

Executive Summary – Enforcement Matter – Case No. 61036
G Square Ventures LLC dba Fast Trip
RN101378040
Docket No. 2021-0929-PST-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PST

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Fast Trip, 2721 North Collins Street, Arlington, Tarrant County

Type of Operation:

Underground storage tank ("UST") system and a convenience store 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: December 31, 2021

Comments Received: No

Penalty Information

Total Penalty Assessed: \$24,188

Amount Deferred for Expedited Settlement: \$4,837

Total Paid to General Revenue: \$711

Total Due to General Revenue: \$18,640

Payment Plan: 26 payments of \$704 each and one remaining payment of \$336.

Compliance History Classifications:

Person/CN - Satisfactory

Site/RN - Satisfactory

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: May 19, 2021 through May 25, 2021

Date(s) of NOE(s): June 22, 2021

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Violation Information

1. Failed to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date. Specifically, the delivery certificate expired on April 30, 2021 [30 TEX. ADMIN. CODE § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii)].
2. Failed conduct reconciliation of detailed inventory control records at least once every 30 days in a manner sufficiently accurate to detect a release as small as the sum of 1.0% of the total substance flow-through for the 30-day period plus 130 gallons [30 TEX. ADMIN. CODE § 334.50(d)(1)(B)(ii) and TEX. WATER CODE § 26.3475(c)(1)].
3. 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)].
4. Failed to initiate required abatement measures and submit a report to the TCEQ within 20 days after a release of a regulated substance from an UST system. Specifically, the Respondent did not conduct the required abatement measures and did not submit a report after a confirmed release of fuel was documented on May 25, 2021 [30 TEX. ADMIN. CODE §§ 334.77 and 334.78].
5. Failed to designate, train, and certify at least one named individual for each class of operator - Class A, Class B, and Class C. Specifically, the Facility did not have a Class A and Class B operator [30 TEX. ADMIN. CODE § 334.602(a)].
6. Failed to test the spill prevention equipment at least once every three years to ensure the equipment is liquid tight. Specifically, the Respondent had not conducted the triennial testing of the spill buckets by the January 1, 2021 testing due date [30 TEX. ADMIN. CODE § 334.48(g)(1)(A)(ii) and TEX. WATER CODE § 26.3475(c)(2)].
7. Failed to inspect the overfill prevention equipment at least once every three years. Specifically, the Respondent had not conducted the triennial testing for the regular unleaded overfill drop tube by the January 1, 2021 inspection due date [30 TEX. ADMIN. CODE § 334.48 (g)(1)(B) and TEX. WATER CODE § 26.3475(c)(2)].
8. Failed to conduct a walkthrough inspection for the spill prevention equipment at least once every 30 days [30 TEX. ADMIN. CODE § 334.48(h)(1)(A)(i) and TEX. WATER CODE § 26.3475(c)(2)].
9. Failed to ensure that all installed spill and overfill prevention devices are maintained in good operating condition, and inspected and serviced in accordance with the manufacturer's specifications. Specifically, the spill buckets had crack in the sidewalls [30 TEX. ADMIN. CODE § 334.51(a)(6) and TEX. WATER CODE § 26.3475(c)(2)].

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10. Failed to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years. Specifically, the Respondent had not conducted the triennial testing of the corrosion protection system by the May 11, 2021 testing due date [30 TEX. ADMIN. CODE § 334.49(c)(4)(C) and TEX. WATER CODE § 26.3475(d)].

11. Failed to provide corrosion protection to all underground metal components of the UST system. Specifically, the metal components on the submersible turbine sumps and the dispenser product line flex connectors were in direct contact with soil and water and not protected from corrosion [30 TEX. ADMIN. CODE § 334.49(a)(4) and TEX. WATER CODE § 26.3475(d)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. Submitted a properly completed UST registration and self-certification form and obtained a valid, current TCEQ delivery certificate on June 9, 2021;
- b. Obtained Class A/B Operator training certificate on May 27, 2021;
- c. Installed the cathodic protection anodes on the USTs, fixed the metal components on the submersible turbine sumps and the dispenser product line flex connectors, and tested the corrosion system for the UST system on July 6, 2021; and
- d. Conducted the triennial testing of the corrosion protection system with passing results on July 6, 2021.

