

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel
Ron Olson, Assistant General Counsel

Thru: *eyj* Gitanjali Yadav, Senior Attorney
Litigation

From: *jos* Clayton Smith, Staff Attorney
Litigation

Date: January 20, 2022

Subject: **Backup Revision and Supplemental Information**
January 26, 2022 Commission Agenda
Item No. 15 - William Templeton
Docket No. 2019-0618-MSW-E

Enclosed please find the following:

Pages 2 and 3 of the Default Order:

Ordering Provision No. 1 revised to acknowledge partial payment of penalty.

Investigation Report 1552969

Respondent Contact:

William Templeton
5301 West Business 83
Harlingen, Texas 78552
Phone: (956) 793-4034
Fax: (956) 412-8552
Email: billtbc@gmail.com

A replacement original and redline copy of the applicable pages of the Default Order are enclosed. Please do not hesitate to call me at (512) 239-6224 if you have any questions regarding this matter.

cc: Danielle Porras, Enforcement
Francisco J. Chavero, Jr., Harlingen Regional Office
Gill Valls, Office of the General Counsel
Garrett Arthur, Public Interest Counsel
Michael Parrish, Enforcement
Leslie Gann, Enforcement
Stuart Beckley, Enforcement
William Templeton, Respondent

Executive Director on April 12, 2021, so that TCEQ may dispose of this case on a default basis.

CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 361 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, Respondent caused, suffered, allowed, or permitted the disposal of unauthorized MSW, in violation of 30 TEX. ADMIN. CODE § 330.15(a) and (c).
3. As evidenced by Finding of Fact No. 5, Respondent filed an answer requesting a hearing as required by TEX. WATER CODE § 7.056 and 30 TEX. ADMIN. CODE § 70.105, and the matter was referred to SOAH pursuant to 1 TEX. ADMIN. CODE §§ 155.53(b) and 155.101(d) and 30 TEX. ADMIN. CODE § 70.109.
4. As evidenced by Finding of Fact No. 6, Respondent was provided proper notice of the preliminary hearing in accordance with TEX. GOV'T CODE §§ 2001.051(1) and 2001.052, TEX. WATER CODE § 7.058, 1 TEX. ADMIN. CODE §§ 155.105(b), 155.401 and 155.501, and 30 TEX. ADMIN. CODE §§ 1.11, 1.12, 39.23, 39.25, 39.405, 39.413, 39.423, 39.425, and 80.6.
5. As evidenced by Findings of Fact Nos. 7 and 8, Respondent failed to appear for the preliminary hearing, and pursuant to TEX. GOV'T CODE § 2001.056(4) and 1 TEX. ADMIN. CODE § 155.501(e), the ALJ dismissed the case from the SOAH docket so that the Commission may enter a Default Order against Respondent and assess the penalty recommended by the Executive Director pursuant to TEX. WATER CODE § 7.057 and 30 TEX. ADMIN. CODE § 70.106(b).
6. Pursuant to TEX. WATER CODE § 7.051, the Commission has the authority to assess an administrative penalty against Respondent for violations of state statutes within TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
7. An administrative penalty in the amount of four thousand three hundred twelve dollars (\$4,312.00) is justified by the facts recited in this Order and considered in light of the factors set forth in TEX. WATER CODE § 7.053.
8. TEX. WATER CODE §§ 5.102 and 7.002 authorize the Commission to issue orders and make determinations necessary to effectuate the purposes of the statutes within its jurisdiction.

ORDERING PROVISIONS

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

1. Respondent is assessed an administrative penalty in the amount of four thousand three hundred twelve dollars (\$4,312.00) for violations of state statutes and rules of the TCEQ. Respondent paid one hundred nineteen dollars (\$119.00) of the penalty. The payment of this penalty and Respondent's compliance with all the requirements set forth in this Order resolve only the matters set forth by this Order in this action. The Commission shall not be constrained in any manner from requiring corrective actions or penalties for violations which are not raised here.
2. The ~~penalty assessed by this Order~~ remaining amount of four thousand one hundred ninety-three dollars (\$4,193.00) shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: William Templeton; Docket No. 2019-0618-MSW-E" to:

Executive Director on April 12, 2021, so that TCEQ may dispose of this case on a default basis.

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2. The remaining amount of four thousand one hundred ninety-three dollars (\$4,193.00) shall be paid within 30 days after the effective date of this Order. All checks submitted to pay the penalty imposed by this Order shall be made out to TCEQ and shall be sent with the notation "Re: William Templeton; Docket No. 2019-0618-MSW-E" to:

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

3. All relief not expressly granted in this Order is denied.
4. The provisions of this Order shall apply to and be binding upon Respondent.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by Respondent shall be made in writing to the Executive Director. Extensions are not effective until Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. If Respondent fails to comply with any of the Ordering Provisions in this Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Respondent's failure to comply is not a violation of this Order. Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Respondent shall notify the Executive Director within seven days after Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to Respondent if the Executive Director determines that Respondent has not complied with one or more of the terms or conditions in this Order.
8. 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.
9. 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.
10. The Chief Clerk shall provide a copy of this fully executed Order to each of the parties. By law, the effective date of this Order shall be the date the Order is final, as provided by 30 TEX. ADMIN. CODE § 70.106(d) and TEX. GOV'T CODE § 2001.144.

MSW CG - Cameron CP - 20190129 - Investigation

See note: Who Fills out the EAR? u

Enforcement Action Referral Rev. 3/18/2002	Inv. #	1552969	Initiated by: Region, LP, Central:	Region
	Enf Case		Name of Initiating Office:	REGION 15 - HARLINGEN
	Media Code:	MSW		

Section 1: Respondent

ID	CN605539519		Role	RESP PARTY
Name	RUCONIV INC			
Mailing Address	Street/PO Box	11952 S RENE ST		
	City/State/Zip	OLATHE, KS 66062		
	Phone	[REDACTED]	Fax	N/A

ID	CN603415829		Role	RESP PARTY
Name	WILLIAM TEMPLETON			
Mailing Address	Street/PO Box	5301 W BUSINESS 83		
	City/State/Zip	HARLINGEN, TX 78552		
	Phone	[REDACTED]	Fax	N/A

Primary Contact (NOE Contact)				
Name	SERGIO VINO CUR		Organization	RUCONIV INC.
Title	President/Director	Phone	[REDACTED]	Fax

Section 2: Respondent's Facility/Operation (F/O)

F/O ID	RN110435245			
F/O Name	TEMPLETON STORAGE SITE AT 415 EYE ST			
F/O Physical Address	415 S EYE ST			
Location City	HARLINGEN	Location Zip	78550	
Location County	CAMERON	Operational Status	Active	
Primary Business Activity	N/A	Type of Small Entity	None of the Above	
SNC or HPV?	N/A	SIC Code		
Potentially Affected Area	Land.	Complaints Closed	0	
List any NOV's? Orders for same or similar violations at this F/O in the past 5 years.	2			
Additional IDs	R15110435245			

RECEIVED

APR 16 2019

Enforcement Division

MAY 20 10 45 AM '19

Section 3: Summary of Violations

See note: Inclusion of Resolved or Verbal Violations u

Viol Num	Requirements Cited Violation Description	Violation Dates		Investigation/ File Review	Date of...		CAT
		Start	End		NOV	NOE	
683442	30 TAC Chapter 330.15(c) Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(c).	05/02/2018	Unknown	01/29/2019		04/12/2019	B
683443	2D TWC Chapter 26.121(c) 30 TAC Chapter 330.15(a)(1) 30 TAC Chapter 330.15(a)(2) 30 TAC Chapter 330.15(a)(3) Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(a).	05/02/2018	Unknown	01/29/2019		04/12/2019	B
		05/02/2018	Unknown	01/29/2019		04/12/2019	B
		05/02/2018	Unknown	01/29/2019		04/12/2019	B
		05/02/2018	Unknown	01/29/2019		04/12/2019	B

Section 4: Additional Discussion

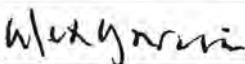
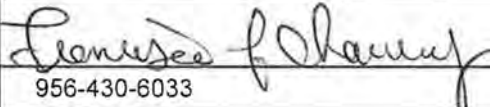
The alleged violations (Category B violations that warrant formal enforcement) have a violation category of 1A) as per the TCEQ Enforcement Initiation Criteria (EIC), Revision No. 16, Effective December 10, 2018. The regulated entity will be referred to formal enforcement. A Category B violation was documented at the regulated entity during two consecutive investigations within the most recent 5-year period ("repeated"), unless otherwise noted.

