

Executive Summary – Enforcement Matter – Case No. 66434
BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
RN102469707
Docket No. 2024-1191-PST-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PST

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Kulsum's Chevron, 2525 North Josey Lane, Carrollton, Dallas 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

Past-Due Fees: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: August 1, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$27,554

Amount Deferred for Expedited Settlement: \$5,510

Total Paid to General Revenue: \$624

Total Due to General Revenue: \$21,420

Payment Plan: 35 payments of \$612 each

Compliance History Classifications:

Person/CN - High

Site/RN - High

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: June 12, 2024

Date(s) of NOE(s): July 17, 2024

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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 previous delivery certificate expired on July 31, 2023 [30 TEX. ADMIN. CODE § 334.8(c)(4)(A)(vii) and (c)(5)(B)(ii)].
2. Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs. Specifically, the Respondent accepted approximately 76 unauthorized fuel deliveries from August 2023 to May 2024 without a valid, current TCEQ delivery certificate [30 TEX. ADMIN. CODE § 334.8(c)(5)(A)(i) and TEX. WATER CODE § 26.3467(a)].
3. Failed to provide corrosion protection to all underground and/or totally or partially submerged metal components of any existing UST system which are designed or used to convey, contain, or store regulated substances. Specifically, the metal components located inside the submersible turbine pump ("STP") containment sumps for dispensers 1/2, 5/6, and 7/8 were in direct contact with water and did not have corrosion protection installed [30 TEX. ADMIN. CODE § 334.49(a)(4) and TEX. WATER CODE § 26.3475(d)].
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)].
5. Failed to conduct effective inventory control procedures for all USTs. Specifically, the Respondent incorrectly recorded fuel deliveries in their inventory control records as net volumes when they should have been recorded as gross volumes [30 TEX. ADMIN. CODE § 334.48(c) and TEX. WATER CODE § 26.3475(c)(1)].
6. Failed to report a suspected release to the TCEQ within 24 hours of discovery. Specifically, failing monthly inventory control records for the super unleaded tank from August 2023 and September 2023, December 2023 and January 2024, and April 2024, and May 2024 and failing monthly inventory control records for the diesel tank from August 2023 and September 2023 indicated suspected releases that were not reported [30 TEX. ADMIN. CODE § 334.72].
7. Failed to investigate and confirm all suspected releases of regulated substances within 30 days. Specifically, failing monthly inventory control records for the super unleaded tank from August 2023 and September 2023, December 2023 and January 2024, and April 2024, and May 2024 and failing monthly inventory control records for the diesel tank from August 2023 and September 2023 indicated suspected releases that were not investigated [30 TEX. ADMIN. CODE § 334.74].

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8. Failed to conduct the walkthrough inspections of the UST system's release detection equipment at least once every 30 days [30 TEX. ADMIN. CODE § 334.48(h)(1)(A)(ii) and TEX. WATER CODE § 26.3475(c)(1)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

On June 13, 2024, the Respondent submitted a properly completed UST registration and self-certification form for the Facility and obtained a valid, current TCEQ delivery certificate.

Technical Requirements:

The Order will require the Respondent to:

a. Within 30 days:

- i. Install and test a corrosion protection system for the metal components located inside the STP containment sumps;
- ii. Implement a release detection method for the USTs, including but not limited to conducting proper inventory control procedures for all USTs;
- iii. Develop and implement a process for reporting suspected releases timely;
- iv. Conduct investigations of the suspected releases and implement appropriate corrective measures; and
- v. Begin conducting 30-day walkthrough inspections of the release detection equipment.

b. Within 45 days, submit written certification to demonstrate compliance with a.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Celicia Garza, Enforcement Division, Enforcement Team 6, MC R-13, (210) 657-8422; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

Respondent: Azad Akbar, President, BHARWANI INVESTMENT GROUP INC, 2525 North Josey Lane, Carrollton, Texas 75006-1618

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	22-Jul-2024	Screening	22-Jul-2024	EPA Due	
	PCW	15-Aug-2025				

RESPONDENT/FACILITY INFORMATION

Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron				
Reg. Ent. Ref. No.	RN102469707				
Facility/Site Region	4-Dallas/Fort Worth	Major/Minor Source	Minor		