Technical Requirements:

The Order will require the Respondent to:

- a. Within 30 days:
 - i. Implement a method of release detection for the USTs, including reconciliation of detailed inventory control records;
 - ii. Perform abatement measures, submit an initial abatement report, conduct site investigation, and submit a corrective action plan for approval, and conduct cleanup;
 - iii. Conduct the triennial inspection of the regular unleaded overfill drop tube;

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- iv. Conduct the triennial testing of the spill buckets;
 - v. Replace the cracked spill bucket for the UST system; and
 - vi. Develop and implement procedures to conduct walkthrough inspections of the spill prevention equipment once every 30 days.
- b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Karolyn Kent, Enforcement Division,
Enforcement Team 3, MC 219, (512) 239-2536; Michael Parrish, Enforcement Division,
MC 219, (512) 239-2548

Respondent: Sabu Ethakkan, Manager, Fast Trip, 327 Wyndale Court, Lewisville,
Texas 75056

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	28-Jun-2021	Screening	1-Jul-2021	EPA Due	
	PCW	9-Nov-2021				

RESPONDENT/FACILITY INFORMATION	
Respondent	G Square Ventures LLC dba Fast Trip
Reg. Ent. Ref. No.	RN101378040
Facility/Site Region	4-Dallas/Fort Worth
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	61036	No. of Violations	6
Docket No.	2021-0929-PST-E	Order Type	1660
Media Program(s)	Petroleum Storage Tank	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Alain Elegbe
		EC's Team	Enforcement Team 6
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$21,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	20.0% Adjustment	Subtotals 2, 3, & 7	\$4,250
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Notes	Enhancement for one Agreed Order containing a denial of liability.
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Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	-\$1,312
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$604	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$14,980	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$24,188
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount	\$24,188
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$24,188
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DEFERRAL	20.0%	Reduction	Adjustment	-\$4,837
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$19,351
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Screening Date 1-Jul-2021

Docket No. 2021-0929-PST-E

PCW

Respondent G Square Ventures LLC dba Fast Trip

Policy Revision 5 (January 28, 2021)

Case ID No. 61036

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN101378040

Media Petroleum Storage Tank

Enf. Coordinator Alain Elegbe

Compliance History Worksheet

>> Compliance History 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%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Satisfactory Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one Agreed Order containing a denial of liability.

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 20%

Screening Date 1-Jul-2021 **Docket No.** 2021-0929-PST-E **PCW**
Respondent G Square Ventures LLC dba Fast Trip *Policy Revision 5 (January 28, 2021)*
Case ID No. 61036 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101378040
Media Petroleum Storage Tank
Enf. Coordinator Alain Elegbe

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii)

Violation Description Failed to renew a previously issued underground storage tank ("UST") delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date. Specifically, the delivery certificate expired on April 30, 2021.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		x			10.0%

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$22,500

\$2,500

Violation Events

Number of Violation Events 1 40 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$2,500

One annual event is recommended from the April 30, 2021 expiration date of the previous delivery certificate to the June 9, 2021 date of compliance.

Good Faith Efforts to Comply 25.0% Reduction \$625

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		

Notes The Respondent submitted a properly completed UST registration and self-certification form and obtained a valid, current TCEQ delivery certificate on June 9, 2021, before the June 22, 2021 Notice of Enforcement ("NOE").

Violation Subtotal \$1,875

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$0 **Violation Final Penalty Total** \$2,375

This violation Final Assessed Penalty (adjusted for limits) \$2,375

Economic Benefit Worksheet

Respondent G Square Ventures LLC dba Fast Trip
Case ID No. 61036
Reg. Ent. Reference No. RN101378040
Media Violation No. Petroleum Storage Tank
 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	\$40	30-Apr-2021	9-Jun-2021	0.11	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs Estimated delayed cost to renew a delivery certificate by submitting a properly completed UST registration and self-certification form and to obtain a valid, current TCEQ delivery certificate. The date required is the expiration date of the previous delivery certificate and the final date is the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$40

TOTAL \$0

Screening Date 1-Jul-2021 **Docket No.** 2021-0929-PST-E **PCW**
Respondent G Square Ventures LLC dba Fast Trip *Policy Revision 5 (January 28, 2021)*
Case ID No. 61036 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101378040
Media Petroleum Storage Tank
Enf. Coordinator Alain Elegbe

