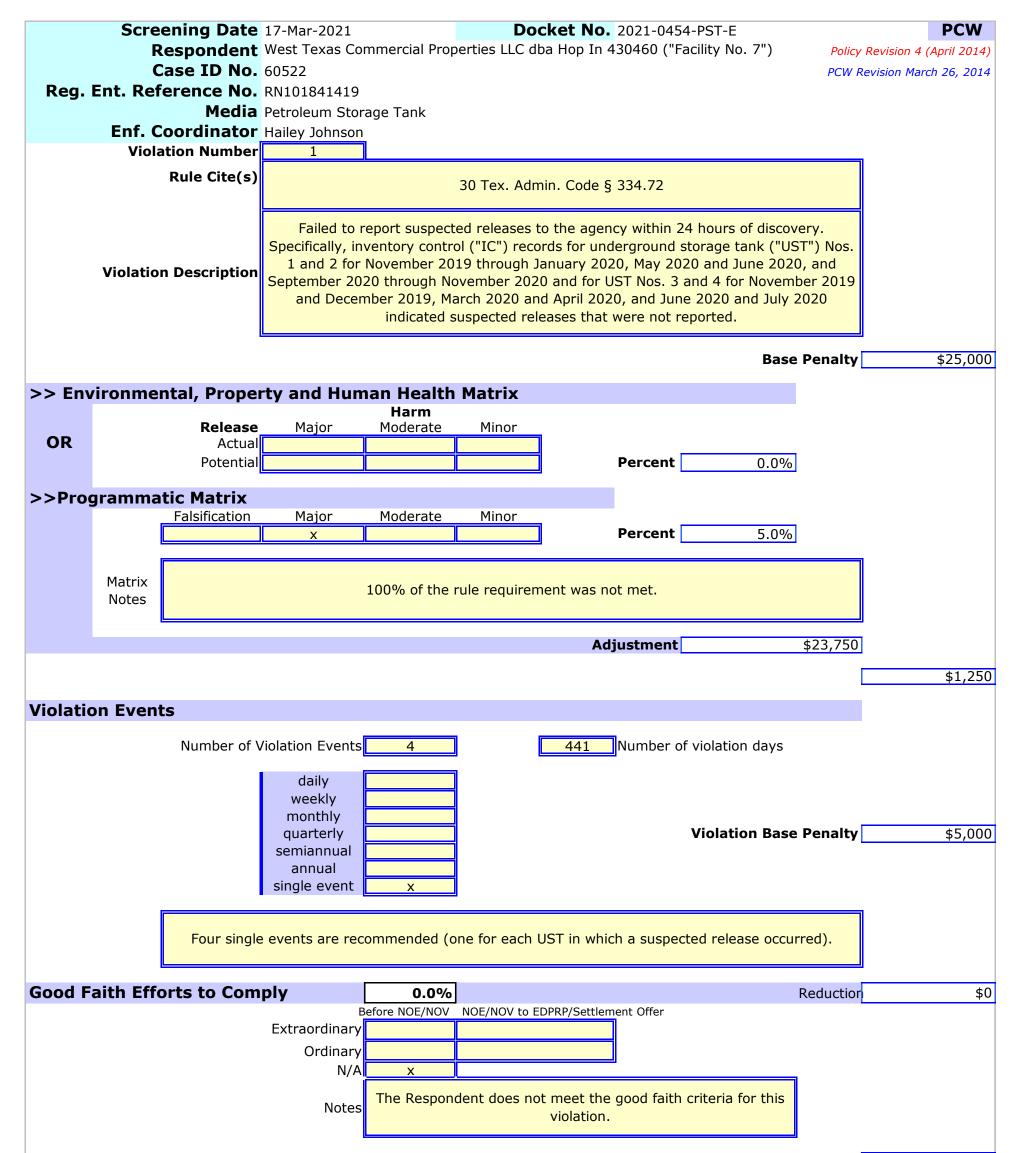
	Careening Data	17.14 2021			alet Na 2021			DCW
	Screening Date				ocket No. 2021			PCW
			nmercial Prop	erties LLC d	ba Hop In 430459	("Facility No. 6")	Policy Re	evision 5 (January 28, 2021)
	Case ID No.						PCW	Revision February 11, 2021
Reg. E	Int. Reference No.	RN102431764						
	Media	Petroleum Stora	ige Tank					
	Enf. Coordinator	Hailey Johnson						
	Violation Number	3						
	Rule Cite(s)	30 Tex A	dmin. Code 8	33450(a)(1)(B) and $(b)(1)(A)$	A) and Tex. Water Co	de S	
	Kule Cite(3)	50 Tex. A		• • •	.3475(c)(1)		Jue g	
	Violation Description	maintained, a provider's spec	and utilized ir cifications and	n accordance d instruction	e with the manufacts. Also, failed to r	stalled, calibrated, c cturer's and/or meth monitor the USTs in st once every 30 da	odology a manner	
						Ba	se Penalty	\$25,000
>> Env	vironmental, Prop	ertv and Hun	nan Healtl	n Matrix				
		-	Harm					
	Release		Moderate	Minor				
OR	Actual							
	Potential	x			Perc	ent 15.0%		
_								
>>Pro	grammatic Matrix							
	Falsification	Major	Moderate	Minor			r	
					Perc	ent 0.0%		
						that would exceed result of the violatio		
					Aujustii		Ψ21,250	
								\$3,750
Violati	on Events							
VIUlati								
	Number of V	Violation Events	1		42 Numl	ber of violation days		
		daily						
		weekly						
		monthly						
		quarterly	х			Violation Ba	se Penalty	\$3,750
		semiannual						
		annual						
		single event						
								1
	One quarte	erly event is recor	mmended fro	m the Febru	ary 3, 2021 invest	tigation date to the l	March 17,	
			2	021 screeni	ng date.			
								l i
Good E	aith Efforts to Co	mply	0.0%				Reduction	\$0
GUUU F					DPRP/Settlement Offe	\r \	Reduction	φ υ
		Extraordinary		NOL/NOV LUE		-1		
		· · · · ·						
		Ordinary						
		N/A	X				l l	
		I	The Respond	lent does no	t meet the good f	aith criteria for this		
		Notes			violation.			
						Violatia	n Subtotal	\$3,750
						violatio	n suvtotal	

Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$68	Violation Final Penalty Total	\$3,758
	This violation Final A	ssessed Penalty (adjusted for limits)	\$3,758

	Petroleum Sto	orage Tank				Percent Interest	Years of
Violation No.	3						
						5.0	1
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	1	- V		7			
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 \$0
Land Record Keeping System				0.00	<u>\$0</u> \$0	n/a n/a	<u>\$0</u> \$0
Training/Sampling				0.00	\$0	n/a	<u> </u>
Remediation/Disposal				0.00	\$0	n/a	<u> </u>
Permit Costs				0.00	\$0	n/a	<u>\$0</u>
Other (as needed)	\$1,500	3-Feb-2021	2-Jan-2022	0.91	\$68	n/a	<u>\$68</u>
	Estimated d		allad calibrate		tod maintainod		
Notes for DELAYED costs	once every 3	er's and/or method	lology provider	's speci	fications and instru	and utilized in accord uctions. The Date R ate of compliance.	
Notes for DELAYED costs Avoided Costs	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's speci al Date	fications and instruits the estimated d	uctions. The Date R	equired is the
	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's speci al Date	fications and instruits the estimated d	actions. The Date R ate of compliance.	equired is the
Avoided Costs	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's specif al Date tering	fications and instru- is the estimated d item (except for \$0 \$0	actions. The Date R ate of compliance. r one-time avoide \$0 \$0	equired is the d costs) \$0 \$0
Avoided Costs Disposal Personnel	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	s species al Date tering 0.00 0.00 0.00	fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0	actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0	equired is the d costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's special Date tering 0.00 0.00 0.00 0.00	fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0	actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0	equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's specification of the specif	fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's specification of the specif	fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	actions. The Date R ate of compliance. r one-time avoider \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	once every 3 manufacture	er's and/or method investigation da	lology provider ate and the Fin	's specification of the specif	fications and instru- is the estimated d item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	actions. The Date R ate of compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	equired is the d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

SOUMMISSIC BURNHENTAL OF	Policy Rev	Pe rision 4 (April 2014)	enalty C	alculatio	n Worksh	ieet (PC	,	Revision March 26, 2014
DATES	Assigned PCW		Scrooning	17-Mar-2021	EPA Due			
				1/-Mdi-2021				
RESPO		TY INFORMATI West Texas Com		erties LLC dba H	lop In 430460 ("Facility No. 7	7")	
	g. Ent. Ref. No. ty/Site Region	RN101841419				linor Source		
		5-Ablielle			Мајог / М	inor source		
	NFORMATION f./Case ID No.	60522			No. o	of Violations	3	
	Docket No.	2021-0454-PST-				Order Type	1660	
Med	lia Program(s) Multi-Media	Petroleum Stora	ge Tank		Government Enf		No Hailey Johnsor	
							Enforcement T	
Adr	nin. Penalty \$ I	Limit Minimum	\$0	Maximum	\$25,000			
			Penal	ty Calcula	tion Sectio	on		
ΤΟΤΑΙ	L BASE PENA	LTY (Sum of	violation	base penalt	ies)		Subtotal 1	\$27,500
ADJU	STMENTS (+	/-) TO SUBTO	DTAL 1					
	Subtotals 2-7 are ob Compliance His	tained by multiplying	the Total Base I	Penalty (Subtotal 1) 20.0%) by the indicated pe Adjustment		tals 2, 3, & 7	\$5,500
	-							\$3,300
	Notes	Enhancemen	t for one Agr	eed Order conta	aining a denial o	f liability.		
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent doe	es not meet the	culpability crite	ria.		
	Good Faith Effo	ort to Comply T	otal Adjustn	nents			Subtotal 5	\$0
	Economic Bene	efit		0.0%	Enhancement*		Subtotal 6	\$0
		Total EB Amounts Cost of Compliance	\$277 \$3,825		d at the Total EB \$ A	Amount		тт. Тт.
	OF SUBTOTAL		43/023					+22.000
SOM	JF SUBIUIAI	LS 1-7				F	inal Subtotal	\$33,000
		Subtotal by the indic			0.1%		Adjustment	\$27
	Notes	Enhancement to	•	avoided cost of Violation No. 1.	compliance ass	ociated with		
						Final Pen	alty Amount	\$33,027
STATU	JTORY LIMIT		IT			Final Asse	ssed Penalty	\$33,027
DEFER					20.0%	Reduction	Adjustment	-\$6,605
Reduces t	he Final Assessed Pe	nalty by the indicated	l percentage.					
	Notes		Deferral offer	ed for expedited	d settlement.			
ΡΑΥΑ	BLE PENALT	(\$26,422
								+ , - -

	Screeni	ng Date	17-Mar-2021	Docket No. 2021-0454-PST-E		P	W
		-		cial Properties LLC dba Hop In 430460 ("Facility No. 7")	Policy I	Revision 4 (April	1 2014
	-	e ID No.				evision March 26	
Rea.			RN101841419				,,
			Petroleum Storage T	ank			
	Enf. Coo		Hailey Johnson				
				lianco History Workshoot			
	nnliance Hist	nrv Sita F	nhancement (Subto	oliance History Worksheet			
	Component	Number (Number	Adjust.	
	NOVs	Written n	otices of violation ('	"NOVs") with same or similar violations as those in the mber of NOVs meeting criteria)	0	0%	
		Other writ		, , , , , , , , , , , , , , , , , , ,	0	0%	
_				orders containing a denial of liability (number of orders			
		meeting c			1	20%	
	Orders	Any adjuc denial of prohibitor	0	0%			
	Judgments and Consent	liability of <i>meeting c</i>	this state or the federiteria)	art judgments or consent decrees containing a denial of eral government (<i>number of judgments or consent decrees</i>	0	0%	
	Decrees		dicated final court ju gments or consent dec ent	0	0%		
	Convictions	Any crimir	nal convictions of this	state or the federal government (number of counts)	0	0%	
	Emissions	Chronic ex	cessive emissions ev	ents (number of events)	0	0%	
	Audits	Environme	, .	e director of an intended audit conducted under the Texas fety Audit Privilege Act, 74th Legislature, 1995 (number of ubmitted)	0	0%	
	Audits		Act, 74th Legislatur	er the Texas Environmental, Health, and Safety Audit re, 1995 (<i>number of audits for which violations were</i>	0	0%	
Γ		Environme	 ental management sy	stems in place for one year or more	No	0%	
	Other	,	on-site compliance a sistance program	assessments conducted by the executive director under a	No	0%	
		Participati	on in a voluntary poll	ution reduction program	No	0%	
		,	pliance with, or offer ental requirements	of a product that meets future state or federal government	No	0%	
-				Adjustment Percentage	e (Subt	otal 2) 2	20%
> Rep	eat Violator ((Subtotal	3)			- 4 - 4 - 2) [0.5.5
	No		J	Adjustment Percentage	e (Subt	otal 3)	0%
> Con	npliance Histo	ory Person	n Classification (Sul	btotal 7)			
	Satisfactory P	Performer]	Adjustment Percentage	e (Subt	otal 7)	0%
> Con	npliance Histo	ory Summ	ary				
	Compliance History Notes		Enhancement	for one Agreed Order containing a denial of liability.]	
			-	ance History Adjustment Percentage (Subtota	als 2, 3	2, & 7) 2	20%
> Final	Compliance	HISTORY AC	ijustment	Final Adjustment Deventage .			10.01
				Final Adjustment Percentage *ca	apped at	2 200%	20%