CASE INFORMATION

Enf./Case ID No.	66434	No. of Violations	7
Docket No.	2024-1191-PST-E	Order Type	1660
Media Program(s)	Petroleum Storage Tank	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Celicia Garza
		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	\$32,500
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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	-10.0%	Adjustment	Subtotals 2, 3, & 7	-\$3,250
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Notes	Reduction for High Performer Classification.			
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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	-\$1,875
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Economic Benefit	0.0%	Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$482	<i>*Capped at the Total EB \$ Amount</i>
Estimated Cost of Compliance	\$6,140	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$27,375
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.7%	Adjustment	\$179
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	Enhancement to capture the avoided cost of compliance associated with Violation Nos. 5 and 7.		
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Final Penalty Amount	\$27,554
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$27,554
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DEFERRAL	20.0%	Reduction	Adjustment	-\$5,510
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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	\$22,044
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Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			Policy Revision 5 (January 28, 2021)
Case ID No.	66434			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN102469707			
Media	Petroleum Storage Tank			
Enf. Coordinator	Celicia Garza			

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>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<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) 0%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

High Performer

Adjustment Percentage (Subtotal 7) -10%

>> Compliance History Summary

Compliance
History
Notes

Reduction for High Performer Classification.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) -10%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			Policy Revision 5 (January 28, 2021)
Case ID No.	66434			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN102469707			
Media	Petroleum Storage Tank			
Enf. Coordinator	Cecilia Garza			
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 previous delivery certificate expired on July 31, 2023.			
		Base Penalty	\$25,000	
>> Environmental, Property and Human Health Matrix				
OR		Harm		
	Release	Major	Moderate	Minor
	Actual			
	Potential			
		Percent	0.0%	
>> Programmatic Matrix				
	Falsification	Major	Moderate	Minor
		x		
	Percent	10.0%		
Matrix Notes	100% of the rule requirement was not met.			
	Adjustment	\$22,500		
			\$2,500	
Violation Events				
	Number of Violation Events	1	318	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 July 31, 2023 expiration date of the previous delivery certificate to the June 13, 2024 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 achieved compliance on June 13, 2024, prior to the July 17, 2024 Notice of Enforcement ("NOE").		
	Violation Subtotal	\$1,875		
Economic Benefit (EB) for this violation		Statutory Limit Test		
	Estimated EB Amount	\$2	Violation Final Penalty Total	\$1,636
	This violation Final Assessed Penalty (adjusted for limits)			\$1,636

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 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				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)	\$40	31-Jul-2023	13-Jun-2024	0.87	\$2	n/a	\$2
Notes for DELAYED costs	Estimated delayed cost 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. The Date Required is the expiration date of the previously issued 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 \$2

Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			Policy Revision 5 (January 28, 2021)
Case ID No.	66434			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN102469707			
Media	Petroleum Storage Tank			
Enf. Coordinator	Cecilia Garza			
Violation Number	2			
Rule Cite(s)	30 Tex. Admin. Code § 334.8(c)(5)(A)(i) and Tex. Water Code § 26.3467(a)			
Violation Description	<p>Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs. Specifically, the Respondent accepted approximately 76 unauthorized fuel deliveries from August 2023 to May 2024 without a valid, current TCEQ delivery certificate.</p>			
	Base Penalty	\$25,000		

>> Environmental, Property and Human Health Matrix

OR	Harm				
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

Matrix Notes	Falsification				
	Major	Moderate	Minor		
					Percent 10.0%
100% of the rule requirement was not met.					
	Adjustment				\$22,500

\$2,500

Violation Events

Number of Violation Events	2	302	Number of violation days
	daily		
	weekly		
	monthly		
	quarterly		
	semiannual	x	
	annual		
	single event		
Violation Base Penalty			\$5,000

Two semiannual events are recommended for the period of August 1, 2023 to May 29, 2024 in which fuel deliveries were accepted without a valid, current TCEQ delivery certificate.

Good Faith Efforts to Comply

	25.0%		Reduction	\$1,250
	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer		
Extraordinary				
Ordinary	x			
N/A				
Notes	The Respondent achieved compliance on June 13, 2024, prior to the July 17, 2024 NOE.			
Violation Subtotal				\$3,750

Economic Benefit (EB) for this violation

Statutory Limit Test	
Estimated EB Amount	\$0
Violation Final Penalty Total	\$3,271
This violation Final Assessed Penalty (adjusted for limits)	\$3,271

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 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)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic Benefit included in Violation No. 1.

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

\$0

TOTAL

\$0

Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron	Policy Revision 5 (January 28, 2021)		
Case ID No.	66434	PCW Revision February 11, 2021		
Reg. Ent. Reference No.	RN102469707			
Media	Petroleum Storage Tank			
Enf. Coordinator	Celicia Garza			
Violation Number	3			
Rule Cite(s)	30 Tex. Admin. Code § 334.49(a)(4) and Tex. Water Code § 26.3475(d)			
Violation Description	Failed to provide corrosion protection to all underground and/or totally or partially submerged metal components of any existing UST system which are designed or used to convey, contain, or store regulated substances. Specifically, the metal components located inside the submersible turbine pump ("STP") containment sumps for dispensers 1/2, 5/6, and 7/8 were in direct contact with water and did not have corrosion protection installed.			
Base Penalty			\$25,000	

>> Environmental, Property and Human Health Matrix

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

>> Programmatic Matrix

Matrix Notes	Falsification				
	Major	Moderate	Minor		
					Percent 0.0%
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	40	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 June 12, 2024 investigation date to the July 22, 2024 screening date.