Violation Number 2
Rule Cite(s) 30 Tex. Admin. Code § 334.50(d)(1)(B)(ii) and 334.50(b)(1)(A), and Tex. Water Code § 26.3475(c)(1)
Violation Description Failed to conduct reconciliation of detailed inventory control records at least once every 30 days in a manner sufficiently accurate to detect a release as small as the sum of 1.0% of the total substance flow-through for the 30-day period plus 130 gallons. Also, failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential	x			

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 43 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended from the May 19, 2021 investigation start date to the July 1, 2021 screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$70 **Violation Final Penalty Total** \$4,500

This violation Final Assessed Penalty (adjusted for limits) \$4,500

Economic Benefit Worksheet

Respondent G Square Ventures LLC dba Fast Trip
Case ID No. 61036
Reg. Ent. Reference No. RN101378040
Media Violation No. Petroleum Storage Tank
 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	19-May-2021	24-Apr-2022	0.93	\$70	n/a	\$70

Notes for DELAYED costs
 Estimated delayed cost to implement a release detection method for the USTs at the Facility (\$1,500), including reconciliation of detailed inventory control records. The date required is the investigation start date and the final date is the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$1,500

TOTAL \$70

Screening Date 1-Jul-2021 **Docket No.** 2021-0929-PST-E **PCW**
Respondent G Square Ventures LLC dba Fast Trip *Policy Revision 5 (January 28, 2021)*
Case ID No. 61036 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101378040
Media Petroleum Storage Tank
Enf. Coordinator Alain Elegbe

Violation Number 3
Rule Cite(s) 30 Tex. Admin. Code §§ 334.77 and 334.78
Violation Description Failed to initiate required abatement measures and submit a report to the TCEQ within 20 days after a release of a regulated substance from an UST system. Specifically, the Respondent did not conduct the required abatement measures and did not submit a report after a confirmed release of fuel was documented on May 25, 2021.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		X		25.0%
	Potential				

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
				0.0%

Matrix Notes Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$18,750

\$6,250

Violation Events

Number of Violation Events 1 17 Number of violation days

daily	
weekly	
monthly	X
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$6,250

One monthly event is recommended from the June 14, 2021 report due date to the July 1, 2021 screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$6,250

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$430 **Violation Final Penalty Total** \$7,500

This violation Final Assessed Penalty (adjusted for limits) \$7,500

Economic Benefit Worksheet

Respondent G Square Ventures LLC dba Fast Trip
Case ID No. 61036
Reg. Ent. Reference No. RN101378040
Media Violation No. Petroleum Storage Tank 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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)	\$10,000	14-Jun-2021	24-Apr-2022	0.86	\$430	n/a	\$430

Notes for DELAYED costs Estimated delayed cost to perform abatement measures, submit an initial abatement report, conduct site investigation, and submit a corrective action plan for approval, and conduct cleanup. The date required is the report due date and the final date is the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$10,000

TOTAL \$430

Screening Date 1-Jul-2021 **Docket No.** 2021-0929-PST-E **PCW**
Respondent G Square Ventures LLC dba Fast Trip *Policy Revision 5 (January 28, 2021)*
Case ID No. 61036 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101378040
Media Petroleum Storage Tank
Enf. Coordinator Alain Elegbe

Violation Number 4
Rule Cite(s) 30 Tex. Admin. Code § 334.602(a)
Violation Description Failed to designate, train, and certify at least one named individual for each class of operator - Class A, Class B, and Class C - for the Facility. Specifically, the Facility did not have a Class A and Class B operator.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential		x		Percent 5.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

Matrix Notes Human health or the environment will or could be exposed to significant amounts of pollutants which would not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$23,750

\$1,250

Violation Events

Number of Violation Events 1 8 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$1,250

One quarterly event is recommended from the the May 19, 2021 investigation start date to the May 27, 2021 compliance date.

Good Faith Efforts to Comply 25.0% Reduction \$312

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary	x	
N/A		

Notes The Respondent obtained Class A/B Operator training certificate on May 27, 2021, before the June 22, 2021 NOE date.