Section 5: Additional Issues

Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

The regulated entity is advised to become familiar with Fire Protection Systems Code Requirements (sprinkler systems) for the City of Harlingen, after observing the facility did not have a fire suppression system in place and given the regulated entities history during an emergency response incident in 2012 at another storage site.

Section 6: Information About Initiating Office

	Name	Alejandro Garcia	Date	4/12/2019
	Signature		E-Mail	Alejandro.Garcia@tceq.texas.gov
	Phone	956.430.6016		
	Name	Francisco Chavero Jr.	Date	4/12/2019
	Signature		E-Mail	Francisco.Chavero Jr.@tceq.texas.gov
	Phone	956-430-6033		

MSW CG_CAMERON_CP_20190129_Investigation
Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: Ruconiv Inc.
Customer Number: CN605539519

Regulated Entity Name: TEMPLETON STORAGE SITE AT 415 EYE ST
Regulated Entity Number: RN110435245

Investigation # 1552969

Incident Numbers

Investigator: ALEJANDRO GARCIA

Site Classification

Conducted: 01/29/2019 -- 02/12/2019

No Industry Code Assigned

Program(s): MUNICIPAL SOLID WASTE NON PERMITTED

Investigation Type: Compliance Investigation

Location: 415 EYE ST, HARLINGEN TEXAS 78550

Additional ID(s): R15110435245

Address: 415 S EYE ST,
HARLINGEN, TX , 78550

Local Unit: REGION 15 - HARLINGEN

Activity Type(s): MSWCSE - On-site followup
investigation

Principal(s):

Role

Name

RESPONDENT
RESPONDENT

RUCONIV INC
WILLIAM TEMPLETON

Contact(s):

TEMPLETON STORAGE SITE AT 415 EYE ST - HARLINGEN

1/29/2019 to 2/12/2019 Inv. # - 1552969

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Role	Title	Name	Phone
REGULATED ENTITY CONTACT	PRESIDENT/DIRECTOR	MR SERGIO VINOCUR	Phone [REDACTED] Phone [REDACTED]
REGULATED ENTITY MAIL CONTACT	PRESIDENT/DIRECTOR	MR SERGIO VINOCUR	Phone [REDACTED] Phone [REDACTED]
NOE CONTACT	PRESIDENT/DIRECTOR	MR SERGIO VINOCUR	Phone [REDACTED] Phone [REDACTED]
NOE CONTACT	OPERATOR	MR WILLIAM TEMPLETON	Phone [REDACTED]
NOTIFIED	OPERATOR	MR WILLIAM TEMPLETON	Phone [REDACTED]
PARTICIPATED IN	OPERATOR	MR WILLIAM TEMPLETON	Phone [REDACTED]
REGULATED ENTITY CONTACT	OPERATOR	MR WILLIAM TEMPLETON	Phone [REDACTED]
REGULATED ENTITY MAIL CONTACT	OPERATOR	MR WILLIAM TEMPLETON	Phone [REDACTED]

Other Staff Member(s):

Role	Name
QA Reviewer	MARITZA TORRES
Supervisor	FRANCISCO CHAVERO JR.

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
MSW GENERIC OTHER ISSUES OR VIOLATIONS	TSS AT 415 EYE ST.

Investigation Comments:

INTRODUCTION

On January 29, 2019 through February 12, 2019, TCEQ Harlingen Region Office Environmental Investigator Alejandro Garcia conducted a municipal solid waste (MSW) on-site follow-up (CSE) investigation at 415 Eye St., Harlingen (Cameron County) Texas, resulting in Consolidated Compliance and Enforcement Data System (CCEDS) Investigation No. 1552969. The purpose of the investigation was to determine the regulated entity's compliance with a notice of violation (NOV) issued as a result of an MSW complaint investigation conducted on May 2, 2018 through June 4, 2018 (refer to CCEDS investigation number 1497447).

It should be noted that the property owner was on-site during the investigation. Prior notice was provided to gain access to the property. Participants in the investigation was Property Owner, Mr. William Templeton.

BACKGROUND

A query of the TCEQ Central Registry and TCEQ CCEDS database revealed two (2) active violations from a previous investigation conducted at the regulated entity in the last five years.

TEMPLETON STORAGE SITE AT 415 EYE ST - HARLINGEN

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On May 2, 2018 through June 4, 2018, a TCEQ Environmental Investigator conducted an MSW complaint investigation at a property located on 415 Eye St., Harlingen, (Cameron County), Texas that resulted in TCEQ CCEDS incident number 281729 and investigation number 1497447. Two (2) alleged violations and one (1) additional issue were noted during the on-site investigation (CCEDS violation tracking numbers 683442 & 683443).

See Central Registry for compliance history details.

A query of the TCEQ Central Registry listed the associated customer (William Templeton) with a "unsatisfactory" for their compliance history and performance classification. The regulated entity's compliance history rating is 218.65.

A query of the TCEQ CCEDS for William Templeton indicates that there are pending violations and one formal enforcement actions taken against the customer (William Templeton). However, none of those violations or enforcement actions are for the property being investigated as part of this compliance investigation. A review of the associated customer revealed the following:

On October 3, 2008 through October 17, 2008, an initial onsite investigation of the entity was conducted, with a TCEQ Notice of Violation (NOV) being generated, CCEDS investigation number 707799.

Violation tracking number 352469 was cited for failure to prevent the unauthorized disposal of MSW. Violation tracking number 352470 was cited for failure to immediately abate and contain the spill or discharge of paint and deck cleaning solution.

On September 15, 2009 through September 29, 2009, an onsite investigation was conducted, which resulted in a notice of enforcement (NOE), CCEDS investigation number 779871. Violation tracking numbers 352469 and 352470 were cited in the NOE. It was determined that approximately 182 cubic yards of MSW and 4 gallons of spilled material were located on the property.

On August 31, 2010 through September 3, 2010, an onsite investigation was conducted, with a NOV being generated, CCEDS investigation number 857856. Violation tracking number 414207 was cited failure to cause, suffer, allow, or permit the collection, storage, transportation, processing, or disposal of MSW, or the use or operation of a solid waste facility to store, process, or dispose of solid waste in such a manner so as to cause the creation and maintenance of a nuisance. Violation tracking number 414209 was cited for failure to complete a hazardous waste determination for each solid waste generated. During the course of this investigation, TCEQ MSW Non-permitted ID No. 455150177 was inadvertently associated to the entity.

On August 30, 2011 through August 31, 2011, both an onsite and record review investigation were conducted, CCEDS investigation number 951589. It was determined that due to the duplication of violations created during investigation number 857856, violation tracking numbers 414207 and 414209 would be withdrawn. The associated identification information would remain, RN105636161, TCEQ MSW Non-permitted ID No. 455150177 (William Templeton Property) and CN603415829 (William Templeton). TCEQ MSW Non-permitted ID No. 455150177 would be merged into RN105636161, leaving TCEQ MSW Non-permitted ID No. 455150177 associated to the entity.

On February 3, 2012 through February 13, 2012, an onsite investigation, emergency response CCEDS incident number 164471, was conducted, CCEDS investigation number 983549. No violations were associated to this investigation.