Good Faith Efforts to Comply

	0.0%		
	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	\$195
Violation Final Penalty Total	\$3,397
This violation Final Assessed Penalty (adjusted for limits)	\$3,397

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 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	\$3,000	12-Jun-2024	18-May-2025	0.93	\$9	\$186	\$195
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)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated delayed cost to install and test a corrosion protection system for the metal components located inside the STP containment sumps. The Date Required is the investigation 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 \$3,000

TOTAL \$195

Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			
Case ID No.	66434	<i>Policy Revision 5 (January 28, 2021)</i>		
Reg. Ent. Reference No.	RN102469707	<i>PCW Revision February 11, 2021</i>		
Media	Petroleum Storage Tank			
Enf. Coordinator	Cecilia Garza			
Violation Number	4			
Rule Cite(s)	30 Tex. Admin. Code §§ 334.50(b)(1)(A) and 334.48(c) and Tex. Water Code § 26.3475(c)(1)			
Violation Description	<p>Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days. Also, failed to conduct effective inventory control procedures for all USTs at the Facility. Specifically, the Respondent incorrectly recorded fuel deliveries in their inventory control records as net volumes when they should have been recorded as gross volumes.</p>			
Base Penalty				\$25,000

>> Environmental, Property and Human Health Matrix

OR	Harm					
		Major	Moderate	Minor		
	Release					
	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.
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Adjustment	\$21,250
\$3,750	

Violation Events

Number of Violation Events	1	Number of violation days	40
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	daily	
	weekly	
	monthly	
	quarterly	x
	semiannual	
	annual	
	single event	

Violation Base Penalty	\$3,750
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One quarterly event is recommended from the June 12, 2024 investigation date to the July 22, 2024 screening date.

Good Faith Efforts to Comply

	0.0%	
	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
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Economic Benefit (EB) for this violation

Estimated EB Amount	\$70	Statutory Limit Test
Violation Final Penalty Total		\$3,397
This violation Final Assessed Penalty (adjusted for limits)		\$3,397

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 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				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Other (as needed)	\$1,500	12-Jun-2024	18-May-2025	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, including but not limited to conducting proper inventory control procedures for all USTs at the Facility (\$1,500). The Date Required is the investigation 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
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Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			<i>Policy Revision 5 (January 28, 2021)</i>
Case ID No.	66434			<i>PCW Revision February 11, 2021</i>
Reg. Ent. Reference No.	RN102469707			
Media	Petroleum Storage Tank			
Enf. Coordinator	Cecilia Garza			
Violation Number	5			
Rule Cite(s)	30 Tex. Admin. Code § 334.72			
Violation Description	<p>Failed to report a suspected release to the TCEQ within 24 hours of discovery. Specifically, failing monthly inventory control records for the super unleaded tank from August 2023 and September 2023, December 2023 and January 2024, and April 2024 and May 2024 and failing monthly inventory control records for the diesel tank from August 2023 and September 2023 indicated suspected releases that were not reported.</p>			
		Base Penalty	\$25,000	

>> Environmental, Property and Human Health Matrix

OR

		Harm			
	Release	Major	Moderate	Minor	
	Actual				Percent 0.0%
	Potential				

>> Programmatic Matrix

		Falsification	Major	Moderate	Minor	
			x			Percent 10.0%
Matrix Notes	100% of the rule requirement was not met.					
		Adjustment				\$22,500

\$2,500

Violation Events

Number of Violation Events	2	295	Number of violation days	
	daily			Violation Base Penalty \$5,000
	weekly			
	monthly			
	quarterly			
	semiannual			
	annual			
	single event	x		
Two single events are recommended (one for each UST which a suspected release occurred).				

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			\$5,000

Economic Benefit (EB) for this violation

Estimated EB Amount	\$83	Violation Final Penalty Total	\$4,529
This violation Final Assessed Penalty (adjusted for limits)		\$4,529	

Statutory Limit Test

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 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				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	\$100	12-Jun-2024	18-May-2025	0.93	\$5	n/a	\$5
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 develop and implement a process for reporting suspected releases timely. The Date Required is the investigation 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
Other (as needed)				0.00	\$0	\$0	\$0
Other (as needed)	\$75	1-Oct-2023	22-Jul-2024	0.81	\$3	\$75	\$78
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to report the suspected releases (\$25 per incident report). The Date Required is the earliest date the suspected releases should have been reported and the Final Date is the screening date.