		Violation Subtotal	\$5,000
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$32	Violation Final Penalty Total	\$6,005
	This violation Fina	Assessed Penalty (adjusted for limits)	\$6,005

	E	conomic	Benefit	Wo	rksheet		
Respondent	West Texas Co	ommercial Propert	ies LLC dba Ho	p In 43	0460 ("Facility No.	7")	
Case ID No.		•		•		,	
Reg. Ent. Reference No.							
	Petroleum Sto						Years of
		laye lalik				Percent Interest	
Violation No.	, 1						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
	1						
Delayed Costs	; 				+0	+0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)		<u> </u>		0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	<u>\$0</u> \$0	n/a	<u>\$0</u> \$0
Record Keeping System				0.00	\$0	n/a n/a	<u>\$0</u> \$0
Training/Sampling				0.00	\$0	· · · · · · · · · · · · · · · · · · ·	<u>\$0</u> \$0
Remediation/Disposal Permit Costs				0.00	\$0	n/a n/a	\$0
Other (as needed)	\$100	21-Dec-2020	2-Jan-2022	1.03	\$0	n/a	\$5
Notes for DELAYED costs		•	•	•	•	ng suspected releas stimated date of co	•
Avoided Costs	ANNU/	ALIZE avoided co	osts before er	ntering	item (except fo	r one-time avoide	d 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				0.00	\$0	\$0	\$0
ONE-TIME avoided costs	\$25	1-Jan-2020	17-Mar-2021	1.21	\$2	\$25	\$27
ONE-TIME avoided costs Other (as needed)	\$25	1-Jan-2020	17-Mar-2021	1.21 0.00	\$2 \$0	\$25 \$0	
	Estimated	avoided cost to re	port the suspe	0.00 cted rel	\$0 eases. The Date I		\$27 \$0 est date the

	Scre	ening Date	17-Mar-2021		П	ocket No.	2021-045	A-DCT-F		PCW
		-	West Texas Co	mmercial Pro					Policy	Revision 4 (April 2014)
		ase ID No.								evision March 26, 2014
Rea	_		RN101841419						FCWA	
Regi			Petroleum Stor	rage Tank						
	Enf C		Hailey Johnson	5						
		ation Number	,							
	v loid	Rule Cite(s)		<u></u>	20 T 4		224 74			
					30 Tex. Ad	dmin. Code §	334.74			
	Violatio	n Description	reporting u Releases) w 2019 throug November 202	under 30 Tex. ithin 30 days. Jh January 202 20 and for UST	Admin. Cod Specifically 20, May 202 Nos. 3 and June 2020	e § 334.72 (r , IC records f 0 and June 2 4 for Novem	elating to for UST No 020, and S ber 2019 a) indicated	lated substances Reporting of Susp s. 1 and 2 for No September 2020 f and December 20 suspected releas	pected vember through 19, March	
								Base	e Penalty	\$25,000
>> Env	vironme	ntal, Prope	rty and Hun	nan Health	Matrix					
				Harm						
OR		Release Actual		Moderate	Minor					
UN		Potential					Percent	15.0%	7	
				л <u></u>				1010 /0		
>>Prog	gramma	tic Matrix								
		Falsification	Major	Moderate	Minor	=1	_		-	
							Percent	0.0%		
	Matrix Notes					ntal receptors		would exceed levels of the violation		
							-			+2.750
										\$3,750
Violatio	on Event	ts								
		Number of \	/iolation Events daily weekly	5]	412	Number o	of violation days		
			monthly							
			quarterly	х				Violation Base	e Penalty	\$18,750
			semiannual							
			annual single event							
			single event							
		Five quarter		ecommended f ary 30, 2020 t				investigation due te.	date of	
Good F	aith Effo	orts to Com	ply	0.0%					Reductior	\$0
			E	Before NOE/NOV	NOE/NOV to	EDPRP/Settleme	ent Offer			
			Extraordinary							
			Ordinary							
			N/A	<u> </u>					7	
			Notes	The Respo	ndent does r	not meet the violation.	good faith	criteria for this		
									_	

		Violation Subtotal	\$18,750
Economic Benefit (EB) for this violation		Statutory Limit Test	
Estimated EB Amount	\$168	Violation Final Penalty Total	\$22,518
	This violation Fin	al Assessed Penalty (adjusted for limits)	\$22,518