On November 29, 2011 through March 1, 2012, onsite follow up investigations were conducted, with a NOE being generated, CCEDS investigation number 969458. Violation tracking number 456537 was cited failure of the responsible person to remove the spilled substances and manage the wastes. Violation tracking number 456528 was cited for failure to prevent the unauthorized disposal of municipal solid waste. Violation tracking number 463130, which was noted and resolved, was cited for failure to not cause, suffer, allow, or permit any outdoor burning within the State of Texas, except as provided by this Sub Chapter or by orders or permits of the commission.

On December 13, 2012 through December 20, 2012, an onsite follow up investigation was conducted at the request of the Office of the Attorney General of Texas, and no additional concerns and/or violations were

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generated, CCEDS investigation number 1054100.

On August 12, 2015, the 126th District Court finalized the case, Cause No. D-1-GV-13-000507; State of Texas vs William Templeton; in the 98th Judicial District, Travis County, Texas and was effective as of August 12, 2015.

On August 8, 2016, TCEQ Investigator conducted a site assessment of the property (CCEDS Investigation No. 1355850) the site assessment was conducted due to an onsite follow up request from the Enforcement Division, which was received July 13, 2016. The investigation findings were forwarded to the TCEQ Compliance Monitoring Section.

On May 18, 2018, TCEQ Investigator conducted an on-site investigation at the regulated entity (entity, RN105636161 / CN603415829 - William Templeton) resulting in Consolidated Compliance and Enforcement Data System (CCEDS) investigation no. 1485575. The onsite was conducted due to an onsite follow up investigation request from the Office of the Attorney General of Texas (OAG) (via the TCEQ Enforcement Division), which was received on May 9, 2018. The entity is associated to TCEQ Docket number 2009-1975-MSW-E, which became effective on September 26, 2010. Additionally, the OAG also obtained a Final Summary Judgement against the entity, which is included in Cause Number D-1-GV-13-000507. The entity was previously assigned the regionally generated municipal solid waste (MSW) unauthorized (UNA) site no. 455150177 (William Templeton Property) and UNA site no. 455150187 (previously known as the Thompson Melon Corner, merged in Central Registry, and now listed as William Templeton Property) The entity is located at the southwest corner of the intersection of Farm to Market (FM) 106 (General Bryant Road) and FM 803 (North Olmito Road) near Las Yescas, Cameron County.

On October 30, 2018, a hearing on State's Motion for Contempt was postponed until April 30, 2019, so long as Defendant Templeton adheres to the requirements (Agreed Continuance on State's Motion for Contempt Cause No. D-1-GV-13-000507).

GENERAL FACILITY AND PROCESS INFORMATION

The TCEQ regulated entity is listed in the TCEQ central registry as reference number (RN) RN110435245, customer number (CN) CN603415829 and CN605539519 (Attachment A-TCEQ Central Registry). The investigated property consists of a 0.25-acre lot with a 6,267-square foot warehouse located on 415 Eye St., Harlingen, (Cameron County), Texas (Attachment B-Google Earth Image).

A query of the Cameron County Appraisal District (CAD) online system identifies that the site is associated with the property ID number (Attachment C- Cameron (CAD));

•Property ID 66790; geographic ID 15-7000-0030-0110-00; legal description BENOIST SUBDIVISION LOTS 11-12 BLK 3. The property has the owner listed as RUCONIV INC with a mailing address of 11952 S. Rene St., Olathe, Kansas 66062-5694

A query of the Secretary of State (SOS) Business Inquiry online revealed that RUCONIV INC. has a filing number of 161580200, a mailing address of 11952 S. Rene St., Olathe, Kansas 66062-5694, with a status of "In existence" as of April 2, 2019. Management is noted as President and Director Sergio Vinocur (Attachment D-Texas SOS).

The Texas Franchise Tax Public Information Report for RUCONIV INC. revealed a taxpayer's name of RUCONIV INC. has a filing number of 1912114268, a mailing address of 11952 S. Rene St., Olathe, Kansas 66062-5694, with no reported members (Attachment E- Public Information Report).

A query of Texas Comptroller of Public Accounts notes RUCONIV INC. with a taxpayer number of 1912114268, a mailing address of 11952 S. Rene St., Olathe, Kansas 66062-5694, with a status of "Active" The registered agent is noted as Registered Agent Solutions, Inc. (Attachment F-Texas Comptroller of Public Accounts).

Surrounding land use:

The investigated property is designated for commercial use located in a residential and commercial area. The surrounding area to the north is commercial and to the south is residential (Attachment B).

Summary of on-site investigation:

On January 29, 2019, at approximately 0900 hours, Investigator Garcia arrived at the storage site and collected

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photographic documentation. (Attachment G-Photographic Documentation, Photos 1-78). Investigator Garcia conducted an entrance interview, explaining the purpose and scope of the follow-up on-site investigation to Mr. Templeton. Investigator Garcia inquired about Mr. Templeton's daily operations and the need for large volumes of paint. Mr. Templeton stated that he operates a store by the name of Bargain Corner (General Hardware Store) located on at 914 W. Tyler Ave., Harlingen (Cameron County), Texas, a General Hardware Store where he sells the paint.

During the on-site investigation, Investigator Garcia was able to observe three general storage areas on the property where pallets of paint (waste) was being stored (Attachment H- Site Diagram). The three general storage areas are identified as the "Asphalt Parking Lot Storage Area", the "Fenced in Back Patio Storage Area" and the "Storage Facility Area". In the three storage areas (APLSA, FIBPSA & SFA), Investigator Garcia was able to identify large volumes of paint which were either palletized and wrapped or consolidated in 55-gallon drums or 275-gallon poly-bulk plastic containers.

In the initial MSW complaint investigation conducted on May 2, 2018 through June 4, 2018, Investigator Garcia categorized the area where items were palletized or bundled together as waste, if waste was identified in that area. Based on the findings during the follow-up investigation, Investigator Garcia is unable to determine if cans/buckets located in the middle of the pallet is still in good condition and deemed viable paint. For this reason, Investigator Garcia would be considering the whole pallet will all cans/buckets as waste unless Mr. Templeton can demonstrate otherwise.

The following volume measurements were obtained in two storage areas (APLSA & SFA) (Attachment G, Photos 1-22). Note, all volumes are approximations (Attachment H and Attachment I-MSW Calculations).

•Asphalt Parking Lot Storage Area

- a. 2-Single stacked pallet of 1-quart cans in boxes, 3 by 3 by 6, 9 per box or 121.5 gallons per pallet stack.
 - i. Total gallons:
 1. 243 gallons of paint.
 2. 0 gallons of waste paint.
- b. 9-Double stacked pallet of 1-quart cans in boxes, 3 by 3 by 6, 9 per box or 243 gallons per pallet stack.
 - i. Total gallons:
 1. 2,187 gallons of paint.
 2. 243 gallons of waste paint.
- c. 4-Single stacked pallet of 1-gallon paint cans in boxes, 3 by 3 by 5, 4 per box or 180 gallons per pallet stack.
 - i. Total gallons:
 1. 720 gallons of paint.
 2. 0 gallons of waste paint.
- d. 10-Double stacked pallet of 1-gallon paint cans in boxes, 3 by 3 by 5, 4 per box or 360 gallons per pallet stack.
 - i. Total gallons:
 1. 3,600 gallons of paint.
 2. 0 gallons of waste paint.
- e. 14- 275-gallon poly-bulk plastic container of paint.
 - i. Total gallons:
 1. 3,850 gallons of paint.
 2. 0 gallons of waste paint.

•Total Asphalt Parking Lots Storage Area Waste

- a. 243 gallons of waste paint.

•Storage Facility Area

- a. 4 by 4 by 8 boxes, 12 per box of yellow aerosol cans of spray paint.
 - i. Total waste: 1,536 aerosol cans of spray paint.
- b. 1 broken 5-gallon bucket of paint.
 - i. Total waste: 5-gallons.
- c. 3 by 3 by 4 boxes, 4 per box of 1-gallon paint cans.
 - i. Total waste: 144-gallons.
- d. 3 by 3 by 5 boxes, 4 per box of 1-gallon paint cans.
 - i. Total waste: 180-gallons.
- e. 20-1-gallon cans of paint.

