# EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2010-1134-PST-E TCEQ ID: RN102443561 CASE NO.: 40003 RESPONDENT NAME: QUICK PAY ENTERPRISES, INC. dba Quick Stop 2

ORDER TYPE:		
X 1660 AGREED ORDER	FINDINGS AGREED ORDER	_FINDINGS ORDER FOLLOWING SOAH HEARING
_FINDINGS DEFAULT ORDER	_SHUTDOWN ORDER	_IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
AMENDED ORDER	EMERGENCY ORDER	
CASE TYPE:		
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE
PUBLIC WATER SUPPLY	X PETROLEUM STORAGE TANKS	_OCCUPATIONAL CERTIFICATION
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION
TYPE OF OPERATION: Convenience  SMALL BUSINESS: X Yes _  OTHER SIGNIFICANT MATTERS: Tregarding this facility location.  INTERESTED PARTIES: No one other  COMMENTS RECEIVED: The Texas  CONTACTS AND MAILING LIST:  TCEQ Attorney/SEP Coording (512) 239-0855; Ms. Laurie Eaven Respondent: Mr. Deedar Ali, Texas 78221	No There are no complaints. There is no record of a er than the ED and the Respondent has expresse Register comment period expired on December	additional pending enforcement actions ad an interest in this matter. 20, 2010. No comments were received. on, Enforcement Team 7, MC 128, 495 C., 3319 Pleasanton Road, San Antonio,

# VIOLATION SUMMARY CHART:

VIOLATION INFORMATION

# Type of Investigation:

- Complaint
- X Routine
- Enforcement Follow-up
- Records Review

# Date(s) of Complaints Relating to

this Case: None

Date of Investigation Relating to this Case: April 28, 2010

Date of NOV/NOE Relating to this Case: June 28, 2010 (NOE)

Background Facts: This was a routine investigation.

## WASTE

- 1) Failed to maintain underground storage tank ("UST") records and make them immediately available for inspection upon request by agency personnel [30 Tex. Admin. Code § 334.10(b)].
- 2) Failed to notify the agency of any change or additional information regarding the UST system within 30 days from the date of the occurrence of the change or addition. Specifically, the registration was not updated to reflect the current status of tank no. 1 and did not correctly reflect that tank nos. 1, 3, and 4 are not empty [30 TEX. ADMIN. CODE § 334.7(d)(3)].
- 3) Failed to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs [30 Tex. Admin. Code § 37.815(a) and (b)].
- 4) Failed to ensure that a legible tag, label, or marking with the UST identification number is permanently applied upon or affixed to either the top of the fill tube or to a nonremovable point in the immediate area of the fill tube according to the UST registration and self-certification form [30 Tex. Admin. Code §

## PENALTY CONSIDERATIONS

Total Assessed: \$9,304

Total Deferred: \$1,860 X Expedited Settlement

Financial Inability to Pay

SEP Conditional Offset: \$0

Total Paid (Due) to General

Revenue: \$234 (remaining \$7,210 due in 35 monthly payments of \$206 each)

**Compliance History Classifications:** Person/CN - Average

Major Source: Yes X No

Site/RN - Average

Applicable Penalty Policy: September 2002

# CORRECTIVE ACTIONS TAKEN/REQUIRED

## **Ordering Provisions:**

The Order will require the Respondent

- a. Immediately upon the effective date of this Agreed Order begin maintaining all UST records.
- b. Within 30 days after the effective date of this Agreed Order:
- i. Demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of the petroleum UST:
- ii. Permanently apply or affix tags, labels, or markings to the UST fill tubes with an identification number that matches the number listed on the UST registration and self-certification form:
- iii. Begin conducting bimonthly inspections of all overfill devices associated with the USTs; and
- iv. Secure and maintain all piping, pumps, manways, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner including but not limited to all fill port caps and vapor recovery risers.
- c. Within 45 days after the effective date of this Agreed Order, submit a properly completed UST registration form to reflect the correct status of the UST system; and
- d. Within 60 days after the effective date of this Agreed Order, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provisions a. through c.

# **RESPONDENT NAME:** QUICK PAY ENTERPRISES, INC. dba Quick Stop 2 Page 3 of 3 **DOCKET NO.:** 2010-1134-PST-E

334.8(c)(5)(C)].  5) Failed to inspect all sumps, manways, overspill containers or catchment basins associated with a UST system at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid-tight and free of liquid or debris. Specifically, the spill buckets contained liquid and debris [30 Tex. Admin. Code § 334.42(i)].  6) Failed to maintain all piping, pumps, manways, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fill caps and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4 [30 Tex. Admin. Code § 334.54(b)(2)].	nd d is, ed DE	
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Additional ID No(s).: PST Registration 35058

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### Penalty Calculation Worksheet (PCW) PCW Revision October 30, 2008 Policy Revision 2 (September 2002) DATES Assigned 28-Jun-2010 PCW 14-Jul-2010 Screening 6-Jul-2010 EPA Due RESPONDENT/FACILITY INFORMATION Respondent QUICK PAY ENTERPRISES, INC. dba Quick Stop 2 Reg. Ent. Ref. No. RN102443561 Facility/Site Region 13-San Antonio Major/Minor Source Minor CASE INFORMATION Enf./Case ID No. 40003 No. of Violations 6 Docket No. 2010-1134-PST-E Order Type 1660 Government/Non-Profit No. Media Program(s) Petroleum Storage Tank Enf. Coordinator Philip Aldridge Multi-Media EC's Team Enforcement Team 7 Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$8,500 ADJUSTMENTS(年/二):TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. 0.0% Enhancement Subtotals 2, 3, & 7 \$0 Compliance History No adjustment for Compliance History Notes Subtotal 4 \$0 0.0% Enlancement Culpability - No The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 \$0 0.0% Chhancement\* Subtotal 6 **\$0** Economic Benefit Capped at the Total EB \$ Amount Total EB Amounts \$853 Approx. Cost of Compliance \$1,966 SUM OF SUBTOTALS 1-7 Final Subtotal \$8,500 Adjustment \$804 OTHER FACTORS AS JUSTICE MAY REQUIRE 9.5% Reduces or enhances the Final Subtotal by the indicated percentage

Enhancement to capture the avoided cost of compliance associated with

violation nos. 3 and 5.

Deferral offered for expedited settlement.

Reduces the Final Assessed Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

Final Penalty Amount

Reduction Adiustment

Final Assessed Penalty

20.0%

\$9,304

\$9,304

-\$1,860

\$7,444

Notes

DEFERRAL

Notes

STATUTORY LIMIT ADJUSTMENT

PAYABLE PENALTY

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

Docket No. 2010-1134-PST-E

Screening Date 6-Jul-2010 Docket No. 2010-1134
Respondent QUICK PAY ENTERPRISES, INC. dba Quick Stop 2

Case ID No. 40003

Reg. Ent. Reference No. RN102443561 Media [Statute] Petroleum Storage Tank Enf. Coordinator Philip Aldridge

NOVs  Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)  Other written NOVs  Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)  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  Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)  Any adjudicated final court judgments and default judgments, or non-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  Convictions  Any criminal convictions of this state or the federal government (number of judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this state or the federal government (number of liability, or of this	Component	Number of	Enter Number Hei	e Aujus
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pliance History Person Classification (Subtotal 7)	Compliance History	No adjustment for Compliance History		