AN ENT RATAPANCA NA	RN101841419						
eg. Ent. Reference No. Media Violation No.	Petroleum Stor					Percent Interest	Years of Depreciation
						5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description	l i i i i i i i i i i i i i i i i i i i						
Delayed Costs	1	1		-	I		
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 \$0	n/a	\$0 \$0
Record Keeping System				0.00	<u>\$0</u> \$0	n/a n/a	\$0 \$0
Training/Sampling Remediation/Disposal				0.00	\$0 \$0	n/a	<u>\$0</u> \$0
Other (as needed)	\$800	30-Jan-2020	23-Nov-2020	0.82	\$33	n/a	\$33
Other (as needed)	\$1,400	30-Jan-2020	2-Jan-2022	1.93	\$135	n/a	\$135
	part of the sus earliest testing	pected release in due date and th	vestigation (\$4) e Final Date is t	00 per	ness testing for US tank plus line x 2 e of compliance. E	ST Nos. 1 and 2 at F = \$800). The Date Estimated delayed co	acility No. 7 as Required is the ost to complete
Notes for DELAYED costs	part of the sus earliest testing the suspected 3 and 4 (\$800	pected release in g due date and th release investiga) and submitting corrective measu	vestigation (\$4) le Final Date is t ltion, which inclu a Release Deter res. The Date R	00 per the date udes co minatio equireo	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s	= \$800). The Date Estimated delayed co line tightness testir suspected releases (spected release inve	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take
	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date udes co minatio equired is the e	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of	= \$800). The Date Estimated delayed co line tightness testin suspected releases (spected release inve compliance.	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due
Avoided Costs	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date udes co minatio equired is the o tering	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except fo	= \$800). The Date stimated delayed co line tightness testin suspected releases (spected release inve compliance.	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs)
	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatic equired is the o tering 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except fo \$0	= \$800). The Date Estimated delayed co line tightness testin suspected releases (spected release inve compliance. r one-time avoide \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) \$0
Avoided Costs Disposal Personnel	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatic equired is the o tering 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except for \$0 \$0	= \$800). The Date Estimated delayed co line tightness testin suspected releases (spected release inve compliance. r one-time avoide \$0 \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) \$0 \$0
Avoided Costs Disposal Personnel	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatic equired is the o tering 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except fo \$0	= \$800). The Date Estimated delayed co line tightness testin suspected releases (spected release inve compliance. r one-time avoide \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatic equired is the o tering 0.00 0.00 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except for \$0 \$0 \$0	= \$800). The Date Estimated delayed co- line tightness testin suspected releases (spected release inve- compliance. r one-time avoide \$0 \$0 \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatic equired is the o tering 0.00 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0	= \$800). The Date Estimated delayed co line tightness testin suspected releases (spected release inve compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatic equired is the o tering 0.00 0.00 0.00 0.00 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	= \$800). The Date stimated delayed co line tightness testin suspected releases (spected release inve compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs	part of the sus earliest testing the suspected 3 and 4 (\$800 appropriate o	pected release in g due date and th release investiga) and submitting corrective measured date and	ivestigation (\$4) ie Final Date is t ition, which inclu a Release Deter res. The Date R d the Final Date	00 per the date ides co minatio equired is the o tering 0.00 0.00 0.00 0.00 0.00 0.00	ness testing for US tank plus line x 2 e of compliance. E nducting tank and on Report for the s d is the earliest su estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	= \$800). The Date Estimated delayed or line tightness testin suspected releases (spected release inve compliance. r one-time avoide \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	acility No. 7 as Required is the ost to complete ng for UST Nos. \$600) and take estigation due d costs) d costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Screening Date				
	-	17-Mar-2021		Docket No. 2021-0454-PST-E	PCW
	•		nmercial Prop	perties LLC dba Hop In 430460 ("Facility No. 7")	Policy Revision 4 (April 2014)
	Case ID No.				PCW Revision March 26, 2014
Reg.	Ent. Reference No.				
		Petroleum Stora	age Tank		
	Enf. Coordinator				
	Violation Number	3			
	Rule Cite(s)	30 Tex. A	dmin. Code §	334.50(a)(1)(B) and (b)(1)(A) and Tex. Water Code 26.3475(c)(1)	§
	Violation Description	maintained, a provider's spec	and utilized ir cifications and	l of release detection that is installed, calibrated, oper n accordance with the manufacturer's and/or methodo d instructions. Also, failed to monitor the USTs in a m elease at a frequency of at least once every 30 days.	ology
				Base F	Penalty \$25,000
>> Env	vironmental, Prope	rty and Hun	nan Health	n Matrix	
		_	Harm		
OR	Release Actual		Moderate	Minor	
UN	Potential			Percent 15.0%	
>>Pro	grammatic Matrix				
	Falsification	Major	Moderate	Minor	
				Percent 0.0%	
				could be exposed to pollutants that would exceed leve environmental receptors as a result of the violation.	ls that
				Adjustment	\$21,250
					\$3,750
Vialat:					\$3,750
Violati	on Events				\$3,750
Violati		/iolation Events	1	86 Number of violation days	\$3,750
Violati		/iolation Events	1	86 Number of violation days	\$3,750
Violati		daily	1	86 Number of violation days	\$3,750
Violati		daily weekly	1	86 Number of violation days	\$3,750
Violati		daily	<u>1</u>	86 Number of violation days Violation Base F	
Violati		daily weekly monthly quarterly semiannual			
Violati		daily weekly monthly quarterly semiannual annual			
Violati		daily weekly monthly quarterly semiannual			
Violati	Number of N	daily weekly monthly quarterly semiannual annual single event	X	Violation Base F	Penalty \$3,750
Violati	Number of N	daily weekly monthly quarterly semiannual annual single event	x mended from	Violation Base F the December 21, 2020 investigation date to the Ma	
Violati	Number of N	daily weekly monthly quarterly semiannual annual single event	x mended from	Violation Base F	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event	x mended from 2(Violation Base F the December 21, 2020 investigation date to the Ma 021 screening date.	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event v event is recomm	x mended from 20	Violation Base F the December 21, 2020 investigation date to the Ma 021 screening date.	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event v event is recomm	x mended from 20	Violation Base F the December 21, 2020 investigation date to the Ma 021 screening date.	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event	x mended from 20	Violation Base F the December 21, 2020 investigation date to the Ma 021 screening date.	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event v event is recommon ply	x mended from 20	Violation Base F the December 21, 2020 investigation date to the Ma 021 screening date.	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event v event is recommon ply Extraordinary Ordinary	x mended from 20 60.0% efore NOE/NOV	Violation Base F the December 21, 2020 investigation date to the Ma 021 screening date.	Penalty \$3,750
	Number of N	daily weekly monthly quarterly semiannual annual single event v event is recommon ply Extraordinary Ordinary N/A	x mended from 20 60.0% efore NOE/NOV	Violation Base F the December 21, 2020 investigation date to the Ma D21 screening date. NOE/NOV to EDPRP/Settlement Offer	Penalty \$3,750