Approx. Cost of Compliance

\$175

TOTAL

\$83

Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			Policy Revision 5 (January 28, 2021)
Case ID No.	66434			PCW Revision February 11, 2021
Reg. Ent. Reference No.	RN102469707			
Media	Petroleum Storage Tank			
Enf. Coordinator	Cecilia Garza			
Violation Number	6			
Rule Cite(s)	30 Tex. Admin. Code § 334.74			
Violation Description	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. Specifically, failing monthly inventory control records for the super unleaded tank from August 2023 and September 2023, December 2023 and January 2024, and April 2024 and May 2024 and failing monthly inventory control records for the diesel tank from August 2023 and September 2023 indicated suspected releases that were not investigated.			
		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	3	266	Number of violation days
	daily			
	weekly			
	monthly			
	quarterly	x		
	semiannual			
	annual			
	single event			
		Violation Base Penalty	\$11,250	
	Three quarterly events are recommended from the earliest suspected release investigation due date of October 30, 2023 to the July 22, 2024 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	\$11,250	
Economic Benefit (EB) for this violation				
Statutory Limit Test				
	Estimated EB Amount	\$109	Violation Final Penalty Total	\$10,191
	This violation Final Assessed Penalty (adjusted for limits)			\$10,191

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 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				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)	\$1,400	30-Oct-2023	18-May-2025	1.55	\$109	n/a	\$109
Notes for DELAYED costs	Estimated delayed cost [\$800 for testing (\$400 per UST plus line x2) and \$600 for the Release Determination Report] to conduct investigations of the suspected releases and implement appropriate corrective measures. The Date Required is the earliest suspected release investigation 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	\$1,400	TOTAL	\$109
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Screening Date	22-Jul-2024	Docket No.	2024-1191-PST-E	PCW	
Respondent	BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron			Policy Revision 5 (January 28, 2021)	
Case ID No.	66434	PCW Revision February 11, 2021			
Reg. Ent. Reference No.	RN102469707				
Media	Petroleum Storage Tank				
Enf. Coordinator	Cecilia Garza				
Violation Number	7				
Rule Cite(s)	30 Tex. Admin. Code § 334.48(h)(1)(A)(ii) and Tex. Water Code § 26.3475(c)(1)				
Violation Description	Failed to conduct the walkthrough inspections of the UST system's release detection equipment at least once every 30 days.				
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 that 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	40	Number of violation days	
	daily				
	weekly				
	monthly				
	quarterly	x		Violation Base Penalty 1,250	
	semiannual				
	annual				
	single event				
One quarterly event is recommended from the June 12, 2024 investigation date to the July 22, 2024 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				\$1,250	
Economic Benefit (EB) for this violation					
Statutory Limit Test					
Estimated EB Amount		\$106	Violation Final Penalty Total		\$1,132
This violation Final Assessed Penalty (adjusted for limits)				\$1,132	

Economic Benefit Worksheet

Respondent BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron
Case ID No. 66434
Reg. Ent. Reference No. RN102469707
Media Petroleum Storage Tank
Violation No. 7

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)	\$100	12-Jun-2024	18-May-2025	0.93	\$5	n/a	\$5
Notes for DELAYED costs	Estimated delayed cost to begin conducting 30-day walkthrough inspections of the release detection equipment. The Date Required is the investigation 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	\$100	12-Jun-2024	22-Jul-2024	0.11	\$1	\$100	\$101
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs	Estimated avoided cost to begin conducting 30-day walkthrough inspections of the release detection equipment. The Date Required is the investigation date and the Final Date is the screening date.						

Approx. Cost of Compliance \$200

TOTAL \$106



Compliance History Report

Compliance History Report for CN602973489, RN102469707, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator:	CN602973489, BHARWANI INVESTMENT GROUP INC	Classification: HIGH	Rating: 0.00
Regulated Entity:	RN102469707, Kulsum's Chevron	Classification: HIGH	Rating: 0.00
Complexity Points:	6	Repeat Violator:	NO
CH Group:	14 - Other		
Location:	2525 North Josey Lane, in Carrollton, Dallas County, Texas		
TCEQ Region:	REGION 04 - DFW METROPLEX		
ID Number(s):			
PETROLEUM STORAGE TANK REGISTRATION	LEAKING PETROLEUM STORAGE TANKS		
REGISTRATION 17756	REMEDATION ID NUMBER 116901		
Compliance History Period:	September 01, 2019 to August 31, 2024	Rating Year: 2024	Rating Date: 09/01/2024
Date Compliance History Report Prepared:	December 18, 2024		
Agency Decision Requiring Compliance History:	Enforcement		
Component Period Selected:	December 18, 2019 to December 18, 2024		
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.			
Name:	Celicia A. Garza	Phone:	(210) 657-8422