	Docket No. 2010-1134-PST-E  dent QUICK PAY ENTERPRISES, INC. dba Quick Stop 2	PCW Policy Revision 2 (September 2002)
Case ID	No. 40003	PCW Revision October 30, 2008
Reg. Ent. Reference Media (Stat	No.;RN102443561 ute] Petroleum Storage Tank	ALAKASIA
Enf. Coordin	ator Philip Aldridge	Li, i and a second
Violation Nu Rule Ci	mber 1	
Kuid	30 Tex. Admin. Code § 334.10(b)	
Violation Descri	Failed to maintain underground storage tank ("UST") records and mak	ce them
	Ilbuddiately available for inspection about reducer by agency berson	anich.
	Bas	se Penalty \$10,000
>> Environmental, Pr	roperty and Human Health Matrix	
and devices of the region of the latest A. A.	Harm elease Major Moderate Minor	s.
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And O Confidence and All Annual And	Y Percent 10%	
Matrix	100% of the rule regulrement was not met.	
Notes	100% of greaterequiction was not men	
The state of the s	Adjustment	\$9,000
The second secon		\$1,000
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mark on	shrong monthly many	se Penalty \$1,000
with a		se Penaity \$1,000
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Farmer of the second of the se	- Huser	
	One single event is recommended based on documentation during the April 28, 2 investigation.	<b>2010</b>
Good Faith Efforts to	Comply 0.0% Reduction  Before NOV NOV to EDPRP/Settlement Offer	\$0
TO THE	Extraordinary	
	Ordinary (mark with x)	
	The Respondent does not meet the good falto criteria for	
	Notes this violation.	
Annount HTM (state)	Violatio	on Subtotal \$1,000
Economic Benefit (El		
	stimated EB Amount \$19 Violation Final Pe	
	This violation Final Assessed Penalty (adjusted	
	inis violation rinal Assessed Penaity (adjusted	or mines   \$1,033

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g. Ent. Reference No.	Petroleum Sto	- waga Tank					Years of
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Violation No.	1	AND DESCRIPTION OF THE PERSON OF THE		er retigge og	Anna Carata stratagnica de la comp		Debreciation
			igeografik states to b		SPECIENT NEW YEAR	5.0	1
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Item Description	No commas or \$			191 <b>2</b> 0 TO 120 T		Company of the Compan	
			V	****			
Delayed Costs				y ti ji sti		A Tan A Tan A Tan A	<u> </u>
Equipment				0.00	\$0	\$0	\$0
Buildings		<u> 1</u>	<u> </u>	0.00	\$0	. \$0	\$0
Other (as needed)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	·\$0·
Land				0,00	\$0	n/a	\$0
Record Keeping System	\$500	28-Apr-2010	::30-Jan-2011	0.76	\$19	n/a	\$19
Training/Sampling	100 29 100 31.52		a d. aa aa	0.00	\$0	man n/a	\$0
Remediation/Disposal			J. 1. 25 11 J. J. J. J.	0.00	\$0	n/a	\$0
Permit Costs	F 454 V 154 F 10 15			0.00	\$0	h/a	40
			Carrier and the contract of th	UVV		man LI/ O the said	\$0
Other (as needed)  Notes for DELAYED costs	Estimated cos	t to maintain UST re		0.00 equired	\$0 is the investigation of	n/a n/a late and the Final Date	\$0
Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel			da	0.00 lequired te of co	\$0 Is the investigation on inpliance.	n/a	\$0 is the estimated
Notes for DELAYED costs  AVOIDED GOSTS Disposal Personnel spection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANNUAL		da	equired terof col enterir 0.00 0.00 0.00 0.00	\$0 Is the investigation or inpliance.  ng item (except) \$0 \$0 \$0 \$0 \$0	for one-time avoid  \$0  \$0  \$0  \$0  \$0  \$0	\$0 ls the estimated led costs.)>
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Screening Date	6-Jul-2010 <b>Docket No.</b> 2010-1134-PST-E	PGW
		Policy Revision 2 (September 2002)
Case ID No.		PCW Revision October 30, 2008
Reg. Ent. Reference No.	RN102443561	
Media [Statute]	Petroleum Storage Tank	
Enf. Coordinator		1
Violation Number		
Rule Cite(s)	00 Table (Calle C 201 77-177)	
	30 Tex. Admin. Gode § 334.7(d)(3)	
Violation Description	Failed to notify the agency of any change or additional information regard UST system within 30 days from the date of the occurrence of the chan addition. Specifically, the registration was not updated to reflect the curre of tank no. 1 and did not correctly reflect that tank nos. 1, 3, and 4 are no	ge or nt status t.empty.
		Penalty \$10,000
>> Environmental, Proper	ty and Human Health Matrix	The state of the s
1 with the Adam's A. N. a (and the Colombia of	<b>Harm</b> Major Moderate Minor	ng n
Release OR Actua	Major Moderate Minor	v appearance
Potentia	Percent 0%	na contra
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>>Programmatic Matrix	A STATE OF THE STA	Canada
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Limited County of Machinery (		
Section 1 to 1		
Property Company of the Company of t	100% of the rule requirement was not met.	
Notes	±00% or the rate regalierness, was not incom-	
And of Annual Transport (NA An		
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The state of the s	Adjustment	<del>\$9,000</del> ]
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Number of	Violation Events 1 69 Number of violation of	days
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with an x	Semiannual oc	- lacenses
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One single ev	ent is recommended based on documentation during the April 28, 2010 inve	stigation.
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l		and the second s
Good Faith Efforts to Com	ply 0.0% Reduction	\$0
E de designation de la constitución de la constituc	Before NOV NOV to EDPRP/Settlement Offer	
de la company de	Extraordinary	
ŧ	Ordinary	
	N/A x (mark with x)	
	Notes The Respondent does not meet the good faith criteria for	
	this violation,	
entering the second sec		
	Violation	Subtotal \$1,000
Economic Benefit (EB) fo	this violation Statutory Limit	Test
2 Total day department of the second of the	1.2.2.2.2.2.4.4.4.4.4.4.4.4.4.4.4.4.4.4.	4 10 70 10 10 10 10 10 10 10 10 10 10 10 10 10
Estima	ed EB Amount \$4 Violation Final Pen	alty Total \$1,095
•	This violation Final Assessed Penalty (adjusted f	or limits) \$1,095
1.00410-00410	tills violation rinal Assessed Peliatty (adjusted i	91,093
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	THE	conomic	Benefit	wor	ksneet :	W. W. B. C. Common of the comm	Miralla
Respondent	QUICK PAY E	NTERPRISES, INC.	dba Quick Stop	2			
Case ID No.	40003						
leg. Ent. Reference No.	RN102443561						
Media	Petroleum Sto	orage Tank					Years of
Violation No.						Percent Interest	Depreciation
		TO AND THE REPORT OF THE PARTY.				5.0	15
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	AND DAMES AND THE PROPERTY OF THE	are por transfers to the time of the state of the	rinal Date	YES L	nterest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		January In Market			Highlith the said Mark	
Delayed Costs	2 2		AND THE PROPERTY OF THE PARTY O				
Equipment			g Afrai al Controlation	0.00	\$0	\$0	\$0
Buildings				0.00	\$D	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	m/a	\$0
Record Keeping System				0.00	\$0	= n/a====	50
Training/Sampling				0.00	\$0	in/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	1			0.00	\$0	n/a : :	\$0
Other (as needed)	\$100 Estimated cos	28-Apr-2010	16-Mar-2011 ded UST registrat	lon form.	\$4 The Date Require	n/a value d is the investigation da	\$4
Other (as needed)  Notes for DELAYED costs	Estimated cos	st to submit an amen	16-Mar-2011 ded UST registrat Date is the es	0.88	\$4 The Date Require ate of compliance	n/a	\$4 te and the Final
Other (as needed)  Notes for DELAYED costs  Avoided Costs	Estimated cos	st to submit an amen	16-Mar-2011 ded UST registrat Date is the es	0.88 on form.	\$4 The Date Require ate of compliance	n/a to say a not a	\$4 te and the Final led costs)
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Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  aspection/Reporting/Sampling	Estimated cos	st to submit an amen	16-Mar-2011 ded UST registrat Date is the es	lon form. stimated do entering 0.00 0.00	\$4 The Date Require ate of compliance Item:(except \$0 \$0 \$0	id is the investigation date.  for one-time avoid \$0   \$0   \$0   \$0   \$0	\$4 te and the Final led costs) \$0 \$0
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Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal Personnel spection/ReportIng/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos	st to submit an amen	16-Mar-2011 ded UST registrat Date is the es	0.88 lon form. stimated do composition of the compo	\$4 The Date Require ate of compliance   Item:(except   \$0   \$0   \$0   \$0   \$0   \$0   \$0   \$	n/a 5 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	\$4 te and the Final led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS  Disposal  Personnel  spection/Reporting/Sampling  Supplies/equipment  Financial Assurance [2]  ONE-TIME avoided costs [3]  Other (as needed)	Estimated cos	st to submit an amen	16-Mar-2011 ded UST registrat Date is the es	0.88 lon form. stimated do composition of the compo	\$4 The Date Require ate of compliance   Item:(except   \$0   \$0   \$0   \$0   \$0   \$0   \$0   \$	n/a 5 5 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	\$4 te and the Final led costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
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Scree	ning Date	6-Jul-2010	Docket	No. 2010-1134-PST-E	PC'	W
		QUICK PAY ENTERPRISES,	INC. dba Quick Stop 2	2	Policy Revision 2 (September 20	002)
	ise ID No.				PCW Revision October 30, 2	?008
Reg. Ent. Refe						
		Petroleum Storage Tank				
		Philip Aidridge				
	ion Number				ANGENTY STYRING	
	Rule Cite(s)	30 Т	ex. Admin. Code § 37.	815(a);and (b)		
			1, 1, 2, 1, 1, 1, 1, 2, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1,		ing (ngang pang pang pang pang pang pang pang	
		Failed to demonstrate acc				
Violation	Description	for compensating third	parties for bodily injury	y and property damage ca eration of petroleum UST:	iusea by	
		accidental releas	es ansing from the op	eration or petroleum us is		
				_		
				Bas	se Penalty \$10,	000
3 3 <b>7</b> 1	LEI RESES	ty and Human Healt	L-Mally	The second secon		
>> Environmen	cai, Propei	ty:anu:auman:neam Harm	JEMAUIX	AND THE RESERVE OF THE PARTY OF		
The state of the s	Release		e Minor			
OR	Actua		331 (332)3 (32)3 (32)			
THE PROPERTY OF THE PROPERTY O	Potential			Percent 0%		
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>>Programmati	ic Matrix			Committee of the commit		
And Print And	Falsification	Major Moderate	e Minor	-	1	
The Control of the Co		X II		Percent 10%	www.	
The second secon			щини			
Matrix Matrix					1	
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For the Control of th			The second control was the second control of	Anna and the second	+0.0001	
The second of th			The second secon	Adjustment	\$9,000]	
					\$1,	,000
					Land Control of the C	
<b>Violation Events</b>	AND A TAX OF THE STATE OF THE S		A CONTROL OF THE PROPERTY OF T	The first increases and the second of the se	The second secon	
	90 - AA-AA AA A					
	Number of	Violation Events 2	69	9 Number of violation	n days	
		dally				
		weekly				
S PARTIE DE LA CASA DEL CASA DE LA CASA DEL CASA DE LA	mark only one	monthly	<u></u>	Violation Bas	ea Banalty \$7	,000
	with an x	requarterly		Violation bas	se reliaity 32,	,000
		semiannual annual	=			
		single event x				
Γ						
		Two single events are re	ecommended for the two L	USTs at the Facility	- A 17	
			5.555.55555.555.65			
Good Faith Effo	rts to Com	plyman of the control			Commission Continued (Commission (Commissi	\$0
-		Before NO	NOV to EDPRP/Settlem	ent Offer		
B 410		Extraordinary				
did to the state of the state o		Ordinary				
		N/A	(mark with x)		51	
		The Resn	ondent does not meet	the good faith criteria for		
		Notes	this violati			
		السنان المستميد المستم المستميد المستميد المستميد المستم المستميد المستميد المستميد			3	
				Violatio	n Subtotal \$2	,000
		•		violatio	n Saviotar <u>a</u>	1000
Economic Benef	fit (EB1 fo	this violation	Part of the property of the pr	Statutory Lim	It is see the second of the se	
convinte belle	ur vervil					/a.a.a.a.a.a.a.a.a.a.a.a.a.a.a.a.a.a.a.
rustre but	Estima	ted EB Amount	\$699	Violation Final Pe	naity Total \$2	,189
		_, .		and Doubles (12) - 4	for limite) [ +2	195
Annual State Advances agrees an expensive account of the control o		This	violation Final Asses	ssed Penalty (adjusted	ror iimits)[ \$2	2,189
Parameter and the second secon	The second secon	The second of th	The second control of	makes the first the programmer is also reduced to the programmer and the second of the second to the second of the		***