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- i. Total waste: 20-gallons.
- f. 40-1-gallon cans of paint.
- i. Total waste: 40-gallons.
- g. 45-2-gallon buckets of Mr. Mac's Asphalt Sealer.
- i. Total waste: 90-gallons.

•Total Storage Facility Area Waste

- a. 479 gallons of waste paint and 1,536 aerosol cans of waste spray paint.

•Total waste (Asphalt Parking Lot Storage & Storage Facility Area)

- a. 722 gallons of waste paint and 1,536 aerosol cans of waste spray paint.

Investigator Garcia explained to Mr. Templeton based on the investigation findings the paint containers were no longer products due to deteriorated/compromised contents and considered waste as per Title 30 TAC §330.3(145) which defines solid waste as garbage, rubbish, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid liquid, semi-solid, or contained gaseous materials resulting from industrial, municipal, commercial, mining and agricultural operations and from community and institutional activities. Municipal solid waste (MSW) is defined in 30 TAC §330.3(88) as solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste.

Investigator Garcia inquired about Mr. Templeton's plan to address the waste paint located on the property and properly storing viable paint. Mr. Templeton stated that although he agrees with Investigator Garcia observations on certain containers, he does not believe that the paint is waste and is still manageable product by transferring the paint from its original container and consolidating it into 5-gallon buckets. Mr. Templeton stated that over the past few months he has begun moving "viable product" which was identified as "waste" during the MSW complaint investigation conducted on May 2, 2018 through June 4, 2018, from the 415 Eye St. Storage Site to his store (Bargain Corner). Mr. Templeton stated that he has been mixing old paint with new paint together and consolidating them into 1-gallon plastic buckets (Attachment G, Photos 74-75). In order to keep track of how many gallons of "waste" paint has been repackaged, Mr. Templeton has been keeping the lids belonging to the "waste" paint cans (Attachment G, Photos 76-78). An approximate three-hundred (gallons) of waste paint lids were counted.

When addressing the issue of paint located in the asphalt parking lot storage area, Mr. Templeton stated, he is in the process of making room in the storage facility or if need be leasing another facility. Mr. Templeton will erect temporary fencing to deter any looters. Investigator Garcia inquired whether Mr. Templeton own or leased the building. Mr. Templeton stated that he has been leasing the building for approximately the last twenty years. Investigator Garcia requested a copy of his lease agreement with the owner of the building in which Mr. Templeton agreed to provide a copy. Investigator Garcia expressed to Mr. Templeton the need to provide an accurate track record of where the waste will be disposed of properly. Additionally, Investigator Garcia advised Mr. Templeton if he still considers the paint and stain viable product, he must demonstrate the transfer of products using proper compliance documentation such as photographs and written records.

Investigator Garcia requested access to the "Fenced In Back Patio Storage Area". Mr. Templeton granted permission to survey the area at a later date due to his limited accessibility to the storage area and availability to be present during the investigation. Mr. Templeton needed to manage his store as no one was available to oversee the daily operations. Mr. Templeton stated that he would create a pathway for the investigator to conduct his investigation. Investigator Garcia would conduct a follow on-site investigation inside the "Fenced In Back Patio Storage Area" on February 1, 2019 at 1300 hours.

ADDITIONAL INFORMATION

On January 23, 2019, Mr. Templeton met with Investigator Garcia at the Harlingen Region Office to provide an update the Templeton Storage Sites at 5301 W. Business 83 (CN6034158295, RN110435260, MSW Non-permitted ID: R15100435260) and at 415 Eye St, along with Las Yescas: William Templeton Property located on the corner of FM 106 and FM 803 (RN105636161, MSW Non-permitted ID: 455150177). Mr. Templeton stated that while he has made small efforts to clean up the storage sites, all his time and resources have been diverted to cleaning up the Las Yescas: William Templeton Property as outlined by the Office of Texas Attorney General

TEMPLETON STORAGE SITE AT 415 EYE ST - HARLINGEN

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(OAG) [Agreed Continuance on State's Motion for Contempt Cause No. D-1-GV-13-000507]. Investigator Garcia stated that the investigator will be conducting a follow-up investigation at both Templeton Storage Sites located at 5301 W. Business 83 and 415 Eye St., Harlingen (Cameron County), Texas. Mr. Templeton and Investigator Garcia agreed to conduct the follow-up investigations on January 29, 2019 at 900 hours beginning with the storage site located at 415 Eye St.

On February 1, 2019, Investigator Garcia conducted the follow-up investigation at the Templeton Storage Site located on 415 Eye St. at approximately 1300. Due to Mr. Templeton's limited availability and accessibility to the storage area on January 29, 2019, the storage site located on 415 Eye St. was rescheduled to February 1, 2019 at 1300 hours. Investigator Garcia continued the assessment of the property, not previously accessible during the initial follow-up investigation which was identified as a FIBPSA and collected photographic documentation of the site (Attachment G, Photos 23-73).

The following volume measurements were obtained in the FIBPSA. Note, all volumes are approximations (Attachment H and Attachment I).

•Fenced In Back Patio Storage Area

- a) 14-Single stacked pallet of 1-quart paint cans in boxes, 3 by 3 by 6, 9 per box or 121.5 gallons per pallet stack.
 - i) Total gallons:
 - (1) 1,701 gallons of paint.
 - (2) 1,701 gallons of waste paint.
- b) 15-Double stacked pallet of 1-quart paint cans in boxes, 3 by 3 by 6, 9 per box or 243 gallons per pallet stack.
 - i) Total gallons:
 - (1) 3,645 gallons of paint.
 - (2) 3,645 gallons of waste paint.
- c) 3-Single stacked pallet of 1-quart cans in boxes, 4 by 4 by 6, 4 per box or 96 gallons per pallet stack.
 - i) Total gallons:
 - (1) 288 gallons of paint.
 - (2) 288 gallons of waste paint.
- d) 8-Double stacked pallet of 1-quart cans in boxes, 4 by 4 by 6, 4 per box or 192 gallons per pallet stack.
 - i) Total gallons:
 - (1) 1,536 gallons of paint.
 - (2) 1,536 gallons of waste paint.
- e) 41-Single stacked pallet of 1-gallon paint cans in boxes, 3 by 3 by 5, 4 per box or 180 gallons per pallet stack.
 - i) Total gallons:
 - (1) 7,380 gallons of paint.
 - (2) 7,380 gallons of waste paint.
- f) 11-Double stacked pallet of 1-gallon paint cans in boxes, 3 by 3 by 5, 4 per box or 360 gallons per pallet stack.
 - i) Total gallons:
 - (1) 3,960 gallons of paint.
 - (2) 3,960 gallons of waste paint.
- g) 23-Single stacked pallet of 5-gallon paint buckets, 3 by 3 by 3 or 135 gallons per pallet stack.
 - i) Total gallons:
 - (1) 3,105 gallons of paint.
 - (2) 3,105 gallons of waste paint.
- h) 4-Single stacked pallet of 5-gallon paint buckets, 3 by 3 by 2 or 90 gallons per pallet stack.
 - i) Total gallons:
 - (1) 360 gallons of paint.
 - (2) 360 gallons of waste paint.
- i) 4-Double stacked pallet of 5-gallon paint buckets, 3 by 3 by 3 or 270 gallons per pallet stack.
 - i) Total gallons:
 - (1) 1,080 gallons of paint.
 - (2) 1,080 gallons of waste paint.
- j) 1-Single stacked pallet of 1-quart can in boxes, 3 by 3 by 4, 4 per box or 36 gallons per pallet stack.
 - i) Total gallons:
 - (1) 36 gallons of vinyl paste.
 - (2) 36 gallons of was vinyl paste.
- k) 1-Single stacked pallet of 2-gallon vinyl paste buckets, 3 by 3 by 4, or 72 gallons per pallet stack.
 - i) Total gallons:

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- (1) 72 gallons of vinyl paste.
- (2) 72 gallons of waste vinyl paste.
- l) 1- Single stacked pallet of 5-gallon vinyl paste buckets, 3 by 3 by 2, or 90 gallons per pallet stack.
 - i) Total gallons:
 - (1) 90 gallons of vinyl paste.
 - (2) 90 gallons of waste vinyl paste.
- m) 7- 275-gallon poly-bulk plastic container of paint.
 - i) Total gallons:
 - (1) 1,925 gallons of paint.
 - (2) 1,925 gallons of waste paint.

