

Executive Summary – Enforcement Matter – Case No. 66604
STATION CONCESSIONS, LTD. dba DFW Mart
RN102426400
Docket No. 2024-1363-PST-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

PST

Small Business:

No

Location(s) Where Violation(s) Occurred:

DFW Mart, 2344 Rental Car Drive, Dallas/Forth Worth Airport, 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

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 28, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$11,250

Amount Deferred for Expedited Settlement: \$2,250

Total Paid to General Revenue: \$9,000

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - Unclassified

Major Source: Yes

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: March 28, 2024

Date(s) of NOE(s): May 1, 2024

Executive Summary – Enforcement Matter – Case No. 66604
STATION CONCESSIONS, LTD. dba DFW Mart
RN102426400
Docket No. 2024-1363-PST-E

Violation Information

1. 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)].
2. Failed to have the UST corrosion protection system operated and maintained in a manner that ensures that corrosion protection will be continuously provided to all underground metal components of the UST system. Specifically, the metal components under dispenser number 1 and at the submersible turbine pump sumps were in contact with liquid without a form of corrosion protection installed [30 TEX. ADMIN. CODE § 334.49(a)(2) and TEX. WATER CODE § 26.3475(d)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures at the Facility:

- a. Implemented a release detection method for the USTs on April 11, 2024; and
- b. Installed and tested a corrosion protection system for the metal components under dispenser number 1 and at the submersible turbine pump sumps on April 4, 2024.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Faye Renfro, Enforcement Division, Enforcement Team 3, MC 219, (512) 239-1833; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

Respondent: Gilbert Aranza, President, STATION CONCESSIONS, LTD., 8008 Cedar Springs Road, Suite 301, Dallas, Texas 75235

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

| | | | | | | |
|--------------|-----------------|-------------|------------------|------------|----------------|--|
| DATES | Assigned | 6-May-2024 | Screening | 6-May-2024 | EPA Due | |
| | PCW | 15-Aug-2024 | | | | |

RESPONDENT/FACILITY INFORMATION

| | | | | | |
|-----------------------------|--|--|---------------------------|-------|--|
| Respondent | STATION CONCESSIONS, LTD. dba DFW Mart | | | | |
| Reg. Ent. Ref. No. | RN102426400 | | | | |
| Facility/Site Region | 4-Dallas/Fort Worth | | Major/Minor Source | Major | |

CASE INFORMATION

| | | | |
|--|------------------------|------------------------------|--------------------|
| Enf./Case ID No. | 66604 | No. of Violations | 2 |
| Docket No. | 2024-1363-PST-E | Order Type | 1660 |
| Media Program(s) | Petroleum Storage Tank | Government/Non-Profit | No |
| Multi-Media | | Enf. Coordinator | Faye Renfro |
| | | EC's Team | Enforcement Team 3 |
| Admin. Penalty \$ Limit Minimum | \$0 | Maximum | \$25,000 |

Penalty Calculation Section

| | | |
|---|-------------------|----------|
| TOTAL BASE PENALTY (Sum of violation base penalties) | Subtotal 1 | \$15,000 |
|---|-------------------|----------|

ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

| | | | | |
|---------------------------|------|-------------------|--------------------------------|-----|
| Compliance History | 0.0% | Adjustment | Subtotals 2, 3, & 7 | \$0 |
|---------------------------|------|-------------------|--------------------------------|-----|

| | | | | |
|--------------|---------------------------------------|--|--|--|
| Notes | No adjustment for Compliance History. | | | |
|--------------|---------------------------------------|--|--|--|

| | | | | | |
|--------------------|----|------|--------------------|-------------------|-----|
| Culpability | No | 0.0% | Enhancement | Subtotal 4 | \$0 |
|--------------------|----|------|--------------------|-------------------|-----|

| | | | | |
|--------------|--|--|--|--|
| Notes | The Respondent does not meet the culpability criteria. | | | |
|--------------|--|--|--|--|

| | | |
|--|-------------------|----------|
| Good Faith Effort to Comply Total Adjustments | Subtotal 5 | -\$3,750 |
|--|-------------------|----------|

| | | | | |
|-------------------------|------|---------------------|-------------------|-----|
| Economic Benefit | 0.0% | Enhancement* | Subtotal 6 | \$0 |
|-------------------------|------|---------------------|-------------------|-----|

| | | |
|------------------------------|---------|-----------------------------------|
| Total EB Amounts | \$7 | *Capped at the Total EB \$ Amount |
| Estimated Cost of Compliance | \$4,500 | |

| | | |
|-----------------------------|-----------------------|----------|
| SUM OF SUBTOTALS 1-7 | Final Subtotal | \$11,250 |
|-----------------------------|-----------------------|----------|

| | | | |
|---|------|-------------------|-----|
| OTHER FACTORS AS JUSTICE MAY REQUIRE | 0.0% | Adjustment | \$0 |
|---|------|-------------------|-----|

Reduces or enhances the Final Subtotal by the indicated percentage.

| | | | |
|--------------|-----------------------------|--|--|
| Notes | | | |
| | Final Penalty Amount | | |