	Petroleum Sto	rage Tank				Percent Interest	Years of
Violation No.	3		error ortogola 12888 est (2007)	2 10 50 57	weln el estate sesso		Depreciation
	Ttom Coet	Date Dequired	Final Date	Vre	Interest Saved	5.0 Onetime Costs	15 EB Amount
Item Description		and the state of t					
Trem Description.	. No commos or a		Total Comment of the second	and interpretation for	remark for a little Market Mills		
Delayed Costs		Grand Grander (St. 1984)			Transfer of the Control of the Contr		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)			1,000	0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
<b>L</b> and			area and the YV	0.00	\$0	, n/a	\$0
Record Keeping System	77.794			0.00	\$0	= in/a = ::	\$0
Training/Sampling			11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	.\$0
Permit Costs	<u> 1941 - 1941 - 1821</u>		dividuan digu s S	0.00	\$0	₩ siten/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							
уландар у не неготов поступавация уколодического уколенда			William and the second process and the	ANCANEAN INC.	A STATE OF THE PARTY OF THE PAR		de cater a supramoji tisina jii
Avoided Costs	ANNUAL	IZE [1] avoided	costs before		ng Item (except		
Disposal	ANNUAL	IZE [1] avoided	costs before	0.00	\$0	\$0	\$0
Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Disposal Personnel Inspection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment				0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	\$666	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00 1.00	\$0 \$0 \$0 \$0 \$33	\$0 \$0 \$0 \$0 \$0 \$666	\$0 \$0 \$0 \$0 \$0 \$699
Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]				0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
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Screening Da	te 6-Jul-2010 Docket No. 2010-1134-PST-E	· Power Comment
:	nt QUICK PAY ENTERPRISES, INC. dba Quick Stop 2	Policy Revision 2 (September 2002)
Case ID N		PCW Revision October 30, 2008
Reg. Ent. Reference N		1
	Petroleum Storage Tank	i i i i i i i i i i i i i i i i i i i
Enf. Coordinat		4-
Violation Numb		
Rule Cite(	s) 30 Tex. Admin. Code § 334.8(c)(5)(C)	
	20 (27,741)(1.2522.3 22.10(27,07,07)	
	Failed to ensure that a legible tag, label, or marking with the UST ider	
Violation Descripti	number is permanently applied upon or affixed to either the top of the fi	
_	a nonremovable point in the immediate area of the fill-tube according t registration and self-certification form.	O Cise 033
	ejegistration and self-tertification for in-	
		- Control of the Cont
	Ва	se Penalty \$10,000
		-
>> Environmental, Prop	erty and Human Health Matrix	And the second s
The Control of Management of Management of the Control of Management of	Harm	volume vo
Relea	The state of the s	all report
OR Act	4.44.44	- Land Contract of the Contrac
Poten	Percent 0%	<u></u>
	The second secon	***
>>Programmatic Matrix Falsificatio		***************************************
Falsilicauc	n Major Moderate Minor  Percent 10%	
The state of the s	A. A	J.
The state of the s		<del></del>
Matrix	100% of the rule requirement was not met.	
Notes	TOO 30 for rife lines red nite Head of Add Hot Hiers	
The state of the s		
	Adjustinent	\$9,000
	As and the series of the serie	<u> </u>
		\$1,000
Violation Events		Middlife of Artifick in Programmer or representation or the first memory and the control of the
Number	of Violation Events 69 Number of violatio	n days
	20 May 10	
	or to a frame of a flag more of the second and a flag of the second and	
	The control of the co	
mark only o	G Commission of the Commission	ise Penalty \$1,000
with an x	quarterly	ise Penaity \$1,000
	Seriarnua (Seriar Control of Cont	
	Construction of Construction o	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	single event	
Onnimanonomico de la companio della		
One single	event is recommended based on documentation during the April 28, 2010 in	vestigation.
	A CHILL THE CHILD THE CONTROL OF THE	
t t		
Good Faith Efforts to Co	mply 0.0% Reduction	\$0
	Before NOV NOV to EDPRP/Settlement Offer	L
Inches (Sept.	Extraordinary Extraordinary	
Laboratoria de la constanta de	Ordinary	
	N/A X (mark with x)	
-		
	Notes The Respondent does not meet the good faith criteria fo	
	this violation.	
	Learner and the second	
	Violati	on Subtotal \$1,000
Economic Benefit (EB)	or this violation Statutory Lin	iit rest
!	nated EB Amount \$4 Violation Final Po	enalty Total \$1,095
F_A1		
Estin	nated EB Amount \$4 Violation Final Po	sharey rocari 41,033
Estin	This violation Final Assessed Penalty (adjusted	-