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? | NO |

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 October 29, 2021 (1765851)

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
BHARWANI INVESTMENT GROUP INC
DBA KULSUM'S CHEVRON
RN102469707

§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY
§

AGREED ORDER DOCKET NO. 2024-1191-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 BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron (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 2525 North Josey Lane in Carrollton, Dallas 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 \$27,554 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$624 of the penalty and \$5,510 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 of this Order.

The remaining amount of \$21,420 of the undeferred penalty shall be paid in 35 monthly payments of \$612 each. 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 on June 13, 2024, the Respondent submitted a properly completed UST registration and self-certification form for the Facility and obtained a valid, current TCEQ delivery certificate.

II. ALLEGATIONS

During an investigation at the Facility conducted on June 12, 2024, 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 previous delivery certificate expired on July 31, 2023.
2. Failed to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs, in violation of 30 TEX. ADMIN. CODE § 334.8(c)(5)(A)(i) and TEX. WATER CODE § 26.3467(a). Specifically, the Respondent accepted approximately 76 unauthorized fuel deliveries from August 2023 to May 2024 without a valid, current TCEQ delivery certificate.
3. Failed to provide corrosion protection to all underground and/or totally or partially submerged metal components of any existing UST system which are designed or used to convey, contain, or store regulated substances, in violation of 30 TEX. ADMIN. CODE § 334.49(a)(4) and TEX. WATER CODE § 26.3475(d). Specifically, the metal components located inside the submersible turbine pump ("STP") containment sumps for dispensers

1/2, 5/6, and 7/8 were in direct contact with water and did not have corrosion protection installed.

4. 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).
5. Failed to conduct effective inventory control procedures for all USTs at the Facility, in violation of 30 TEX. ADMIN. CODE § 334.48(c) and TEX. WATER CODE § 26.3475(c)(1). Specifically, the Respondent incorrectly recorded fuel deliveries in their inventory control records as net volumes when they should have been recorded as gross volumes.
6. Failed to report a suspected release to the TCEQ within 24 hours of discovery, in violation of 30 TEX. ADMIN. CODE § 334.72. Specifically, failing monthly inventory control records for the super unleaded tank from August 2023 and September 2023, December 2023 and January 2024, and April 2024, and May 2024 and failing monthly inventory control records for the diesel tank from August 2023 and September 2023 indicated suspected releases that were not reported.
7. 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, failing monthly inventory control records for the super unleaded tank from August 2023 and September 2023, December 2023 and January 2024, and April 2024, and May 2024 and failing monthly inventory control records for the diesel tank from August 2023 and September 2023 indicated suspected releases that were not investigated.
8. Failed to conduct the walkthrough inspections of the UST system's release detection equipment at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.48(h)(1)(A)(ii) 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: BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron, Docket No. 2024-1191-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. Install and test a corrosion protection system for the metal components located inside the STP containment sumps, in accordance with 30 TEX. ADMIN. CODE § 334.49;
 - ii. Implement a release detection method for the USTs at the Facility, including but not limited to conducting proper inventory control procedures for all USTs at the Facility, in accordance with 30 TEX. ADMIN. CODE §§ 334.48 and 334.50;
 - iii. Develop and implement a process for reporting suspected releases timely, in accordance with 30 TEX. ADMIN. CODE § 334.72;
 - iv. Conduct investigations of the suspected releases and implement appropriate corrective measures, in accordance with 30 TEX. ADMIN. CODE § 334.74; and
 - v. Begin conducting 30-day walkthrough inspections of the release detection equipment, 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 No. 2.a. 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:

Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Waste Section Manager
Dallas/Fort Worth Regional Office
Texas Commission on Environmental Quality
2309 Gravel Drive
Fort Worth, Texas 76118-6951

3. 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. 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 Enforcement Division at the address listed above.
6. 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.
7. 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.
8. 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

Krista Mello-Jurack

10/11/2025

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 OAG 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 OAG 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]

Signature

9.25.2025

Date

Arao Akbar

Name (Printed or typed)

President

Title

Authorized Representative of
BHARWANI INVESTMENT GROUP INC dba Kulsum's Chevron

☐ 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.