\$11,250

| | | |
|-----------------------------------|-------------------------------|----------|
| STATUTORY LIMIT ADJUSTMENT | Final Assessed Penalty | \$11,250 |
|-----------------------------------|-------------------------------|----------|

| | | | | |
|-----------------|-------|------------------|-------------------|----------|
| DEFERRAL | 20.0% | Reduction | Adjustment | -\$2,250 |
|-----------------|-------|------------------|-------------------|----------|

Reduces the Final Assessed Penalty by the indicated percentage.

| | | | |
|--------------|--|--|--|
| Notes | Deferral offered for expedited settlement. | | |
|--------------|--|--|--|

| | |
|------------------------|---------|
| PAYABLE PENALTY | \$9,000 |
|------------------------|---------|

Screening Date

6-May-2024

Docket No.

2024-1363-PST-E

PCW

Respondent

STATION CONCESSIONS, LTD. dba DFW Mart

Case ID No.

66604

Reg. Ent. Reference No.

RN102426400

Media

Petroleum Storage Tank

Enf. Coordinator

Faye Renfro

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

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)

Unclassified

Adjustment Percentage (Subtotal 7)

0%

>> Compliance History Summary

Compliance History Notes

No adjustment for Compliance History.

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

0%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100%

0%

| | | | | |
|---|--|-----------------------------------|--|--------------------------------------|
| Screening Date | 6-May-2024 | Docket No. | 2024-1363-PST-E | PCW |
| Respondent | STATION CONCESSIONS, LTD. dba DFW Mart | | | Policy Revision 5 (January 28, 2021) |
| Case ID No. | 66604 | | | PCW Revision February 11, 2021 |
| Reg. Ent. Reference No. | RN102426400 | | | |
| Media | Petroleum Storage Tank | | | |
| Enf. Coordinator | Faye Renfro | | | |
| Violation Number | 1 | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 334.50(b)(1)(A) and Tex. Water Code § 26.3475(c)(1) | | | |
| Violation Description | Failed to monitor the underground storage tanks ("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 | | |
| | | Major | Moderate | Minor |
| | Actual | | | |
| | Potential | x | | |
| Percent | | | | 30.0% |
| >>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 | | | | \$17,500 |
| | | | | \$7,500 |
| Violation Events | | | | |
| Number of Violation Events | | 1 | 14 | Number of violation days |
| | daily | | | |
| | weekly | | | |
| | monthly | | | |
| | quarterly | x | | |
| | semiannual | | | |
| | annual | | | |
| | single event | | | |
| Violation Base Penalty \$7,500 | | | | |
| One quarterly event is recommended from the March 28, 2024 investigation date to the April 11, 2024 date of compliance. | | | | |
| Good Faith Efforts to Comply | | 25.0% | Reduction \$1,875 | |
| | Before NOE/NOV | NOE/NOV to EDPRP/Settlement Offer | | |
| | Extraordinary | | | |
| | Ordinary | x | | |
| | N/A | | | |
| Notes | The Respondent came into compliance on April 11, 2024, prior to the May 1, 2024 Notice of Enforcement ("NOE"). | | | |
| Violation Subtotal | | | | \$5,625 |
| Economic Benefit (EB) for this violation | | | | |
| Statutory Limit Test | | | | |
| Estimated EB Amount | | \$3 | Violation Final Penalty Total \$5,625 | |
| This violation Final Assessed Penalty (adjusted for limits) | | | | \$5,625 |

Economic Benefit Worksheet

Respondent STATION CONCESSIONS, LTD. dba DFW Mart
Case ID No. 66604
Reg. Ent. Reference No. RN102426400
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 |
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|

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 | 28-Mar-2024 | 11-Apr-2024 | 0.04 | \$3 | n/a | \$3 |
| Notes for DELAYED costs | Estimated delayed cost to implement a release detection method for the USTs at the Facility. The Date Required is the investigation 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 | \$1,500 | TOTAL | \$3 |
|----------------------------|---------|--------------|-----|

| | | | | | |
|--------------------------------|---|---------------------|-----------------|--|---|
| Screening Date | 6-May-2024 | Docket No. | 2024-1363-PST-E | | PCW |
| Respondent | STATION CONCESSIONS, LTD. dba DFW Mart | | | | <i>Policy Revision 5 (January 28, 2021)</i> |
| Case ID No. | 66604 | | | | <i>PCW Revision February 11, 2021</i> |
| Reg. Ent. Reference No. | RN102426400 | | | | |
| Media | Petroleum Storage Tank | | | | |
| Enf. Coordinator | Faye Renfro | | | | |
| Violation Number | 2 | | | | |
| Rule Cite(s) | 30 Tex. Admin. Code § 334.49(a)(2) and Tex. Water Code § 26.3475(d) | | | | |
| Violation Description | Failed to have the UST corrosion protection system operated and maintained in a manner that ensures that corrosion protection will be continuously provided to all underground metal components of the UST system. Specifically, the metal components under dispenser number 1 and at the submersible turbine pump sumps were in contact with liquid without a form of corrosion protection intalled. | | | | |
| | | Base Penalty | | | \$25,000 |

>> Environmental, Property and Human Health Matrix

| | | | | | |
|-----------|----------------|-------------|----------|-------|----------------|
| OR | Release | Harm | | | Percent |
| | | Major | Moderate | Minor | |
| | Actual | | | | |
| | Potential | x | | | 30.0% |

>>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 \$17,500

\$7,500

Violation Events

| | | | | |
|----------------------------|---|--|---|--------------------------|
| Number of Violation Events | 1 | | 7 | Number of violation days |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

One quarterly event is recommended from the March 28, 2024 investigation date to the April 4, 2024 date of compliance.