and the contract of the contra		conomic	Benent.	VY O	rksneet	The state of the s	
Respondent	QUICK PAY EN	ITERPRISES, INC.	dba Quick Stop	2			
Case ID No.	40003						
Reg. Ent. Reference No.	RN102443561						
Media	Petroleum Sto	rage Tank				Percent Interest	Years of
Violation No.						Refrentantelese	Depreciation
	- Angel and Charles and Angel				2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	5,0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$				7,700	TVINE .	filmetič ne A
Delayed Costs				H.C.	THE PROPERTY OF THE PROPERTY O		r Laideile a za
Equipment	E 4 1 811-1-1-1			0.00	\$0	\$0	\$0
Buildings	e tallate il ta			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	iii n/a	\$0
Permit Costs			墨斯特 医皮肤 经收益帐 化二氯化二甲基二甲基二甲基二甲基二甲基二甲基二甲基二甲基二甲基二甲基二甲基二甲基二甲基二				
				0.00	\$0	eeni i n∕a = iiii	\$0
Other (as needed)	\$100	28-Apr-2010	1-Mar-2011	0.84	\$4	n/a	\$4
Other (as needed)  Notes for DELAYED costs	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Re ted dat	\$4 aquired is the inve te of compliance.	n/a stigation date and ti	\$4 he Final Date is:
Other (as needed)  Notes for DELAYED costs  Avoided Costs	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Re ted dat	\$4  aquired is the inveite of compliance.  ng item (except	n/a stigation date and ti for one-time avoid	\$4 he Final Date is ded-costs)
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Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal Personnel	Estimated cos	t to label the tank	fill ports. The the estima	O.84 Date Retected date	\$4 equired is the invete of compliance. og item (except \$0 \$0	n/a stigation date and ti for one-time avoid \$0 \$0	\$4 he Final Date is ded costs) \$0 \$0
Other (as needed)  Notes for DELAYED costs  Avoided Costs  Disposal  Personnel  nspection/Reporting/Sampling	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Retected date entering 0.00 0.00 0.00	\$4 equired is the invete of compliance.  ng item (except   \$0   \$0   \$0	for one-time avoid  \$0  \$0  \$0	\$4 he Final Date is: ded costs) \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling Supplies/equipment	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Retected date enterly 0.00 0.00 0.00 0.00	\$4 equired is the inve te of compliance. ng item (except \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0	\$4 he Final Date is: ded costs): \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Retected date enterin 0.00 0.00 0.00 0.00	\$4 equired is the inve te of compliance. ng item (except \$0 \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 he Final Date is:  ded-costs): \$0 \$0 \$0 \$0 \$0
Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Reted date of the content	\$4 equired is the invete of compliance.  ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 he Final Date is ded-costs) \$0 \$0 \$0 \$0 \$0 \$0
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Other (as needed)  Notes for DELAYED costs  AVOIDED COSTS Disposal Personnel nspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated cos	t to label the tank	fill ports. The the estima	0.84 Date Reted date of the content	\$4 equired is the invete of compliance.  ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid  \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$4 he Final Date is: ded-costs) \$0 \$0 \$0 \$0 \$0 \$0

Screening Date	e 6-Jul-2010 <b>Docket No.</b> 2010-1134-PST-E	PCW
	- <b>-</b>	icy Revision 2 (September 2002)
Case ID No		PCW Revision October 30, 2008
Reg. Ent. Reference No		
Media (Statute Enf. Coordinato	Petroleum Storage Tank	
Violation Numbe		
Rule Cite(s		
	30 Tex. Admin. Code § 334.42(i)	
Violation Descriptio	Falled to inspect all sumps, manways, overspill containers or catchment bas associated with a UST system at least once every 60 days to assure that their bottoms, and any penetration points are maintained liquid-tight and free of liq debris. Specifically, the spill buckets contained liquid and debris.	sides,
	Base Pe	enalty \$10,000
>> Environmental, Prope	rity and Human Health Matrix	
TO CONTROL THE SALE OF A CONTROL TO CONTROL THE SALE OF THE SALE O	Harm	
Releas OR Actu		
OR Actu Potenti	The second secon	
T OCCITICA STATE OF THE CONTROL OF	Total Control of the	
>>Programmatic Matrix		and the second s
Falsification	Major Moderate Minor	
The state of the s	Percent 0%	a de la companya de
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
	alth or the environment will or could be exposed to significant amounts of polluti not exceed levels that are protective of human health or environmental receptor	
Notes Which would	result of the violation.	.5:QS: 0
	COULD DE HOUSE	السندنيسيون
	Adjustment	\$9,000
		11 000
		\$1,000
Violation Events		Shift And And Andrew County and the County of the County o
Action Street		
Number o	Violation Events 1 69 Number of violation day	'S
1 1 1 1	Exist data to the Conference of the Conference o	
	and the state of t	
	weekly	
mark only one		enalty \$1,000
with an x	semannua	1
A. Caracian	and Summind a service of the service	
	single event	
		unitaininqui.
One guarte	ly event is recommended based on documentation of the violation during the Ap	orll 28,
	2010 Investigation to the July 6, 2010 screening date.	
<u> </u>		<u></u>
Good Faith Efforts to Coi	nply 0.0% Reduction	\$0
	Before NOV NOV to EDPRP/Settlement Offer	
and the second s	Extraordinary	
	Ordinary	
	N/A X (mark with x)	
	The Respondent does not meet the good faith criteria for	
	Notes this violation.	
	Violation Su	u <b>btotal</b> \$1,000
Economic Benefit (EB) fo	r this violation Statutory Limit T	est
Estim	ated EB Amount \$105 Violation Final Penalt	y Total \$1,095
	This violation Final Assessed Penalty (adjusted for	limits) \$1,095
The second secon	This vicinity is the research of the research	The state of the s