/ Limit Test
n Final Penalty Total \$4,504
(adjusted for limits) \$4,504
ty

Respondent West Texas Commercial Properties LLC dba Hop In 430460 ("Facility No. 7") Case ID No. 60522								
Reg. Ent. Reference No.								
	Petroleum Sto					Percent Interest	Years of Depreciation	
						5.0	15	
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
Item Description	1							
-								
Delayed Costs	5			_				
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		1		0.00	\$0	n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs Other (as needed)	\$1,500	21-Dec-2020	2 lan 2022	0.00	<u>\$0</u> \$77	n/a n/a	<u>\$0</u> \$77	
Notes for DELAYED costs	once every 3	0 days that is inst	alled, calibrated dology provider	l, opera s speci	ated, maintained, a	he USTs at Facility I and utilized in accord uctions. The Date R ate of compliance.	dance with the	
NOTES TOT DELATED COSIS	manuacture	investigation d						
Avoided Costs					item (except for	r one-time avoide	d costs)	
				tering 0.00	item (except for \$0	\$0	d costs) \$0	
Avoided Costs				tering 0.00 0.00	\$0 \$0	\$0 \$0	\$0 \$0	
Avoided Costs Disposal Personnel				tering 0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0	
Avoided Costs Disposal Personnel				tering 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				tering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment				tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance				tering 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	
Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/Equipment Financial Assurance ONE-TIME avoided costs				tering 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	



Compliance History Report

Compliance History Report for CN605708684, RN101822187, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, West Texas Comme Properties LLC	rcial Classification: SATISFACTO	ORY Rating: 2.75					
Regulated Entity:	RN101822187, Hop In 430453	Classification: HIGH	Rating: 0.00					
Complexity Points:	7	Repeat Violator: NO						
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations							
Location:	3901 South 1 st Street, Abilene, Taylor County, Texas 79605-1639							
TCEQ Region:	REGION 03 - ABILENE							
ID Number(s): LEAKING PETROLEUM STORAGE TANKS REMEDIATION REGISTRATION 2675 LEAKING PETROLEUM STORAGE TANKS REMEDIATION								
Compliance History Peri	iod: September 01, 2015 to August	31, 2020 Rating Year: 2020	Rating Date: 09/01/2020					
Date Compliance Histor	y Report Prepared: April 14, 20	021						
Agency Decision Requir	ing Compliance History: Enfo	rcement						
Component Period Selec	cted: April 14, 2016 to April 14, 2	021						
TCEQ Staff Member to C	ontact for Additional Informa	tion Regarding This Compliance	History.					
Name: Hailey Johnson		Phone: (512) 239-1	756					
Site and Owner/Oper	ator History:							
,	nce and/or operation for the full five- change in ownership/operator of the operator? West Texas Com		YES YES 'OR since 6/12/2019					

4) Who was/were the prior owner(s)/operator(s)? BW Gas & Convenience Retail, LLC, OPERATOR, 5/16/2017 to 6/11/2019

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees: \$N/A\$
- **B. Criminal convictions:** N/A
- C. Chronic excessive emissions events: \$N/A\$
- D. The approval dates of investigations (CCEDS Inv. Track. No.): Item 1 February 05, 2018 (1466385)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

- G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$
- 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:



Compliance History Report

Compliance History Report for CN605708684, RN101769305, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, West Texas Commercial Properties LLC	Classification: SATISFACTOR	Y Rating: 2.75
Regulated Entity:	RN101769305, Hop In 430454	Classification: HIGH	Rating: 0.00
Complexity Points:	5	Repeat Violator: NO	
CH Group:	01 - Gas Stations with convenience Store	s and other Gas Stations	
Location:	501 East South 11 th Street, Abilene, Tayl	or County, Texas 79602-4101	
TCEQ Region:	REGION 03 - ABILENE		
Date Compliance Histor Agency Decision Requir Component Period Selec	iod: September 01, 2015 to August 31, 2 y Report Prepared: April 14, 2021	ent	Rating Date: 09/01/2020 istory.
Name: Hailey Johnson		Phone: (512) 239-1756	-
Site and Owner/Oper			
,			

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees: \$N/A\$
- **B. Criminal convictions:** N/A
- C. Chronic excessive emissions events: \$N/A\$
- D. The approval dates of investigations (CCEDS Inv. Track. No.): Item 1 February 05, 2018 (1466829)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

- G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$
- 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:



Compliance History Report

Compliance History Report for CN605708684, RN104586854, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, West Texas Commercial Properties LLC	Classification: SATISFACTOF	RY Rating: 2.75			
Regulated Entity:	RN104586854, Hop In 430455	Classification: HIGH	Rating: 0.00			
Complexity Points:	6	Repeat Violator: NO				
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations					
Location:	5002 South 14 th Street, Abilene, Taylor County, Texas 79606					
TCEQ Region:	REGION 03 - ABILENE					
ID Number(s): PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 75645Rating Storage Tank REGISTRATION REGISTRATION 75645Compliance History Period: September 01, 2015 to August 31, 2020Rating Year: 2020Rating Date: 09/01/2020Date Compliance History Report Prepared: April 14, 2021Agency Decision Requiring Compliance History: Enforcement						
,			YES			

2) Has there been a (known) change in ownership/operator of the site during the compliance period? YES
3) Who is the current owner/operator? West Texas Commercial Properties LLC OWNER OPERATOR since 6/12/2019

4) Who was/were the prior owner(s)/operator(s)? BW Gas & Convenience Retail, LLC, OPERATOR, 5/16/2017 to 6/11/2019

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees: $_{\mbox{N/A}}$
- **B. Criminal convictions:** N/A
- C. Chronic excessive emissions events: $$N\!/\!A$$
- D. The approval dates of investigations (CCEDS Inv. Track. No.): Item 1 February 05, 2018 (1466640)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

- G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$
- 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:



Compliance History Report

Compliance History Report for CN605708684, RN102033727, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, West Texas Commercial Properties LLC	Classification: SATISFACTOR	Rating: 2.75			
Regulated Entity:	RN102033727, Hop In 430456	Classification: HIGH	Rating: 0.00			
Complexity Points:	7	Repeat Violator: NO				
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations					
Location:	1109 South Treadaway Boulevard, Abilene, Taylor County, Texas 79602-3948					
TCEQ Region:	REGION 03 - ABILENE					
ID Number(s): PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 35041TIRES REGISTRATION 578Compliance History Period: September 01, 2015 to August 31, 2020Rating Year: 2020Rating Date: 09/01/2020Date Compliance History Report Prepared: April 14, 2021April 14, 2021Image: Compliance History April 14, 2016 to April 14, 2021Component Period Selected: April 14, 2016 to April 14, 2021Image: Compliance History April 14, 2016 to April 14, 2021Image: Compliance HistoryTCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.Image: Compliance History						
Name: Hailey Johnson	Phone: (512) 239-1756					
Site and Owner/Operator History:						
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) Who is the current owner/operator? West Texas Commercial Properties LLC OWNER OPERATOR since 6/12/2019 4) Who was (were the prior owner(s)/operator(s)? BW (cas & Convenience Petail, LLC, OPERATOR since 6/12/2017 to 6/11/2010						

4) Who was/were the prior owner(s)/operator(s)? BW Gas & Convenience Retail, LLC, OPERATOR, 5/16/2017 to 6/11/2019

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees: \$N/A\$
- **B. Criminal convictions:** N/A
- C. Chronic excessive emissions events: N/A
- D. The approval dates of investigations (CCEDS Inv. Track. No.): Item 1 February 05, 2018 (1466259)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

- H. Voluntary on-site compliance assessment dates: $_{\mbox{N/A}}$
- I. Participation in a voluntary pollution reduction program: \$N/A\$
- J. Early compliance:

N/A

Sites Outside of Texas:



Compliance History Report

Compliance History Report for CN605708684, RN102261955, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, We Properties LLC	est Texas Commercial	Classification: SATISFACT	ORY Rating: 2.75			
Regulated Entity:	RN102261955, Ho	op In 430458	Classification: HIGH	Rating: 0.00			
Complexity Points:	7		Repeat Violator: NO				
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations						
Location:	1433 South Willis Street, Abilene, Taylor County, Texas 79605-5013						
TCEQ Region:	REGION 03 - ABILENE						
ID Number(s): TIRES REGISTRATION 2564 PETROLEUM STORAGE TANK REGISTRATION AVAILABLE TIRES REGISTRATION 2564 REGISTRATION 34868 Registration 2015 to August 31, 2020 Rating Year: 2020 Rating Date: 09/01/2020							
			020 Rating Year: 2020	Rating Date: 09/01/2020			
Date Compliance History Report Prepared: April 14, 2021							
Agency Decision Requiring Compliance History: Enforcement							
Component Period Selected: April 14, 2016 to April 14, 2021							
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.							
Name: Hailey Johnson			Phone: (512) 239-1756				
Site and Owner/Operator History:							
1) Has the site been in existence and/or operation for the full five-year		,		YES			
3) Who is the current owner/c	i) change in ownership/operator of the site during the compliance period? YES r/operator? Spry Texaco OWNER since 1/1/1800 West Texas Commercial Properties LLC OWNER OPERATOR since 6/12/2019						
4) Who was/were the prior owner(s)/operator(s)? BW Gas & Convenience Retail, LLC, OPERATOR, 5/16/2017 to 6/11/2019							
Components (Multimedia) for the Site Are Listed in Sections A - J							

- A. Final Orders, court judgments, and consent decrees: \$N/A\$
- **B. Criminal convictions:** N/A
- C. Chronic excessive emissions events: \$N/A\$
- D. The approval dates of investigations (CCEDS Inv. Track. No.): $\ensuremath{\mathbb{N}/\mathsf{A}}$
- E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

- G. Type of environmental management systems (EMSs): $_{\mbox{$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:

The TCEQ is committed to accessibility. To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN605708684, RN102431764, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, West Texas Commercial Properties LLC	Classification: SATISFACTO	RY Rating: 2.75		
Regulated Entity:	RN102431764, Hop In 430459	Classification: HIGH	Rating: 0.00		
Complexity Points:	6	Repeat Violator: NO			
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations				
Location:	1033 Cherry Street, Baird, Callahan County, Texas 79504-4023				
TCEQ Region:	REGION 03 - ABILENE				
ID Number(s): PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 42646Registration 42646Rating Year: 2020Rating Date: 09/01/2020Compliance History Period: September 01, 2015 to August 31, 2020Rating Year: 2020Rating Date: 09/01/2020Date Compliance History Report Prepared: April 14, 2021April 14, 2021April 14, 2021					
Agency Decision Requiring Compliance History: Enforcement					
Component Period Selected: April 14, 2016 to April 14, 2021					
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name: Hailey Johnson	1	Phone: (512) 239-17	56		
Site and Owner/Oper	ator History				
Site and Owner/Operator History:					
 Has the site been in existence and/or operation for the full five-year compliance period? Has there been a (known) change in ownership/operator of the site during the compliance period? 			YES YES		

3) Who is the current owner/operator? West Texas Commercial Properties LLC OWNER OPERATOR since 6/12/2019

4) Who was/were the prior owner(s)/operator(s)? BW Gas & Convenience Retail, LLC, OPERATOR, 5/16/2017 to 6/11/2019

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees: $$\rm N/A$$
- B. Criminal convictions:
- C. Chronic excessive emissions events: $$\rm N/A$$
- D. The approval dates of investigations (CCEDS Inv. Track. No.): Item 1 February 05, 2018 (1466647)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

N/A

- G. Type of environmental management systems (EMSs): $_{\mbox{N/A}}$
- H. Voluntary on-site compliance assessment dates: $$\rm N/A$$
- I. Participation in a voluntary pollution reduction program: $$\rm N/A$$
- J. Early compliance: N/A
- Sites Outside of Texas: N/A