•Total Fenced In Back Patio Storage Area Waste

- a. 25,178 gallons of waste paint.

The following volume measurements are an approximate total of all MSW documented during both follow up investigations on January 29, 2019 through February 12, 2019. (Attachment H and Attachment I). Note, all volumes are approximations.

A.Total waste (Asphalt Parking Lot Storage & Facility Storage Area) 722 gallons of waste paint and 1,536 aerosol cans of waste spray paint.

B.Total waste (Fenced in Back Patio Storage Area): 25,178 gallons of waste paint.

•Total waste (Combined Areas): 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint.

While some of the paint seemed to be new and recently placed, approximately eighty five percent (85%) of containers appear to have weathered (have been exposed for a prolonged period) that the containers and/or the containers contents have been compromised and appeared to no longer be used for their original intended purpose. Investigator Garcia visually observed that he was unable to read product labels on the containers. The containers have deteriorated (i.e. rusted) to an extent that the contents were visibly leaking onto the ground. Based on these findings and the preponderance of the evidence documented through this investigation, it is concluded that these compromised containers and their contents are considered solid waste. The term solid waste is defined in 30 TAC §330.3(145) as garbage, rubbish, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities. Municipal solid waste (MSW) is defined in 30 TAC §330.3(88) as solid waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and all other solid waste other than industrial solid waste.

During the investigations conducted on January 29, 2019 and February 1, 2019, the approximate total of all MSW documented was 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint. The MSW consisted of rusted and deteriorated 1-gallon, 2-gallon, 5-gallon of paint, and aerosol cans of spray paint showed signs of leakage. Mr. Templeton is allegedly in violation of Title 30 TAC §330.15(a) for failure to comply with General Prohibition requirements which states a person may not cause, suffer, allow, or permit the collection, storage transportation, processing, or disposal of municipal solid waste (MSW), or the use or operation of a solid waste facility to store, process, or dispose of solid waste, or to extract materials under Texas Health and Safety Code, §361.092, in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission. Specifically, during an investigation conducted on January 29, 2019 through February 12, 2019, the approximate total of MSW documented was 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint were in containers which have been exposed for a prolonged period that the containers and/or the containers contents have been compromised and are no longer usable, beginning to either burst and/or leak its contents, or the boxes in which they were stored showed visible signs of staining. (CCEDS violation tracking number 683443).

In addition, an alleged violation was noted as per Title 30 TAC §330.15(c) for failing to comply with General Prohibition requirements which states a person may not cause, suffer, allow, or permit the dumping or disposal of MSW without the written authorization of the commission. Specifically, during an investigation conducted January 29, 2019 through February 12, 2019, the approximate total of MSW documented was 25,900 gallons of

TEMPLETON STORAGE SITE AT 415 EYE ST - HARLINGEN

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waste paint and 1,536 aerosol cans of waste spray paint were in containers which have been exposed for a prolonged period that the containers and/or the containers contents have been compromised and are no longer usable, beginning to either burst and/or leak its contents, or the boxes in which they were stored showed visible signs of staining. (CCEDS violation tracking number 683442).

Furthermore, an additional issue was noted, stating that the regulated entity is advised to become familiar with Fire Protection Systems Code Requirements (sprinkler systems) for the City of Harlingen, after observing the facility did not have a fire suppression system in place and given his history during an emergency response incident in 2012 at another storage site.

Investigator Garcia explained to Mr. Templeton that the 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint shall be disposed of at a TCEQ authorized facility for proper disposal. Mr. Templeton shall begin the proper cleanup and disposal of an approximate total of 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint. Upon completion, Mr. Templeton shall provide compliance documentation (such as photographs and receipts/invoices) of the proper disposal to the TCEQ Harlingen Region Office. Investigator Garcia reiterated to Mr. Templeton based on his observations what he considered the paint to be waste and no longer a product in reference to Title 30 TAC §330.3(145). Investigator Garcia inquired about Mr. Templeton's plan to address the waste paint located on the property and properly store the paint. Mr. Templeton stated that although he agrees with Investigator Garcia observations on certain containers, he does not believe that the paint is waste and is still manageable product by transferring the paint from its original container and consolidating it into 5-gallon buckets. Investigator Garcia expressed to Mr. Templeton the need to provide an accurate track record of where the waste will be disposed of. If Mr. Templeton still considers the paint and stain viable product, he must demonstrate the transferred of products using proper compliance documentation such as photographs and written records.

Mr. Templeton stated that upon completion he will provide compliance and photographic documentation of the disposal to Investigator Garcia.

Based on the investigation findings the active alleged violations (CCEDS violation tracking numbers 683442 & 683443) remain outstanding.

The alleged violations (Category B violations that warrant formal enforcement) have a violation category of 2A) as per the TCEQ Enforcement Initiation Criteria (EIC), Revision No. 16, Effective December 10, 2018. The regulated entity will be referred to formal enforcement. Category B violations were documented and the respondent did not correct a B violation within the established time frame given in an NOV.

On February 7, 2019, Mr. Templeton met with Investigator Garcia at the Harlingen Regional Office to provide an extension request letter. Mr. Templeton is requesting three months to complete the cleanup at the storage site located on 415 Eye St., Harlingen (Cameron County), Texas due to time and resources being focused on meeting the OAG's deadlines. (Attachment J- Extension Request Letter).

On February 12, 2019, Mr. Templeton met with Investigator Garcia at the Harlingen Regional Office to provide an update to the 5301 W. Business 83 and 415 Eye St. Storage Sites, Harlingen (Cameron County), Texas. Mr. Templeton stated that his plan of action was to focus on the 5301 W. Business 83 storage site first, since it has a lower volume of waste (paint containers) at the property after he has taken care of all the requirements outlined by the OAG first regarding the Las Yescas: William Templeton Property.

On February 12, 2019, Mr. Templeton met with Investigator Garcia at the Harlingen Regional Office to provide an update to the 5301 W. Business 83 and 415 Eye St. Storage Sites, Harlingen (Cameron County), Texas. Mr. Templeton stated that his plan of action was to focus on the 5301 W. Business 83 storage site first, since it has a lower volume of waste (paint containers) at the property after he has taken care of all the requirements outlined by the OAG first regarding the Las Yescas: William Templeton Property.

Summary of exit interview conference:

On February 1, 2019, Investigator Garcia conducted an exit interview with Mr. Templeton. Two (2) alleged violations and one (1) additional issue were noted. (Attachment K- TCEQ Exit Interview Form). Mr. Templeton was provided with TCEQ brochures "Obtaining TCEQ Rules" (GI-032) and "TCEQ Has Inspected Your Business" (RG-344).

TEMPLETON STORAGE SITE AT 415 EYE ST - HARLINGEN

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CONCLUSION

Based on the investigation findings, it has been determined that the active alleged violations remain outstanding. (CCEDS violation tracking numbers 683442 & 683443). The regulated entity will be referred to formal enforcement. A TCEQ Notice of Enforcement (NOE) letter was transmitted to the property owner via United States Postal Service (USPS) first class and certified mail service.

NOE Date: 4/12/2019

**OUTSTANDING ALLEGED VIOLATION(S)
ASSOCIATED TO A NOTICE OF ENFORCEMENT**

Track Number: 683442 Compliance Due Date: To Be Determined
Violation Start Date: 5/2/2018

30 TAC Chapter 330.15(c)

Alleged Violation:

Investigation: 1497447

Comment Date: 08/03/2018

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(c), which states a person may not cause, suffer, allow, or permit the dumping or disposal of MSW without the written authorization of the commission.