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Release Major Moderate Minor Actual X Percent 25%  >> Programmatic Matrix Falsification Major Moderate Minor Percent 0%  Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Standard Percent**  Number of Violation Events*  Number of Violation Events*    Adjustment** \$7,500    \$2,500    \$2,500    \$2,500    \$2,500    \$2,500    \$2,500   \$2,500    \$2,500   \$2,	Reg. Ent. Reference No. 40003  Reg. Ent. Reference No. 8, R102443561  Media (Statute) Petroleum Storage Tank  Enf. Coordinator Philip Alcridge  Violation Number  Rule Cite(s)  Violation Description  Palled-to-insistan all sping, purios, manways, and ancillav desplanment in a capied, plugged, lacked, and/or otherviose-ducted halfner to prevent access, tambering, or variables by variables by the spinger of the stage of the spinger of the stage of the spinger of the spi	Reg. Ent. Reference No. 40003  Media [Statute] Petroleum Storage Tank  Enf. Coordinator Philip Addráge  Violation Number Ruie Cite(a)  Violation Description  Name Release Major Moderate Minor  Actual  Name Major Moderate Minor  Percent  Violation Events  Notes  No	Screening Date 6	-Jul-2010 <b>Docket No</b> , 2010-1134-PST-E	PCW
Reg. Fet. Reference No. RN110241351  Media Statute! Petroleum Storage Tank Enf. Coordinator Philip Addrdge  Violation Number  S 30 Tex. Admin. Code § 334-54(b)(2)  Falled to maintain sall piping, pumps, manways, and ancillary aguipment in e capped, plugged, focked, and/or otherwise secured manner to prevent access, tampering, or vandalism by marshorized persons. Specifically, the fill cape and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4.  Sease Penalty  S 10.000  S Environmental, Property and Human Health Matrix Hann Release Major Moderate Minor Percent 25%  Percent 25%  Percent 0%  Matrix Horizon health or the service interest of the violation diving the April 28, and a service interest only one with an are protective of human health or environmental receptors as a result of the violation.  Adjustment 57,500  Violation Events  Number of Violation Events 1	Reg. Ent. Reference No. RN102443551 Media (Statute) Petroleum Storage Tank Enf. Coordinator Philip Aldridge Violation Number Rule Cite(s)  Felication maintain all piping, pumps, manways, and ancillary equipment in a capped, phogodic focked, and/or otherwise secured manner to prevent access, tampeng, or vandalism by unauthorized petroses. Specificially, mellicapis and Stage 1 vegor recovery rises in view not secured for facts. Note: 1, 3, and 4.  >> Environmental, Property and Human Health Mistrix Harm Release Major Moderate Minor Percent 25%  >> Programmatic Matrix Notes Matrix Notes Moderate Minor Stalisticator Mojor Moderate Minor Percent 0%    Matrix Notes Moderate Minor   Percent 0%	Reg. Ent. Reference No. RN 102443551 Media [Statute] Petroleum Storage Tank Enf. Coordinator Philip Adridge Violation Number Rule Cite(s)  Violation Description  Violation Description  Violation Description  Violation Description  Violation Description  Violation Description  Falled to invitation at paging, pumpe, manways, and and lary epigement in a capped, physics (Section and produced secured manner to prevent access Lamberting, or various transport of the produced persons. Specifically, the fill caps and Stage 1 vapor recovery places were not secured for tank rise, 1, 3, and 4.  Section  Regions Major Medicate Minor Percent 25%  >> Programmatic Matrix Falsification Major Medicate Minor Percent 0%  Matrix Notes Human health or the environment-will or could be exposed to pollurants which would exceed tevels that are protective of human health or environment-will or could be exposed to pollurants which would exceed tevels that are protective of human health or environmental receptors as a result of the violation.  Violation Events  Violation Events  One quarterly event b recommended beselved in documentation of the violation days days account account of the stage of the second paging event			•
Media (Statute) Petroleum Storage Tank Enf. Coordinator Philips Addrige Violation Number Rule Cite(s)  30 Tex. Admin. Code § 334:54(b)(2):  Pled to maintain all pipins, pumps, manways, and andilary equipment in a capped, plugged, focked, and/or otherwise secured manner to prevent access, tampering, or vandism by unauthorized persons. Specifically, the fill caps and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4.  Base Penalty  \$10,000  Senvironmental, Property and Human Health Matrix  Harm Moderate Million  Release Actual Percent  25%  Percent  25%  Percent  25%  Percent  25%  Notes  Major Moderate M nor  Actual Percent  25%  Percent  25%  Percent  37,500  Adjustment  \$7,500   \$2,500  Violation Events  Mumber of Violation Events  Gally Weekly Moderate Will or tould be exposed to pollutants which would acceed levels that are protective of flumen nealth or environmental receptors as a result of the violation.  \$7,500   Violation Events  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 Investigation to the July 6, 2019 screening date.  Cood Faith Efforts to Comply  Extraordinary Ordinary Notes  The Respondent does not meet the good faltic criteria for this violation.  The Respondent does not meet the good faltic criteria for this violation.	Media [Statute] Petrolaum Storage Tank Enf. Coordinator Philip Aidridge Violation Number Rule Cite(s)  Softex. Admin. Code § 334.54(b)(2):  Falled the ministrain air piping, pumps, manways, and andilary equipment in a capped, philipged, locked, and/or otherwise secured manner to prevent access, tampering, or vandation by unauthorized persons. Specifically, the file caps and Stage 1 vapour recovery vises were not secured for tank toos. 1.3, and 4.  Sase Penalty  Sin,000  Servironmental, Property and Human Health Matrix. Harm Release Najor Moderate Minor Percent Percent Percent Percent Percent Percent Percent Percent Percent Sin,000  Matrix Notes  Notes  Notes  Number of Violation Events Number of Violation Events Single event Petrolaum Single Event Single event Petrolaum Single Event Single event Petrolaum Single Event Single Even Single Event Single Event Single Event Single Event Single Even Single Event Single Event Single Event Single Event Single Even Single Event Single Even Single Even Single Event Single Even Single Even Single Even Single Even Single Even Single Even Singl	Media [Statute] Petroleum Storage Tank Enf. Coordinator Philip Alcridge Violation Number ( Rule Cite(s) 30 Tex. Admin. Code § 334-54(b)(2).  Violation Description  Falled tormonicals all piping, pumps, manways, and ancillary equipment in a capped, phugod, locked, and/or otherwise secured manner to prevent acces, tampening, or variablem by unauthority control of the control of th			PCW Revision October 30, 2008
Second Faith Efforts to Comply   Second Faith Efforts for This volctor   Second Faith Efforts to Comply   Second Faith Efforts for This volctor   Second Faith Efforts	Enf. Coordinator Philip Addings Violation Number 5   30 Tex. Admin. Code § 334.54(b)(2)	Enf. Coordinator Philip Aindrage  Violation Number  Rule Cite(s)  Violation Description  Part and Human Health Matrix  Narm  Release  Major Moderate Minor  Percent 25%  >>Programmatic Matrix  Notes  Natrix  Human health or the sanyfrymen will or bould be exposed to pollutants which would acceed levels that are protective of human health or environmental receptors as a result of the violation.  Adjustment  Violation Events  Number of Violation Events  The Respondent based on documentation of the violation days  Good Faith Efforts to Comply  Extracrimary  One Street Str	Reg, Ent. Reference No. R	N102443561	
Violation Number Rule Cite(s)  30 Tex. Admin. Code § 334-54(b)(2).  Violation Description  Falled to insilitatin all piping, pumps, manways, and anciliarly equipment in a capped, plugged, focked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fill caps and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4.  Base Penalty  \$10,000  >> Environmental, Property and Human Health Matrix  **Nam**  **Nam**  **Nam**  **Nam**  **Nam**  **Nam**  **Percent**  **Perc	Violation Number   Sale   Sa	Violation Number   S   30 Tex. Admin. Code § 334-54(b)(2);   Falled the maintain all piping, pumps, marways, and ancillary saudement in a capped, plugged, tocked, analysis of theywere and manifer to prevent access, trainparing, or variablesh by unauthorised persons. Specificity, bein glasp and Stage 1 report variablesh by unauthorised persons. Specificity, bein glasp and Stage 1 report variablesh by unauthorised persons. Specificity, bein glasp and Stage 1 report variablesh by unauthorised persons. Specificity, bein glasp and Stage 1 report variablesh by unauthorised persons. Specificity, bein glasp and Stage 1 report variablesh by unauthorised persons. Specificity, being a specific persons. Specific pe			agent agent
Parcent   State   St	Paled to Insental all piping, pumps, manways, and anciliary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fillicaps and Stage 1 vapor recovery rises were not secured for tank hos. 1, 3, and 4.    Sase Penalty	Paled to insintain all piping, pumps, marways, and ancillary equipment in a capped, blocked, and/or otherwise secured mainer to prevent access, tamparing, or vandalism by unauthorized persons. Specifically, the fillicaps and Stage 2 vapor recovery risers where not secured front ank nos. 1, 3, and 4s.    Paled to insintain all piping, pumps, marways, and ancillary equipment in a capped, blocked, and/or otherwise secured mainer to prevent access, tamparing, or vandalism by unauthorized persons. Specifically, the fillicaps and Stage 2 vapor recovery risers where not secured for tank nos. 1, 3, and 4s.    Paled to insintain and Health Matrix   Parmark   Parmar			al arcade
Violation Description  Falled to maintain all piping, pumps, manways, and andilay equipment in a capped, pilogogi, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fill cape and Stage 1 vapor recovery risers were not secured for tank nos. 1, 3, and 4.  Base Penalty  \$10,000  **Programmatic Matrix**  Release Major Moderate Minor Percent 25%  **Programmatic Matrix**  Parallication Major Moderate Minor Percent 0%  **Motrix**  **Notes**  **Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of fluman health or environmental receptors as a result of the violation.  **Adjustment**  **Yiolation Events**  Number of Violation Events**  **Notes**  **Number of violation days  **Violation Base Penalty**  **Quarterly went is recommended based on documentation of the violation during the April 28, 2010 Investigation to the July 5, 2010 screening date.  **Good Faith Efforts to Comply**  **One quarterly event is recommended based on documentation of the violation during the April 28, 2010 Investigation to the July 5, 2010 screening date.  **One complete events**  **Quarterly and thuman heads of the violation during the April 28, 2010 Investigation to the July 5, 2010 screening date.  **Specific programmatic prog	Violation Description  Palled to maintain all piping, pumpe, manways, and andilary expipiment in a capped, pibuged, iccked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fill caps and Stage I vapour recovery risers were not secured for tank nos. 1, 3, and 4.  See Penalty  S10,000  >> Environmental, Property and Human Health Matrix  Release Major Human Health Matrix  Release Major Human Health Potential  A Catual Release Major Human Health Persons Percent 25%  >> Programmate Matrix  Release Major Human Health Persons Percent 0%  **Notes Human health or the environmental Human Human Percent 0%  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Human Percent 0%  **Adjustified #*  **Notes Human health or the environmental Human Human Percent 0%  **Notes Human health or the environmental Human Human Percent 0%  **Notes Human health or the environmental Human	Violation Description  Falicitation instination all piping, pumps, manways, and anciliary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tambering, or vandalism by unauthorized persons. Specifically, the fill caps and Stage 1 vapor recovery risers were not secured for tank nos. 1, 3, and 4.  Security programmental, Property and Human Health Matrix  Release Major Moderate Minor Percent 25%  >> Programmatic Matrix  Falsification Major Moderate Minor Percent 0%  Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Notes**  Number of Violation Events**  One quarterly event is recommendent based on documentation of the violation days daily weekly w			
Violation Description   Polyaged, locked, and/or otherwise secured manner to prevent access, tambering, or vandalism by unauthorized persons. Specifically, the fill caps and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4:    Base Penalty   \$10,000	Violation Description   Played, focked, and/or otherwise secured manner to prevent access, tappeling, or vandalism by unauthorized persons, Specifically, the fill opes and Stage I vapor recovery risers were not secured for tank nos. 1, -3, and 4.	Violation Description   Dispersion   Dispe	5.1.5(5)	30 lex. Admin. Code § 334.54(0)(2)	