Violation Base Penalty \$7,500

Good Faith Efforts to Comply

| | | | | |
|--|-------|--|--|------------------|
| | 25.0% | | | Reduction |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

The Respondent came into compliance on April 4, 2024, prior to the May 1, 2024 NOE.

Violation Subtotal \$5,625

| | |
|--|--------------------------------------|
| Economic Benefit (EB) for this violation | Statutory Limit Test |
| Estimated EB Amount | Violation Final Penalty Total |
| \$4 | \$5,625 |
| This violation Final Assessed Penalty (adjusted for limits) | |
| \$5,625 | |

Economic Benefit Worksheet

Respondent STATION CONCESSIONS, LTD. dba DFW Mart
Case ID No. 66604
Reg. Ent. Reference No. RN102426400
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 |
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|
|------------------|-----------|---------------|------------|-----|----------------|-------------|-----------|

Delayed Costs

| | | | | | | | |
|--------------------------|---------|-------------|------------|------|-----|-----|-----|
| Equipment | \$3,000 | 28-Mar-2024 | 4-Apr-2024 | 0.02 | \$0 | \$4 | \$4 |
| 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 under dispenser number 1 and at the submersible turbine pump sumps at the Facility. The Date Required is the investigation 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

\$3,000

TOTAL

\$4

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 CN606250769, RN102426400, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, CN606250769, STATION CONCESSIONS, LTD. Classification: UNCLASSIFIED Rating: -----
or Owner/Operator:

Regulated Entity: RN102426400, DFW Mart **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 6 **Repeat Violator:** NO

CH Group: 14 - Other

Location: 2344 Rental Car Drive, Dallas/Fort Worth Airport, Dallas County, Texas 75261-4032

TCEQ Region: REGION 04 - DFW METROPLEX

ID Number(s):

PETROLEUM STORAGE TANK REGISTRATION
REGISTRATION 74236

PETROLEUM STORAGE TANK NON REGISTERED ID
NUMBER 74236

Compliance History Period: September 01, 2019 to August 31, 2024 **Rating Year:** 2024 **Rating Date:** 09/01/2024

Date Compliance History Report Prepared: November 13, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 13, 2019 to November 13, 2024

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

Name: Faye Renfro

Phone: (512) 239-1833

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 | August 18, 2021 | (1750691) |
|--------|-----------------|-----------|

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
STATION CONCESSIONS, LTD. DBA
DFW MART
RN102426400

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

AGREED ORDER DOCKET NO. 2024-1363-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 STATION CONCESSIONS, LTD. dba DFW Mart (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 operates, as defined in 30 TEX. ADMIN. CODE § 334.2(75), an underground storage tank ("UST") system and a convenience store with retail sales of gasoline located at 2344 Rental Car Drive in Dallas/Fort Worth Airport, 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 \$11,250 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$9,000 of the penalty and \$2,250 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or

required in this action, are waived in the interest of a more timely resolution of the matter.

6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
 - a. Implemented a release detection method for the USTs on April 11, 2024; and
 - b. Installed and tested a corrosion protection system for the metal components under dispenser number 1 and at the submersible turbine pump sumps on April 4, 2024.

II. ALLEGATIONS

During an investigation at the Facility conducted on March 28, 2024, an investigator documented that the Respondent:

1. Failed to monitor the USTs in a manner which will detect a release at a frequency of at least once every 30 days, in violation of 30 TEX. ADMIN. CODE § 334.50(b)(1)(A) and TEX. WATER CODE § 26.3475(c)(1).
2. Failed to have the UST corrosion protection system operated and maintained in a manner that ensures that corrosion protection will be continuously provided to all underground metal components of the UST system, in violation of 30 TEX. ADMIN. CODE § 334.49(a)(2) and TEX. WATER CODE § 26.3475(d). Specifically, the metal components under dispenser number 1 and at the submersible turbine pump sumps were in contact with liquid without a form of corrosion protection installed.

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: STATION CONCESSIONS, LTD. dba DFW Mart, Docket No. 2024-1363-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. All relief not expressly granted in this Order is denied.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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



For the Executive Director

Date

4/4/2025

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

Dec. 17, 2024

Date

Gilbert Aranza

Name (Printed or typed)

Authorized Representative of

STATION CONCESSIONS, LTD. dba DFW Mart

President of General Partner
of Station Concessions, Ltd.

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.