Violation Subtotal \$938

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$0 **Violation Final Penalty Total** \$1,188

This violation Final Assessed Penalty (adjusted for limits) \$1,188

Economic Benefit Worksheet

Respondent G Square Ventures LLC dba Fast Trip
Case ID No. 61036
Reg. Ent. Reference No. RN101378040
Media Violation No. Petroleum Storage Tank
 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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	\$90	19-May-2021	27-May-2021	0.02	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs Estimated delayed cost to designate, train, and certify at least one named individual for each class of operator - Class A and Class B operator for the Facility. The Date Required is the investigation start date and the Final Date is the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance \$90

TOTAL \$0

Screening Date 1-Jul-2021 **Docket No.** 2021-0929-PST-E **PCW**
Respondent G Square Ventures LLC dba Fast Trip *Policy Revision 5 (January 28, 2021)*
Case ID No. 61036 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101378040
Media Petroleum Storage Tank
Enf. Coordinator Alain Elegbe

Violation Number 5
Rule Cite(s) 30 Tex. Admin. Code §§ 334.48(g)(1)(A)(ii), (g)(1)(B), (h)(1)(A)(i), and 334.51(a)(6), and Tex. Water Code § 26.3475(c)(2),
Violation Description Failed to test the spill prevention equipment at least once every three years to ensure the equipment is liquid tight. Specifically, the Respondent had not conducted the triennial testing of the spill buckets by the January 1, 2021 testing due date. Also, failed to conduct a walkthrough inspection for the spill prevention equipment at least once every 30 days. In addition, failed to inspect the overfill prevention equipment at least once every three years. Specifically, the Respondent had not conducted the triennial inspection for the regular unleaded overfill drop tube by the January 1, 2021 inspection due date. Furthermore, failed to ensure that all installed spill and overfill prevention devices are maintained in good operating condition and inspected and serviced in accordance with the manufacturer's specifications. Specifically, the spill buckets had crack in the sidewalls.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR		Harm			
	Release	Major	Moderate	Minor	
	Actual				
	Potential	x			Percent 15.0%

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	
					Percent 0.0%

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 43 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended from the May 19, 2021 investigation start date to the July 1, 2021 the screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$3,750

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$86 **Violation Final Penalty Total** \$4,500

This violation Final Assessed Penalty (adjusted for limits) \$4,500

Economic Benefit Worksheet

Respondent G Square Ventures LLC dba Fast Trip
Case ID No. 61036
Reg. Ent. Reference No. RN101378040
Media Violation No. Petroleum Storage Tank
 5

Percent Interest	Years of Depreciation
5.0	15

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

Equipment	\$1,000	19-May-2021	24-Apr-2022	0.93	\$3	\$62	\$65
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	19-May-2021	24-Apr-2022	0.93	\$5	n/a	\$5
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Other (as needed)	\$200	1-Jan-2021	24-Apr-2022	1.31	\$13	n/a	\$13
Other (as needed)	\$50	1-Jan-2021	24-Apr-2022	1.31	\$3	n/a	\$3

Notes for DELAYED costs

Estimated delayed cost to conduct the triennial inspection of the regular unleaded overfill drop tube (\$200), to conduct the triennial testing of two spill buckets (\$25 per spill bucket), to replace the cracked spill bucket for the UST system (\$1,000), to develop and implement procedures to conduct walkthrough inspections of the spill prevention equipment once every 30 days (\$100). The Dates Required are the inspection start date and testing due date and the Final Dates are the estimated date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,350

TOTAL

\$86

Screening Date 1-Jul-2021 **Docket No.** 2021-0929-PST-E **PCW**
Respondent G Square Ventures LLC dba Fast Trip *Policy Revision 5 (January 28, 2021)*
Case ID No. 61036 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN101378040
Media Petroleum Storage Tank
Enf. Coordinator Alain Elegbe

Violation Number 6
Rule Cite(s) 30 Texas Admin. Code § 334.49(c)(4)(C) and (a)(4) and Tex. Water Code § 26.3475(d)
Violation Description Failed to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years. Specifically, the Respondent had not conducted the triennial testing of the corrosion protection system by the May 11, 2021 testing due date. Also, failed to provide corrosion protection to all underground metal components of the UST system. Specifically, the metal components on the submersible turbine pumps ("STPs") and the dispenser product line flex connectors were in direct contact with soil and water and not protected from corrosion.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
Actual					15.0%
Potential	x				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

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

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 1 43 Number of violation days

daily	
weekly	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$3,750

One quarterly event is recommended from the investigation start date of May 19, 2021 to the July 1, 2021 screening date.

Good Faith Efforts to Comply 10.0% Reduction \$375

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		x
N/A		

Notes The Respondent installed cathodic protection anodes on the USTs, fixed the metal components on the STPs and the product line flex connectors, and conducted the triennial testing of the corrosion protection system with passing results on July 6, 2021, after the June 22, 2021 NOE date.