Violation Description   plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons. Specifically, the fillings and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4.    Base Penalty   \$10,000	Violation Description   Played, focked, and/or otherwise secured manner to prevent access, tappeling, or vandalism by unauthorized persons, Specifically, the fill opes and Stage I vapor recovery risers were not secured for tank nos. 1, -3, and 4.	Violation Description   Disagged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unsuthrized persons. Specifically, the fillicape and fisage 1 vapor recovery risers were not secured for tank nos. 1, 3, and 4.			
>> Environmental, Property and Human Health Matrix   Harm   Release   Major   Moderate   Minor	>> Environmental, Property and Human Health Matrix   Natural   Nat	>> Environmental, Proberty and Human Health Matrix   Harm   Release   Major   Moderate   Minor	l i	blugged, locked, and/or otherwise secured manner to prevent access, tampers vandalism by unauthorized persons. Specifically, the fill caps and Stage 1 varieties recovery risers were not secured for tank nos. 1, 3, and 4.	ing, or
Release Major Moderate Minor Actual X Percent 25%  >> Programmatic Matrix Falsification Major Moderate Minor Percent 0%  Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  ### Adjustment \$7,500    \$2,500	Number of Violation Events   Number of Viol	Release Major Moderate Minor Actual Potential X Percent 25%  > Programmatic Matrix Falsification Major Moderate Minor Percent 0%  Matrix Notes The environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  ### Adjustment \$7,500  ### \$2,500    \$2,500   \$2,		Base Pe	enalty \$10,000
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Percent 25%  > Programmatic Marix Falsification Major Moderate Minor Percent 0%  Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment**  **Adjustment**  **Indianal** **Special**  **Number of Violation Events**  Number of Violation Events**  Number of Violation Events**  **Number of Violation Events**  **One quarterly event is recommended based on documentation of the violation during the April 28, 2610 investigation to the July 6, 2610 screening date.  **Good Faith Efforts to Comply**  **One Guarterly event is recommended based on documentation of the violation during the April 28, 2610 investigation to the July 6, 2610 screening date.  **Good Faith Efforts to Comply**  **One Guarterly event is recommended based on documentation of the violation during the April 28, 2610 investigation to the July 6, 2610 screening date.  **The Respondent does not meet the good faith criticity afor this violation:**  **The Respondent does not meet the good faith criticity afor this violation:**	OR Potentia X Percent 25%  >>Programmatic Marix Felsification Major Moderate Minor Percent 0%  Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  Adjustment \$7,500  Violation Events  Number of Violation Events  Number of Violation Events  Number of Violation Events  Violation Base Penalty \$2,500  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 investigation to the July 6, 2010 screening date.  Cood Faith Efforts to Comply  Extraordinary Ordinary N/A (mask with x)  Notes  The Respondent does not meet the good faith criteria for this violation.  Violation Subtotal \$2,500  Economic Banefit (EB) for this violation  Statutory Limit Test	OR   Actual   Y   Percent   25%    >> Programmatic Matrix   Pelshcation   Major   Moderate   Minor   Percent   0%      Matrix   Notes   Human health or the sovironment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.    Adjustment   \$7,500	The state of the s		
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>> Programmatic Matrix Falsification Major Moderate Minor  Percent 0%  Matrix Notes Human health or the environment-will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  Adjustment \$7,500  \$2,500  Violation Events  Number of Violation Events  Number of Violation Events  Adjustment \$7,500  \$2,500  Violation Events  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 investigation to the July 6, 2010 screening date.  Good Faith Efforts to Comply  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 investigation to the July 6, 2010 screening date.  Good Faith Efforts to Comply  Ordinary  Ordinary  N/A  X [mark with x]  The Respondent does not meet the good faith criteria for this violation.	>> Programmatic Matrix     Falsification	>>Programmatic Matrix     Falsification Major Moderate Minor     The service of human health or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  Adjustment \$7,500  \$2,500  Violation Events  Number of Violation Events \$  Number of Violation Events \$      Gaily Weekly We	TO TOWN AND ADDRESS OF THE PARTY OF THE PART	Percent 25%	
Falsification   Major   Moderate   Minor   Percent   0%	Falsification Major Moderate Minor Percent 0%  Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Adjustment**  **Adjustment**  **Adjustment**  *****  **Adjustment**  *****  *****  **Adjustment**  *****  *****  *****  *****  *****  ****	Falsification   Major   Moderate   Minor   Percent   0%	The state of the s	And the second s	Ì
Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Adjustment**  **Number of Violation Events**  Number of Violation Events**  Number of Violation Events**  **Number of Violation Events**  **Oddly**  **weekly**  **mark only one with an x**  **Semiannual**  **Semiannua	Matrix Human health or she environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Adjustment** \$7,500  **Adjustment** \$7,500  **Adjustment** \$7,500  **Deforment of Violation Events** 1	Matrix Human health of the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Adjustment** \$7,500  **Protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Protective of human health or environmental receptors as a result of the violation days.  **Adjustment** \$7,500  **Protective of human health or environmental receptors as a result of the violation days.  **Adjustment** \$7,500  **Protective of human health or environmental receptors as a result of the violation days.  **Adjustment** \$7,500  **Protective of human health or environmental receptors as a result of the violation days.  **Adjustment*** \$7,500  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of the violation days.  **Protective of human health or environmental receptors as a result of human health or environmental receptor	>>Programmatic Matrix		
Matrix Notes Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment** \$7,500  **Summer of Violation Events**  Number of Violation Events**  Number of Violation Events**  **Adjustment** \$7,500   **Summer of Violation days**  **Country Weekly monthly weekly monthly weekly monthly seminary seminary seminary seminary seminary seminary seminary seminary seminary and seminary sem	Human health or the environment-will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.    Adjustment	Human health or the environment will or could be exposed to pollutants which would exceed levels that are protective of human health or environmental receptors as a result of the violation.  **Adjustment**  \$7,500  **2,500  Violation Events**  Number of Violation Base Penalty*  **Tourietly veekly monthly veekly monthly semilarinual single event**  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 Investigation to the July 6, 2010 screening date.  Sood Faith Efforts to Comply**  Ondinary Ordinary N/A X (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation Statutory Limit Test  Estimated EB Amount**  \$2,500  **Yiolation Final Penalty Total**  \$2,500  **Statutory Limit Test**  Estimated EB Amount**  \$21 Violation Final Penalty Total**  Violation Final Penalty Total**	Falsification		
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mark only one with an x    Mark only one with an x   Single event	mark only one with an x    Single event   X   X   X   X   X   X   X   X   X	mark only one with an x    Total Comply   Total Com		Section 2017 Control of the Control	
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Semiannual annual Single event  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 investigation to the July 6, 2010 screening date.  Good Faith Efforts to Comply  O:0% Reduction  Before NOV NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A  X (mark with x)  The Respondent does not meet the good faith criteria for this violation:	Semiannual single event  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 investigation to the July 6, 2010 screening date.  Good Faith Efforts to Comply  One quarterly event is recommended based on documentation of the violation during the April 28, 2010 investigation to the July 6, 2010 screening date.  \$0.0% Reduction  Before NOV NOV to EDPRP/Settlement Offer  Extraordinary  Ordinary  N/A  X (mark with x)  Notes  The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation  Statutory Limit Test	Semiannual annual single event sirecommended based on documentation of the violation during the April 28, 2010 Investigation to the July 6, 2010 screening date.  Good Faith Efforts to Comply 0.0% Reduction 80 Refore NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x ((mark with x) Notes The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500 Feoremic Benefit (EB) for this Violation Statutory Limit Test  Estimated EB Amount \$21 Violation Final Penalty Total \$2,736		AND ADMINISTRATION OF THE PROPERTY OF THE PROP	enalty \$2,500
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Good Faith Efforts to Comply:    O.0%   Reduction   \$0   Before NOV   NOV to EDPRP/Settlement Offer	Good Faith Efforts to Comply  O.0% Reduction  Before NOV NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x ((mark with x))  Notes  The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation  Statutory Limit Test	Good Faith Efforts to Comply O.0% Reduction \$0  Before NOV NOV to EDPRP/Settlement Offer Extraordinary Ordinary N/A x (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation \$22 Violation Final Penalty Total \$2,736		single event	S. Carlotte and Ca
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Before NOV NOV to EDPRP/Settlement Offer  ExtraordInary Ordinary N/A X (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation:	Before NOV NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A x (mark with x)  Notes The Respondent does not meet the good faith-criteria for this violation.  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation Statutory Limit Test	Before NOV NOV to EDPRP/Settlement Offer  Extraordinary Ordinary N/A X (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation Statutory Limit Test  Estimated EB Amount \$21 Violation Final Penalty Total \$2,736		2010 Investigation to the July 6, 2010 screening date.	
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Ordinary  N/A  X  (mark with x)  The Respondent does not meet the good faith criteria for this violation:	Ordinary  N/A  X   (mark with x)  Notes  The Respondent does not meet the good faith-criteria for this violation.  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation Statutory Limit Test	Ordinary  N/A  Notes  The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation \$21  Violation Final Penalty Total \$2,736		2700	
N/A x (mark with x)  The Respondent does not meet the good faith criteria for this violation:	N/A x (mark with x)  Notes The Respondent does not meet the good faith criteria for this violation:  Violation Subtotal \$2,500  Economic Benefit (EB) for this violation Statutory Limit Fest	Notes    Notes   The Respondent does not meet the good faith criteria for this violation:			
Notes The Respondent does not meet the good faith criteria for this violation.	Notes The Respondent does not meet the good faith criteria for this violation:    Violation Subtotal   \$2,500	Notes The Respondent does not meet the good faith criteria for this violation:    Violation Subtotal   \$2,500	win migh		
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報告: **** **** **** **** *** *** *** *** *	Febluarion ED Amount #21 Violation Final Benalty Total #27726		= scottorum eapsusitie (5-p3 = 10 )	into violation Statutory Entities	
Estimated EB Amount \$2.736 Violation Final Penalty Total \$2,736	Estimated EB Amount 521 Violation Final Femaley Total 32,750		Estimate	d EB Amount \$21 Violation Final Penalt	y Total \$2,736
MARITIMAN DE INTERNIT				This violation Einst Assessed Bonalty (adjusted for	limite) ¢2 736
This violation Final Assessed Penalty (adjusted for limits) \$2,736	This violation Einel Assessed Bonalty (adjusted for limite)! \$2.726	inis violation Final Assessed Penaity (adjusted for mints) \$2,750		inis violation rinal Assessed Penaity (adjusted for	minta)  \$2,730