The TCEQ is committed to accessibility. To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN605708684, RN101841419, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator:	CN605708684, West Texas Commercial Properties LLC	Classification: SATISFACTO	Rating: 2.75		
Regulated Entity:	RN101841419, Hop In 430460	Classification: SATISFACTO	DRY Rating: 12.86		
Complexity Points:	6	Repeat Violator: NO			
CH Group:	01 - Gas Stations with convenience Stores and other Gas Stations				
Location:	1400 Coggin Avenue, Brownwood, Brown County, Texas 76801-4234				
TCEQ Region:	REGION 03 - ABILENE				
ID Number(s): PETROLEUM STORAGE TANK REGISTRATION REGISTRATION 44632					
Compliance History Peri	iod: September 01, 2015 to August 31, 2	020 Rating Year: 2020	Rating Date: 09/01/2020		
Date Compliance History Report Prepared: April 14, 2021					
Agency Decision Requiring Compliance History: Enforcement					
Component Period Selected: April 14, 2016 to April 14, 2021					
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.					
Name: Hailey Johnson	Name: Hailey JohnsonPhone: (512) 239-1756				
Site and Owner/Oper	ator History:				
1) Has the site been in existence and/or operation for the full five-year compliance period?YES2) Has there been a (known) change in ownership/operator of the site during the compliance period?YES3) Who is the current owner/operator?West Texas Commercial Properties LLC OWNER OPERATOR since 6/12/20194) Who was/were the prior owner(s)/operator(s)?BW Gas & Convenience Retail, LLC, OPERATOR, 5/16/2017 to 6/11/2019					
<u>Components (Multimedia) for the Site Are Listed in Sections A - J</u>					
A. Final Orders, court judgments, and consent decrees: 1 Effective Date: 09/25/2018 ADMINORDER 2018-0107-PST-E (1660 Order-Agreed Order With Denial) Classification: Moderate Citation: 2D TWC Chapter 26, SubChapter A 26, 3475(c)(1)					

Citation: 2D TWC Chapter 26, SubChapter A 26.3475(c)(1)

30 TAC Chapter 334, SubChapter C 334.50(b)(1)(A)

Description: 30 TAC 334.50(b)(1)(A) - Release Detection (TANKS)-

Failure to monitor the USTs for releases at a frequency of at least once per month.

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.3475(a)

30 TAC Chapter 334, SubChapter C 334.50(b)(2)

Description: 30 TAC 334.50(b)(2) - Release Detection (PIPING) - Failure to provide proper release detection for the piping associated with UST systems.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1 October 17, 2019 (1540483)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred. N/A

F. Environmental audits:

N/A

- G. Type of environmental management systems (EMSs): $_{\mbox{$N/A$}}$
- H. Voluntary on-site compliance assessment dates: $$\rm N/A$$
- 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



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IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING WEST TEXAS COMMERCIAL PROPERTIES LLC DBA Hop In Nos. 430453, 430454, 430455, 430456, 430458, 430459, and 430460 RN101822187, RN101769305, RN104586854, RN102033727, RN102261955, RN102431764, RN101841419 **BEFORE THE**

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2021-0454-PST-E

§

I. JURISDICTION AND STIPULATIONS

On ______, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding West Texas Commercial Properties LLC dba Hop In Nos. 430453, 430454, 430455, 430456, 430458, 430459, and 430460 (the "Respondent") under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

- 1. The Respondent owns and operates, as defined in 30 TEX. ADMIN. CODE § 334.2(78) and (75), an underground storage tank ("UST") system and convenience stores with retail sales of gasoline located at the following locations:
 - a. Hop In 430453, 3901 South 1st Street in Abilene, Taylor County, Texas ("Facility No. 1");
 - b. Hop In 430454, 501 East South 11th Street in Abilene, Taylor County, Texas ("Facility No. 2");
 - c. Hop In 430455, 5002 South 14th Street in Abilene, Taylor County, Texas ("Facility No. 3");
 - d. Hop In 430456, 1109 South Treadaway Boulevard in Abilene, Taylor County, Texas ("Facility No. 4");
 - e. Hop In 430458, 1433 South Willis Street in Abilene, Taylor County, Texas ("Facility No. 5");

- f. Hop In 430459, 1033 Cherry Street in Baird, Callahan County, Texas ("Facility No. 6"); and
- g. Hop In 430460, 1400 Coggin Avenue in Brownwood, Brown County, Texas ("Facility No. 7").

The UST systems at Facility Nos. 1 through 7 (collectively referred to as the "Facilities") are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission, and contain or contained a regulated petroleum substance as defined in the rules of the TCEQ.

- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. WATER CODE ch. 26 and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$164,687 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$131,752 of the penalty and \$32,935 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). 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.
- 6. 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 Order.
- 7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

- 9. The Executive Director recognizes that the Respondent implemented the following corrective measures:
 - a. Conducted the tank and line tightness testing with passing results as part of the suspected release investigation for UST No. 1 at Facility No. 1 on November 5, 2020;
 - b. Conducted the tank and line tightness testing with passing results as part of the suspected release investigation for the USTs at Facility No. 6 on December 17, 2020; and
 - c. Conducted the tank and line tightness testing with passing results as part of the suspected release investigation for UST Nos. 1 and 2 at Facility No. 7 on November 23, 2020.

II. ALLEGATIONS

- 1. During an investigation conducted on February 3, 2021 at Facility No. 1, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, inventory control ("IC") records for UST No. 1 for March 2020 through June 2020 indicated a suspected release that was not reported.
 - b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE § 334.74. Specifically, IC records for UST No. 1 for March 2020 through June 2020 indicated a suspected release that was not investigated.
 - c. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in violation of 30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1).
 - d. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).
- 2. During an investigation conducted on February 3, 2021 at Facility No. 2, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, IC records for UST No. 1 for July 2020 through September 2020, for UST No. 2 for May 2020 through July 2020, and for UST No. 3 for August 2020 and September 2020 indicated suspected releases that were not reported.

- b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE § 334.74. Specifically, IC records for UST No. 1 for July 2020 through September 2020, for UST No. 2 for May 2020 through July 2020, and for UST No. 3 for August 2020 and September 2020 indicated suspected releases that were not investigated.
- c. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in violation of 30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1).
- d. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).
- e. Failed to provide an amended registration for any change or additional information to the agency regarding the UST system within 30 days from the date of the occurrence of the change or addition, in violation of 30 TEX. ADMIN. CODE § 334.7(d)(1)(C) and (d)(3). Specifically, the registration indicates that UST No. 2 stores gasoline, but it actually stores diesel.
- 3. During an investigation conducted on February 3, 2021 at Facility No. 3, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, IC records for UST Nos. 2 and 4 for July 2020 and August 2020 indicated suspected releases that were not reported.
 - b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE § 334.74. Specifically, IC records for UST Nos. 2 and 4 for July 2020 and August 2020 indicated suspected releases that were not investigated.
- 4. During an investigation conducted on February 3, 2021 at Facility No. 4, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and for UST No. 4 for August 2020 and September 2020 indicated suspected releases that were not reported.
 - b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE

§ 334.74. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and for UST No. 4 for August 2020 and September 2020 indicated suspected releases that were not investigated.