Violation Subtotal \$3,375

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$18 **Violation Final Penalty Total** \$4,125

This violation Final Assessed Penalty (adjusted for limits) \$4,125

Economic Benefit Worksheet

Respondent G Square Ventures LLC dba Fast Trip
Case ID No. 61036
Reg. Ent. Reference No. RN101378040
Media Violation No. Petroleum Storage Tank
 6

Percent Interest	Years of Depreciation
5.0	15

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

Equipment	\$1,500	19-May-2021	6-Jul-2021	0.13	\$1	\$13	\$14
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)	\$500	11-May-2021	6-Jul-2021	0.15	\$4	n/a	\$4

Notes for DELAYED costs

Estimated delayed cost to conduct the triennial testing of the corrosion protection system at the Facility (\$500). Delayed cost to install cathodic protection anodes on the USTs, fix the metal components on the STPs and the dispenser product line flex connectors, and test the corrosion protection system for the UST system at the Facility (\$1,500). The Dates Required are the inspection start date and testing due date and the Final Dates are the date of compliance.

Avoided Costs

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

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$18

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 CN605658046, RN101378040, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or Owner/Operator: CN605658046, G Square Ventures LLC **Classification:** SATISFACTORY **Rating:** 33.75

Regulated Entity: RN101378040, Fast Trip **Classification:** SATISFACTORY **Rating:** 33.75

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 2721 North Collins Street, Arlington, Tarrant County, Texas 76006-3793

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 9161

LEAKING PETROLEUM STORAGE TANKS REMEDIATION
ID NUMBER 121188

Compliance History Period: September 01, 2015 to August 31, 2020 **Rating Year:** 2020 **Rating Date:** 09/01/2020

Date Compliance History Report Prepared: August 20, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 20, 2016 to August 20, 2021

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Alain Elegbe

Phone: (512) 239-6924

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? Southland Corp OWNER since 1/1/1800
G Square Ventures LLC, OWNER OPERATOR since 5/1/2019
- 4) Who was/were the prior owner(s)/operator(s)? RALI MART INC., OWNER OPERATOR, 11/10/2016 to 4/30/2019
EBA VENTURE, LLC., OWNER OPERATOR, 6/2/2015 to 11/9/2016

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

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 06/04/2019 ADMINORDER 2018-0806-PST-E (1660 Order-Agreed Order With Denial)
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.3475(c)(1)
30 TAC Chapter 334, SubChapter C 334.50(b)(1)(A)
Description: Failure to monitor the USTs for releases at a frequency of at least once every month (not to exceed 35 days between each monitoring).
Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.3475(a)
30 TAC Chapter 334, SubChapter C 334.50(b)(2)
Description: Failure to provide release detection for the pressurized piping associated with the UST system.
Classification: Moderate
Citation: 30 TAC Chapter 334, SubChapter A 334.10(b)(2)
Description: Failure to ensure that all UST recordkeeping requirements are met.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1 August 29, 2019 (1589596)

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:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING G SQUARE
VENTURES LLC DBA FAST TRIP
RN101378040**

**§
§
§
§
§**

**BEFORE THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY**

**AGREED ORDER
DOCKET NO. 2021-0929-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 G Square Ventures LLC dba Fast Trip (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 a convenience store with retail sales of gasoline located at 2721 North Collins Street in Arlington, Tarrant County, Texas (the "Facility"). The UST system at the Facility is not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission, and contains 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 \$24,188 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$711 of the penalty and \$4,837 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions contained in this Order.

The remaining amount of \$18,640 of the undeferred penalty shall be paid in 26 monthly payments of \$704 each and one remaining payment of \$336. The first monthly payment shall be paid within 30 days after the effective date of this order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous

payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and 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 at the Facility:
 - a. Submitted a properly completed UST registration and self-certification form and obtained a valid, current TCEQ delivery certificate on June 9, 2021;
 - b. Obtained Class A/B Operator training certificate on May 27, 2021;
 - c. Installed the cathodic protection anodes on the USTs, fixed the metal components on the submersible turbine sumps ("STPs") and the dispenser product line flex connectors, and tested the corrosion system for the UST system on July 6, 2021; and
 - d. Conducted the triennial testing of the corrosion protection system with passing results on July 6, 2021.