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	timber in Er	conomic	Benefit	Wo	rksheet :		
Respondent	QUICK PAY EN	ITERPRISES, INC.	dba Quick Stop	2	2000 Per Adri de F. d'An Andréanna an annada an ann an a		
Case ID No.	40003	·					
Reg. Ent. Reference No.	RN102443561						
Madia	Petroleum Sto	rage Tank					Years of
Violation No.		rage rain				Percent Interest	Depreciation
violation No.		254 - 1875 PK 244 - 1811 1711 111	The Property of the Action, which	lininini.	Fr. 7 and Colombia State	5.0	
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	10 to	Tribution and the second second second second	Final Pare	JIS	Interest Saveu	Onetime Costs	EB AIIIUUIIL
Item Description	No commas or \$						
		and the second control of the second control		to the water said	ment and a significance outliness to be treated	and and the second	
Delayed Costs				105457	The state of the s	siradarai datah	
Equipment			<u> </u>	0.00	\$0	\$0	\$0
Buildings			<u> </u>	0.00		\$0	<u>\$0</u>
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	a de n/a	\$0
Remediation/Disposal				0.00	\$0	iawa n/a::	\$0
Permit Costs	20		alinguagean (6)	0.00	\$0	in/a	\$0
Other (as needed)	\$500	28-Apr-2010	1-Mar-2011	0.84	\$21	h/a	\$21
Notes for DELAYED costs  Avoided Costs Disposal Personnel nspection/Reporting/Sampling			Date is the es	enterii 0,00 0.00 0.00	date of compliant  ng item (except  \$0  \$0  \$0	for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Supplies/equipment		i sa amountanana a Mi		0.00	\$0	\$0	\$0
	2.00 mg/s		personal formation and the second		\$0	\$0	
Financial Assurance [2]				0.00			\$0
Financial Assurance [2] ONE-TIME avoided costs [3]	2.4		-24	0.00	\$0	\$0	\$0
					\$0		
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0