Specifically, during an investigation conducted on May 2, 2018 through June 4, 2018, the approximate total of MSW documented was 26,180 gallons of paint, 1,932 aerosol cans, 10 banana boxes of coffee cans were in containers which appear to have weathering (have been exposed for a prolonged period) that the containers and/or the containers contents have been compromised and appeared to no longer be used for their original intended purpose. Mr. Garcia visually observed that he was unable to read any product labels on the containers and have deteriorated (i.e. rusted) to an extent that the boxes in which they were stored showed visible signs of staining and/or the contents were visibly leaking onto the ground.

Investigation: 1552969

Comment Date: 04/03/2019

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(c), which states a person may not cause, suffer, allow, or permit the dumping or disposal of MSW without the written authorization of the commission.

Specifically, during a follow up investigation conducted on January 29, 2019 through February 12, 2019, the approximate total of MSW documented was 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint were in containers which deteriorated and based on the findings and preponderance of the evidence it is reasonable to conclude that the containers and/or the containers contents have been compromised to such an extent that the original product cannot be used for its original intended purpose and the boxes in which they were stored showed visible signs of staining.

Recommended Corrective Action: The respondent shall remove and dispose of all of the MSW onsite at a TCEQ authorized facility. Specifically, during a follow up investigation conducted on January 29, 2019 through February 12, 2019, the TCEQ calculated an approximate of 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint. The property owner shall provide compliance documentation such as photographs of the cleanup and disposal receipts and/or manifests to the TCEQ Harlingen Region Office.

Track Number: 683443 Compliance Due Date: To Be Determined
Violation Start Date: 5/2/2018

2D TWC Chapter 26.121(c)
30 TAC Chapter 330.15(a)(1)

30 TAC Chapter 330.15(a)(2)

30 TAC Chapter 330.15(a)(3)

Alleged Violation:

Investigation: 1497447

Comment Date: 08/03/2018

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(a), which states a person may not cause, suffer, allow, or permit the collection, storage, transportation, processing, or disposal of municipal solid waste (MSW), or the use or operation of a solid waste facility to store, process, or dispose of solid waste, or to extract materials under Texas Health and Safety Code, §361.092, in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission, or in such a manner that causes: (1) the discharge or imminent threat of discharge of MSW into or adjacent to the waters in the state without obtaining specific authorization for the discharge from the commission; (2) the creation and maintenance of a nuisance; or (3) the endangerment of the human health and welfare or the environment.

Specifically, during an investigation conducted on May 2, 2018 through June 4, 2018, the approximate total of MSW documented was 26,180 gallons of paint, 1,932 aerosol cans, 10 banana boxes of cans were stored in containers which appear to have weathering (have been exposed for a prolonged period) that the containers and/or the containers contents have been compromised and appeared to no longer be used for their original intended purpose. Mr. Garcia visually observed that he was unable to read any product labels on the containers and have deteriorated (i.e. rusted) to an extent that the boxes in which they were stored showed visible signs of staining and/or the contents were visibly leaking onto the ground.

Investigation: 1552969

Comment Date: 04/03/2019

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(a), which states a person may not cause, suffer, allow, or permit the collection, storage, transportation, processing, or disposal of municipal solid waste (MSW), or the use or operation of a solid waste facility to store, process, or dispose of solid waste, or to extract materials under Texas Health and Safety Code, §361.092, in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission, or in such a manner that causes: (1) the discharge or imminent threat of discharge of MSW into or adjacent to the waters in the state without obtaining specific authorization for the discharge from the commission; (2) the creation and maintenance of a nuisance; or (3) the endangerment of the human health and welfare or the environment.

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Additional Issues

Description

Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

Additional Comments

The regulated entity is advised to become familiar with Fire Protection Systems Code Requirements (sprinkler systems) for the City of Harlingen, after observing the facility did not have a fire suppression system in place and given the regulated entities history during an emergency response incident in 2012 at another storage site.

Signed Alex Guerin
Environmental Investigator

Date 4/12/2019

Signed Genevieve J. O'Leary
Supervisor

Date 4/12/2019

Attachments: (in order of final report submittal)

- Enforcement Action Request (EAR)
- Letter to Facility (specify type): NOTICE OF ENFORCEMENT (NOE)
- Investigation Report LETTER
- Sample Analysis Results
- Manifests
- Notice of Registration

- Maps, Plans, Sketches
- Photographs
- Correspondence from the facility
- Other (specify):

ATTACHMENT A, B, C, D, E, F, G, H, I, J, & K.

Summary of Investigation Findings

TEMPLETON STORAGE SITE AT 415 EYE ST

415 S EYE ST
HARLINGEN, CAMERON COUNTY, TX 78550

Investigation #

1552969
Investigation Date: 01/29/2019

Additional ID(s): R15110435245

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 683442 Compliance Due Date: To Be Determined

30 TAC Chapter 330.15(c)

Alleged Violation:

Investigation: 1497447

Comment Date: 08/03/2018

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(c), which states a person may not cause, suffer, allow, or permit the dumping or disposal of MSW without the written authorization of the commission.

Specifically, during an investigation conducted on May 2, 2018 through June 4, 2018, the approximate total of MSW documented was 26,180 gallons of paint, 1,932 aerosol cans, 10 banana boxes of coffee cans were in containers which appear to have weathering (have been exposed for a prolonged period) that the containers and/or the containers contents have been compromised and appeared to no longer be used for their original intended purpose. Mr. Garcia visually observed that he was unable to read any product labels on the containers and have deteriorated (i.e. rusted) to an extent that the boxes in which they were stored showed visible signs of staining and/or the contents were visibly leaking onto the ground.

Investigation: 1552969

Comment Date: 04/03/2019

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(c), which states a person may not cause, suffer, allow, or permit the dumping or disposal of MSW without the written authorization of the commission.

Specifically, during a follow up investigation conducted on January 29, 2019 through February 12, 2019, the approximate total of MSW documented was 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint were in containers which deteriorated and based on the findings and preponderance of the evidence it is reasonable to conclude that the containers and/or the containers contents have been compromised to such an extent that the original product cannot be used for its original intended purpose and the boxes in which they were stored showed visible signs of staining.

Recommended Corrective Action: The respondent shall remove and dispose of all of the MSW onsite at a TCEQ authorized facility. Specifically, during a follow up investigation conducted on January 29, 2019 through February 12, 2019, the TCEQ calculated an approximate of 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint. The property owner shall provide compliance documentation such as photographs of the cleanup and disposal receipts and/or manifests to the TCEQ Harlingen Region Office.

Track No: 683443 Compliance Due Date: To Be Determined

2D TWC Chapter 26.121(c)
30 TAC Chapter 330.15(a)(1)
30 TAC Chapter 330.15(a)(2)
30 TAC Chapter 330.15(a)(3)

Alleged Violation:

Investigation: 1497447

Comment Date: 08/03/2018

Failure to comply with General Prohibition requirements stated in 30 TAC §330.15(a), which states a person may not cause, suffer, allow, or permit the collection, storage, transportation,

processing, or disposal of municipal solid waste (MSW), or the use or operation of a solid waste facility to store, process, or dispose of solid waste, or to extract materials under Texas Health and Safety Code, §361.092, in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission, or in such a manner that causes: (1) the discharge or imminent threat of discharge of MSW into or adjacent to the waters in the state without obtaining specific authorization for the discharge from the commission; (2) the creation and maintenance of a nuisance; or (3) the endangerment of the human health and welfare or the environment.

Specifically, during an investigation conducted on May 2, 2018 through June 4, 2018, the approximate total of MSW documented was 26,180 gallons of paint, 1,932 aerosol cans, 10 banana boxes of cans were stored in containers which appear to have weathering (have been exposed for a prolonged period) that the containers and/or the containers contents have been compromised and appeared to no longer be used for their original intended purpose. Mr. Garcia visually observed that he was unable to read any product labels on the containers and have deteriorated (i.e. rusted) to an extent that the boxes in which they were stored showed visible signs of staining and/or the contents were visibly leaking onto the ground.