II. ALLEGATIONS

During an investigation conducted on May 19, 2021 through May 25, 2021, an investigator documented that the Respondent:

1. Failed to renew a previously issued UST delivery certificate by submitting a properly completed UST registration and self-certification form at least 30 days before the expiration date, in violation of 30 TEX. ADMIN. CODE § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii). Specifically, the delivery certificate expired on April 30, 2021.
2. Failed conduct reconciliation of detailed inventory control records at least once every 30 days in a manner sufficiently accurate to detect a release as small as the sum of 1.0% of the total substance flow-through for the 30-day period plus 130 gallons, in violation of 30 TEX. ADMIN. CODE § 334.50(d)(1)(B)(ii) and TEX. WATER CODE § 26.3475(c)(1).
3. 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).
4. Failed to initiate required abatement measures and submit a report to the TCEQ within 20 days after a release of a regulated substance from an UST system, in violation of 30 TEX. ADMIN. CODE §§ 334.77 and 334.78. Specifically, the Respondent did not conduct the required abatement measures and did not submit a report after a confirmed release of fuel was documented on May 25, 2021.
5. Failed to designate, train, and certify at least one named individual for each class of operator - Class A, Class B, and Class C - for the Facility, in violation of 30 TEX. ADMIN. CODE § 334.602(a). Specifically, the Facility did not have a Class A and Class B operator.
6. Failed to test the spill prevention equipment at least once every three years to ensure the equipment is liquid tight, in violation of 30 TEX. ADMIN. CODE § 334.48(g)(1)(A)(ii) and TEX. WATER CODE § 26.3475(c)(2). Specifically, the Respondent had not conducted the triennial testing of the spill buckets by the January 1, 2021 testing due date.
7. Failed to inspect the overfill prevention equipment at least once every three years, 30 TEX. ADMIN. CODE § 334.48 (g)(1)(B) and TEX. WATER CODE § 26.3475(c)(2). Specifically, the Respondent had not conducted the triennial testing for the regular unleaded overfill drop tube by the January 1, 2021 inspection due date.
8. Failed to conduct a walkthrough inspection for the spill prevention equipment at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.48(h)(1)(A)(i) and TEX. WATER CODE § 26.3475(c)(2).
9. Failed to ensure that all installed spill and overfill prevention devices are maintained in good operating condition, and inspected and serviced in accordance with the manufacturer's specifications, in violation of 30 TEX. ADMIN. CODE § 334.51(a)(6) and TEX. WATER CODE § 26.3475(c)(2). Specifically, the spill buckets had crack in the sidewalls.
10. Failed to inspect and test the corrosion protection system for operability and adequacy of protection at a frequency of at least once every three years, in violation of 30 TEX. ADMIN. CODE § 334.49(c)(4)(C) and TEX. WATER CODE § 26.3475(d). Specifically, the Respondent had not conducted the triennial testing of the corrosion protection system by the May 11, 2021 testing due date.

11. Failed to provide corrosion protection to all underground metal components of the UST system, in violation of 30 TEX. ADMIN. CODE § 334.49(a)(4) and TEX. WATER CODE § 26.3475(d). Specifically, the metal components on the STPs and the dispenser product line flex connectors were in direct contact with soil and water and not protected from corrosion.

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: G Square Ventures LLC dba Fast Trip, Docket No. 2021-0929-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:
 - i. Implement a method of release detection for the USTs, including reconciliation of detailed inventory control records, in accordance with 30 TEX. ADMIN. CODE § 334.50;
 - ii. Perform abatement measures, submit an initial abatement report, conduct site investigation, and submit a corrective action plan for approval, and conduct cleanup, in accordance with 30 TEX. ADMIN. CODE §§ 334.77 and 334.78;
 - iii. Conduct the triennial inspection of the regular unleaded overfill drop tube, in accordance with 30 TEX. ADMIN. CODE § 334.48;
 - iv. Conduct the triennial testing of the spill buckets, in accordance with 30 TEX. ADMIN. CODE § 334.48;
 - v. Replace the cracked spill bucket for the UST system at the Facility, in accordance with 30 TEX. ADMIN. CODE § 334.51; and

- vi. Develop and implement procedures to conduct walkthrough inspections of the spill prevention equipment once every 30 days, in accordance with 30 TEX. ADMIN. CODE § 334.48.
- b. 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.i through 2.a.vi. 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
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
All relief not expressly granted in this Order is denied.

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 Facility 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

7/5/2023

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



Name (Printed or typed)

Authorized Representative of
G Square Ventures LLC dba Fast Trip

Date

5/12/22

Title



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.