**Compliance History Report** 

Custome	r/Respondent/Owner-Operator:	CN600995617	Quick Pay Enterprises, Inc.	. Classification: AVERAGE	Rating: 3.01
Regulate	d Entity:	RN102443561	QUICK STOP 2	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Numb	ID Number(s): PETRO REGIS		ORAGE TANK	REGISTRATION	36058
Location		3319 PLEASANT	ON RD, SAN ANTONIO, TX,	78221	
TCEQ R	egion:	REGION 13 - SA	N ANTONIO	· · · · · · · · · · · · · · · · · · ·	
Date Co	mpliance History Prepared:	July 06, 2010			
Agency	Decision Requiring Compliance History:	Enforcement			
Complia	nce Period:	July 08, 2005 to	July 08, 2010		
TCEQ S Name:	taff Member to Contact for Additional Info Philip Aldridge		ihis Compliance History one: (512) 239-0855		
rianio				<del> </del>	
		Site C	ompliance History Comp	ponents	
	ne site been in existence and/or operation			Yes	
	nere been a (known) change in ownership , who is the current owner/operator?	/operator of the site		? No	
		1	N/A	The second secon	
4. If Ye	s, who was/were the prior owner(s)/opera	itor(s)?	N/A		
5. Whe	n did the change(s) in owner or operator o	occur?	N/A		
6, Rati	ing Date; 9/1/2009 Repeat Violator: NO				
Com	ponents (Multimedia) for the Site :				
Α.	Final Enforcement Orders, court Judgm N/A		lecroes of the State of Texas	and the federal government.	
В.	Any criminal convictions of the state of N/A	Texas and the fede	eral government.		
C.	Chronic excessive emissions events.				
	<u>N/A</u>				
D,	The approval dates of investigations. (	CCEDS Inv. Track.	No.)		
	1 06/25/2010 (8284	25)			
E.	Written notices of violations (NOV). (C	CEDS Inv. Track. N	o.)		
F.	Environmental audits, N/A				
G.	Type of environmental management s	ystems (EMSs).			
	N/A				
н.	Voluntary on-site compliance assessm	nent dates.			
	N/A				
l.	Participation in a voluntary pollution re	duction program.			
	N/A				
J,	Early compliance,				
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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	•
CONCERNING	§	TEXAS COMMISSION ON
QUICK PAY ENTERPRISES, INC.	§	
DBA QUICK STOP 2	§	
RN102443561	§	ENVIRONMENTAL QUALITY

# AGREED ORDER DOCKET NO. 2010-1134-PST-E

# I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding QUICK PAY ENTERPRISES, INC. dba Quick Stop 2 ("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 appear before the Commission and together stipulate that:

- 1. The Respondent owns and operates a convenience store with retail sales of gasoline at 3319 Pleasanton Road in San Antonio, Bexar County, Texas (the "Facility").
- 2. The Respondent's four underground storage tanks ("USTs") are not exempt or excluded from regulation under the Texas Water Code or the rules of the Commission.
- 3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
- 4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about July 3, 2010.
- 5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 6. An administrative penalty in the amount of Nine Thousand Three Hundred Four Dollars (\$9,304) is assessed by the Commission in settlement of the violations alleged in Section

II ("Allegations"). The Respondent has paid Two Hundred Thirty-Four Dollars (\$234) of the administrative penalty and One Thousand Eight Hundred Sixty Dollars (\$1,860) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, including the payment schedule, the Executive Director may require the Respondent to pay all or part of the deferred penalty.

The remaining amount of Seven Thousand Two Hundred Ten Dollars (\$7,210) of the administrative penalty shall be payable in 35 monthly payments of Two Hundred Six Dollars (\$206) each. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until paid in full. If the Respondent fails to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondent to meet the payment schedule of this Agreed Order constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms of this Agreed Order.

- 7. 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.
- 8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 9. 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 Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Facility, the Respondent is alleged to have:

- 1. Failed to maintain UST records and make them immediately available for inspection upon request by agency personnel, in violation of 30 Tex. ADMIN. CODE § 334.10(b), as documented during an investigation conducted on April 28, 2010.
- 2. Failed to notify the agency of any change or additional information regarding the UST system within 30 days from the date of the occurrence of the change or addition, in

violation of 30 Tex. ADMIN. CODE § 334.7(d)(3), as documented during an investigation conducted on April 28, 2010. Specifically, the registration was not updated to reflect the current status of tank no. 1 and did not correctly reflect that tank nos. 1, 3, and 4 are not empty.

- 3. Failed to demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum USTs, in violation of 30 Tex. Admin. Code § 37.815(a) and (b), as documented during an investigation conducted on April 28, 2010.
- 4. Failed to ensure that a legible tag, label, or marking with the UST identification number is permanently applied upon or affixed to either the top of the fill tube or to a nonremovable point in the immediate area of the fill tube according to the UST registration and self-certification form, in violation of 30 Tex. ADMIN. CODE § 334.8(c)(5)(C), as documented during an investigation conducted on April 28, 2010.
- 5. Failed to inspect all sumps, manways, overspill containers or catchment basins associated with a UST system at least once every 60 days to assure that their sides, bottoms, and any penetration points are maintained liquid-tight and free of liquid or debris, in violation of 30 Tex. ADMIN. CODE § 334.42(i), as documented during an investigation conducted on April 28, 2010. Specifically, the spill buckets contained liquid and debris.
- 6. Failed to maintain all piping, pumps, manways, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner to prevent access, tampering, or vandalism by unauthorized persons, in violation of 30 Tex. Admin. Code § 334.54(b)(2), as documented during an investigation conducted on April 28, 2010. Specifically, the fill caps and Stage I vapor recovery risers were not secured for tank nos. 1, 3, and 4.

## III. DENIALS

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

# IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed 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. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: QUICK PAY ENTERPRISES, INC. dba Quick Stop 2, Docket No. 2010-1134-PST-E" to:

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

- 2. It is further ordered that the Respondent shall undertake the following technical requirements:
  - a. Immediately upon the effective date of this Agreed Order begin maintaining all UST records, in accordance with 30 Tex. ADMIN. CODE § 334.10.
  - b. Within 30 days after the effective date of this Agreed Order:
    - i. Demonstrate acceptable financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of the petroleum UST, in accordance with 30 Tex. ADMIN. CODE § 37.815;
    - ii. Permanently apply or affix tags, labels, or markings to the UST fill tubes with an identification number that matches the number listed on the UST registration and self-certification form, in accordance with 30 Tex. ADMIN. CODE § 334.8;
    - iii. Begin conducting bimonthly inspections of all overfill devices associated with the USTs, in accordance with 30 Tex. ADMIN. CODE § 334.42; and
    - iv. Secure and maintain all piping, pumps, manways, and ancillary equipment in a capped, plugged, locked, and/or otherwise secured manner including but not limited to all fill port caps and vapor recovery risers, in accordance with 30 Tex. ADMIN. CODE § 334.54.
  - c. Within 45 days after the effective date of this Agreed Order, submit a properly completed UST registration form to reflect the correct status of the UST system, in accordance with 30 Tex. ADMIN. CODE § 334.7 to:

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

d. Within 60 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a. through 2.c. The certification shall be notarized by a State of Texas Notary Public and 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 San Antonio Regional Office Texas Commission on Environmental Quality 14250 Judson Road San Antonio, Texas 78233-4480

- 3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed 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 Agreed 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.
- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed 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.
- 6. This Agreed 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 Agreed 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.

QUICK PAY ENTERPRISES, INC. dba Quick Stop 2 DOCKET NO. 2010-1134-PST-E Page 6

- 7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes under this Agreed Order.
- 8. Under 30 Tex. Admin. Code § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

# SIGNATURE PAGE

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY .

For the Commission	
For the Executive Director	2   27   2010 Date
I, the undersigned, have read and understand the atta agree to the attached Agreed Order on behalf of the er do agree to the terms and conditions specified therein. accepting payment for the penalty amount, is materially	ntity indicated below my signature, and I I further acknowledge that the TCEQ, in
<ul> <li>I also understand that failure to comply with the O and/or failure to timely pay the penalty amount, may retend to a negative impact on compliance history;</li> <li>Greater scrutiny of any permit applications substrated the Referral of this case to the Attorney General additional penalties, and/or attorney fees, or to and Increased penalties in any future enforcement at Automatic referral to the Attorney General's Cand</li> <li>TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance documents.</li> </ul>	esult in: mitted; 's Office for contempt, injunctive relief, a collection agency; actions; Office of any future enforcement actions;
Signature Signature	10 12 10 Date
Name (Printed or typed) Authorized Representative of QUICK PAY ENTERPRISES, INC. dba Quick Stop 2	V. PRESIDENT

**Instructions**: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