Investigation: 1552969

Comment Date: 04/03/2019

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Specifically, during a follow up investigation conducted on January 29, 2019 through February 12, 2019, the approximate total of MSW documented was 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint were in containers which deteriorated and based on the findings and preponderance of the evidence it is reasonable to conclude that the containers and/or the containers contents have been compromised to such an extent that the original product cannot be used for its original intended purpose and the boxes in which they were stored showed visible signs of staining.

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ADDITIONAL ISSUES

Description

Other violations noted during the investigation? (If non-compliant then describe violation in the comment section.)

Additional Comments

The regulated entity is advised to become familiar with Fire Protection Systems Code Requirements (sprinkler systems) for the City of Harlingen, after observing the facility did not have a fire suppression system in place and given the regulated entities history during an emergency response incident in 2012 at another storage site.

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 12, 2019

CERTIFIED MAIL 7017 2400 0000 4135 7681
RETURN RECEIPT REQUESTED

William Templeton, Operator
5301 West Business 83
Harlingen, Texas 78552-3607

Re: Notice of Enforcement for Compliance Evaluation Investigation at:
Templeton Storage Site at 415 Eye St.
415 Eye St., Harlingen (Cameron County), Texas
Regulated Entity No.: RN110435245, TCEQ ID No.: R15110435245

Dear Mr. Templeton,

On February 1, 2019 through February 12, 2019, Mr. Alejandro Garcia of the Texas Commission on Environmental Quality (TCEQ) Harlingen Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Municipal Solid Waste (MSW). During this investigation, certain outstanding alleged violations were documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Harlingen Region Office at 956-425-6010 or the Central Office Publications Ordering Team at 512-239-0028.

One or more of the violations documented during the subject investigation includes unauthorized activity and you are hereby advised that continued operation is not authorized.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to

Mr. Templeton, Operator
Page 2
April 12, 2019

the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violations documented in this notice have been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Waste Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Mr. Alejandro Garcia in the Harlingen Region Office at (956) 430-6016.

Sincerely,



Francisco J. Chavero, Jr., Section Manager
Air, Waste, and Water Programs
Harlingen Region Office
Texas Commission on Environmental Quality

FJC/ag

Mr. Templeton, Operator
Page 3
April 12, 2019

Enclosure: Summary of Investigation Findings

Cc: Mr. Sergio Vinocur, President & Director of Ruconiv, Inc.



Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 12, 2019

CERTIFIED MAIL 7017 2400 0000 4135 7698
RETURN RECEIPT REQUESTED

Sergio Vinocur, President & Director
RUCONIC Inc.
11952 S. Rene Street
Olathe, Kansas 66062-5694

Re: Notice of Enforcement for Compliance Evaluation Investigation at:
Templeton Storage Site at 415 Eye St.
415 Eye St., Harlingen (Cameron County), Texas
Regulated Entity No.: RN110435245, TCEQ ID No.: R15110435245

Dear Mr. Vinocur,

On January 29, 2019 through February 12, 2019, Mr. Alejandro Garcia of the Texas Commission on Environmental Quality (TCEQ) Harlingen Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Municipal Solid Waste (MSW). During this investigation, certain outstanding alleged violations were documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Harlingen Region Office at 956-425-6010 or the Central Office Publications Ordering Team at 512-239-0028.

One or more of the violations documented during the subject investigation includes unauthorized activity and you are hereby advised that continued operation is not authorized.

Mr. Sergio Vinocur, President & Director

Page 2

April 12, 2019

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violations, formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violations.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Also, if you believe the violations documented in this notice have been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Waste Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Mr. Alejandro Garcia in the Harlingen Region Office at (956) 430-6016.

Sincerely,



Francisco J. Chavero, Jr., Section Manager
Air, Waste, and Water Programs
Harlingen Region Office
Texas Commission on Environmental Quality

Mr. Sergio Vinocur, President & Director
Page 3
April 12, 2019

FJC/ag

Enclosure: Summary of Investigation Findings

Cc: Mr. William Templeton, Operator

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT	A
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Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No.:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

TCEQ Central Registry

[Questions or Comments >>](#)

[Main Query Page](#) [Program Area Search](#)

Regulated Entity Detail					
Regulated Entity Name:	TEMPLETON STORAGE SITE AT 415 EYE ST			RN:	RN110435245
Status:	Active	Status Comment:		Stand Alone:	N
Physical Address:	415 S EYE ST HARLINGEN, TX 78550-6179			County:	CAMERON
Physical Location:	415 EYE ST, HARLINGEN TEXAS 78550				
Nearest City:		State:	TX	Zip Code:	
Latitude:		Longitude:			

1-2 of 2 Records

Affiliated Customers						List All
CN Number	Customer ⁺	Role	Begin Date	End Date	RE Comp Hist	
CN605539519	RUCONIV INC	OWNER	05/31/2018	12/31/3000	SATISFACTORY	
CN603415829	TEMPLETON, WILLIAM	OPERATOR	05/31/2018	12/31/3000	SATISFACTORY	

1-3 of 3 Records

Program Interests									
Program	RE Type	ID Type	Addn ID	Addn ID Status	Alt RE Name	Role	Customer Name (CN)	Begin Date - End Date	View 'Issued To' History
MUNICIPAL SOLID WASTE NON PERMITTED	SITE	ID NUMBER	R15110435245	ACTIVE		OWNER	RUCONIV INC (CN605539519)	05/31/2018 - 12/31/3000	View
MUNICIPAL SOLID WASTE NON PERMITTED	SITE	ID NUMBER	R15110435245	ACTIVE		OWNER	TEMPLETON, WILLIAM (CN603415829)	05/31/2018 - 05/31/2018	View
MUNICIPAL SOLID WASTE NON PERMITTED	SITE	ID NUMBER	R15110435245	ACTIVE		OPERATOR	TEMPLETON, WILLIAM (CN603415829)	06/01/2018 - 12/31/3000	View

*The Customer Name displayed may be different from the Customer Name associated with the Additional ID. This name may be different due to ownership changes, legal name changes, or other administrative changes.

[Site Help](#) | [Disclaimer](#) | [Web Policies](#) | [Accessibility](#) | [Our Compact with Texans](#) | [TCEQ Homeland Security](#) | [Contact Us](#) | [Central Registry](#)
 Statewide Links: [Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL](#) | [Statewide Archive](#) | [Texas Veterans Portal](#)

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

B

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Google Earth Image



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT	C
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Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No.:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Cameron (CAD)

Cameron CAD

Property Search Results > 66790 RUCONIV INC for Year 2019 - Values not available 2019

Property

Account

Property ID:	66790	Legal Description:	BENOIST SUBDIVISION LOTS 11-12 BLK 3
Geographic ID:	15-7000-0030-0110-00	Zoning:	
Type:	Real	Agent Code:	
Property Use Code:			
Property Use Description:			

Location

Address:	415 EYE & HANSON HARLINGEN,	Mapsc0:	
Neighborhood:	conv neighborhood	Map ID:	05-10-05
Neighborhood CD:	157000		

Owner

Name:	RUCONIV INC	Owner ID:	669007
Mailing Address:	3711 Retreat Run San Antonio, TX 78253-6450	% Ownership:	100.0000000000%
		Exemptions:	

Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
<hr/>			
(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
<hr/>			
(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	
<hr/>			
(=) Assessed Value:	=	N/A	

Taxing Jurisdiction

Owner: RUCONIV INC
 % Ownership: 100.0000000000%
 Total Value: N/A

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	CENTRAL APPRAISAL DISTRICT	N/A	N/A	N/A	N/A