- 5. During an investigation conducted on February 3, 2021 at Facility No. 5, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, IC records for UST Nos. 1 and 3 for January 2020 through March 2020 and May 2020 and June 2020, for UST No. 2 for January 2020 and February 2020 and May 2020 through August 2020, and for UST No. 4 for May 2020 and June 2020 indicated suspected releases that were not reported.
 - b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE § 334.74. Specifically, IC records for UST Nos. 1 and 3 for January 2020 through March 2020 and May 2020 and June 2020, for UST No. 2 for January 2020 and February 2020 and May 2020 through August 2020, and for UST No. 4 for May 2020 and June 2020 indicated suspected releases that were not investigated.
 - c. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in violation of 30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1).
 - d. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).
 - e. Failed to provide release detection for the pressurized piping associated with the UST system, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(2) and TEX. WATER CODE § 26.3475(a). Specifically, the Respondent had not conducted the annual line leak detector and piping tightness tests for all USTs at Facility No. 5.
- 6. During an investigation conducted on February 3, 2021 at Facility No. 6, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and September 2020 through December 2020 and for UST Nos. 3 and 4 for October 2020 through December 2020 indicated suspected releases that were not reported.
 - b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE

§ 334.74. Specifically, IC records for UST Nos. 1 and 2 for June 2020 and July 2020 and September 2020 through December 2020 and for UST Nos. 3 and 4 for October 2020 through December 2020 indicated suspected releases that were not investigated.

- c. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in violation of 30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1).
- d. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).
- 7. During an investigation conducted on December 21, 2020 at Facility No. 7, an investigator documented that the Respondent:
 - a. Failed to report suspected releases to the agency within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, IC records for UST Nos. 1 and 2 for November 2019 through January 2020, May 2020 and June 2020, and September 2020 through November 2020 and for UST Nos. 3 and 4 for November 2019 and December 2019, March 2020 and April 2020, and June 2020 and July 2020 indicated suspected releases that were not reported.
 - b. Failed to investigate and confirm all suspected releases of regulated substances requiring reporting under 30 TEX. ADMIN. CODE § 334.72 (relating to Reporting of Suspected Releases) within 30 days, in violation of 30 TEX. ADMIN. CODE § 334.74. Specifically, IC records for UST Nos. 1 and 2 for November 2019 through January 2020, May 2020 and June 2020, and September 2020 through November 2020 and for UST Nos. 3 and 4 for November 2019 and December 2019, March 2020 and April 2020, and June 2020 and July 2020 indicated suspected releases that were not investigated.
 - c. Failed to provide a method of release detection that is installed calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in violation of 30 TEX. ADMIN. CODE § 334.50(a)(1)(B) and TEX. WATER CODE § 26.3475(c)(1).
 - d. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).

III. DENIALS

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

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this 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. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: West Texas Commercial Properties LLC dba Hop In Nos. 430453, 430454, 430455, 430456, 430458, 430459, and 430460, Docket No. 2021-0454-PST-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The Respondent shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Order for Facility No. 1:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72;
 - ii. Submit a Release Determination Report ("RDR") for the suspected release as part of the suspected release investigation and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74; and
 - iii. Implement a release detection method for the USTs at Facility No. 1 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in accordance with 30 TEX. ADMIN. CODE § 334.50.
 - b. Within 30 days after the effective date of this Order for Facility No. 2:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72;

- ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74;
- iii. Implement a release detection method for the USTs at Facility No. 2 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in accordance with 30 TEX. ADMIN. CODE § 334.50; and
- iv. Submit an amended UST registration to indicate the current regulated substance stored for UST No. 2 at Facility No. 2, in accordance with 30 TEX. ADMIN. CODE § 334.7 to:

Registration and Reporting Section Permitting & Registration Support Division, MC 138 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- c. Within 30 days after the effective date of this Order for Facility No. 3:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72; and
 - ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74.
- d. Within 30 days after the effective date of this Order for Facility No. 4:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72; and
 - ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74.
- e. Within 30 days after the effective date of this Order for Facility No. 5:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72;
 - ii. Conduct an investigation of the suspected releases and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74;
 - iii. Implement a release detection method for the USTs at Facility No. 5 at least once every 30 days that is installed, calibrated, operated,

maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in accordance with 30 TEX. ADMIN. CODE § 334.50; and

- iv. Conduct the annual line leak detector and piping tightness tests for all USTs at Facility No. 5, in accordance with 30 TEX. ADMIN. CODE § 334.50.
- f. Within 30 days after the effective date of this Order for Facility No. 6:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72;
 - ii. Submit an RDR for the suspected releases as part of the suspected release investigation and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74; and
 - iii. Implement a release detection method for the USTs at Facility No. 6 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in accordance with 30 TEX. ADMIN. CODE § 334.50.
- g. Within 30 days after the effective date of this Order for Facility No. 7:
 - i. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72;
 - ii. Complete the investigation of the suspected releases and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74; and
 - iii. Implement a release detection method for the USTs at Facility No. 7 at least once every 30 days that is installed, calibrated, operated, maintained, and utilized in accordance with the manufacturer's and/or methodology provider's specifications and instructions, in accordance with 30 TEX. ADMIN. CODE § 334.50.
- h. Within 45 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos.
 2.a through 2.g. The certification shall be signed by the Respondent and shall 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 Abilene Regional Office Texas Commission on Environmental Quality 1977 Industrial Boulevard Abilene, Texas 79602-7833

- 3. All relief not expressly granted in this Order is denied.
- 4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Facilities' operations referenced in this Order.
- 5. If the Respondent fails to comply with any of the Ordering Provisions in this 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 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.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this 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. Extension requests shall be sent to the Order Compliance Team at the address listed above.
- 7. This 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 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.
- 8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized,

converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

5/18/2022

For the Executive Director

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, 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

MARVIN K. HENATT

Name (Printed or typed)

Authorized Representative of West Texas Commercial Properties LLC dba Hop In Nos. 430453, 430454, 430455, 430456, 430458, 430459, and 430460

□ If mailing address has changed, please check this box and provide the new address below:

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.