CHG	CITY OF HARLINGEN	N/A	N/A	N/A	N/A
GCC	CAMERON COUNTY	N/A	N/A	N/A	N/A
IHG	HARLINGEN C.I.S.D	N/A	N/A	N/A	N/A
SAN	PORT OF HARLINGEN	N/A	N/A	N/A	N/A
SST	SOUTH TEXAS I.S.D	N/A	N/A	N/A	N/A
Total Tax Rate:		N/A			
				Taxes w/Current Exemptions:	N/A
				Taxes w/o Exemptions:	N/A

Improvement / Building

Improvement #1: Commercial State Code: F1 Living Area: 6267.0 sqft Value: N/A

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	3DL	BV	1960	6267.0
OP1	OPEN PORCH 1/4	*		1960	33.0
BT	BLACK TOP	*		1960	900.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	COMM	COMMERCIAL	0.2525	11000.00	100.00	110.00	N/A	N/A

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2019	N/A	N/A	N/A	N/A	N/A	N/A
2018	\$37,220	\$25,300	0	62,520	\$0	\$62,520
2017	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2016	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2015	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2014	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2013	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2012	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2011	\$37,220	\$16,500	0	53,720	\$0	\$53,720
2010	\$38,356	\$16,500	0	54,856	\$0	\$54,856
2009	\$38,356	\$16,500	0	54,856	\$0	\$54,856
2008	\$38,356	\$16,500	0	54,856	\$0	\$54,856
2007	\$38,356	\$16,500	0	54,856	\$0	\$54,856
2006	\$38,166	\$16,500	0	54,666	\$0	\$54,666
2005	\$35,371	\$16,500	0	51,871	\$0	\$51,871

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	3/27/2001	WD	WARRANTY DEED	VINO CUR, SIMEON & MARIA TRUST	RUCONIV INC	6985	74	
2	1/31/1994	COR	CORRECTION DEED(S)	VINO CUR, SIMEON & MARIA	VINO CUR, SIMEON & MARIA TRUST	3165	0074	

3 1/31/1994 CWD CASH WARRANTY DEED ADAMS, VALERIE V TR VINOCUR, SIMEON & MARIA 2798 0325

Tax Due

Property Tax Information as of 04/02/2019

Amount Due if Paid on:

Year	Taxing Jurisdiction	Taxable Value	Base Tax	Base Taxes Paid	Base Tax Due	Discount / Penalty & Interest	Attorney Fees	Amount Due
------	---------------------	---------------	----------	-----------------	--------------	-------------------------------	---------------	------------

NOTE: Penalty & Interest accrues every month on the unpaid tax and is added to the balance. Attorney fees may also increase your tax liability if not paid by July 1. If you plan to submit payment on a future date, make sure you enter the date and RECALCULATE to obtain the correct total amount due.

2019 data current as of Apr 2 2019 3:29AM.
2018 and prior year data current as of Mar 19 2019 8:27AM

This year is not certified and ALL values will be represented with "N/A".

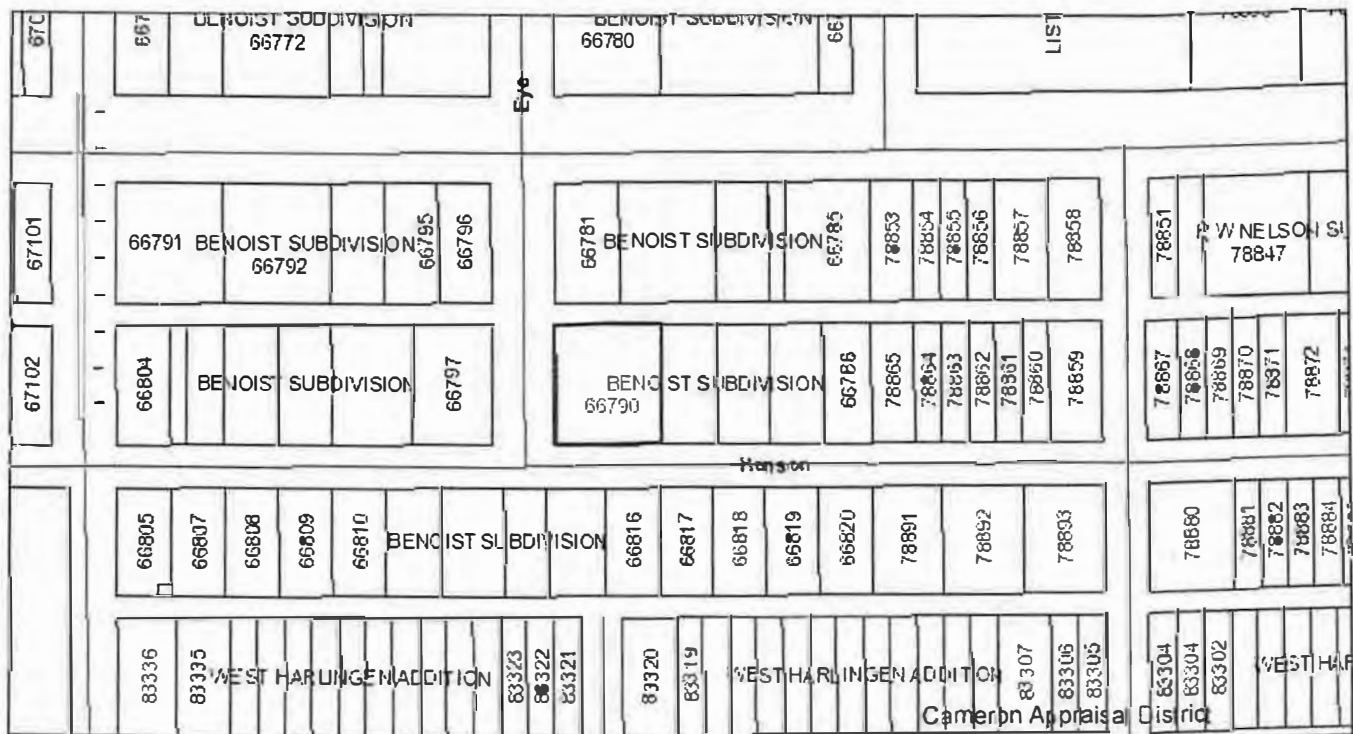
Website version: 1.2.2.28

Database last updated on:
4/2/2019 3:29 AM

© N. Harris Computer Corporation

CAMERON APPRAISAL DISTRICT

Printable Map of Property: 66790 For Year: 2018



Property Details

Property Id: 66790
Geo. Id: 15-7000-0030-0110-00
Property Type: Real
Property Address: 415 EYE & HANSON
Owner Name: RUCONIV INC
Owner Address: 3711 Retreat Run San Antonio, TX, 78253-6450
Legal Description: BENOIST SUBDIVISION LOTS 11-12 BLK 3
Appraised Value: 62520
Mapsco:
Jurisdictions: IHG, SST, CHG, GCC, SAN, CAD

Values for 2018

(+) Improvement Homesite Value:	+	\$0.00	
(+) Improvement Non-Homesite Value:	+	\$37,220.00	
(+) Land Homesite Value:	+	\$0.00	
(+) Land Non-Homesite Value:	+	\$25,300.00	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0.00	\$0.00
(+) Timber Market Valuation:	+	\$0.00	\$0.00

(=) Market Value:	=	\$62,520.00	
(-) Ag or Timber Use Value Reduction:	-		

(=) Appraised Value:	=	\$62,520.00	
(-) HS Cap:	-	\$0.00	

(=) Assessed Value:	=	\$62,520.00	

DISCLAIMER: The Cameron Appraisal District does not warrant the accuracy, completeness or intended use of the information contained in this document.

THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF CAMERON, TEXAS



APPROVED AND FORWARDED:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

D

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Texas SOS

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Tuesday, April 2, 2019 9:23 AM



TEXAS SECRETARY of STATE

DAVID WHITLEY

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BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 161580200 **Entity Type:** Domestic For-Profit Corporation
Original Date of Filing: February 12, 2001 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 19121114268 **FEIN:**
Duration: Perpetual

Name: RUCONIV INC.

Address: 11952 S RENE ST
OLATHE, KS 66062 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
----------------------------------	--------------------------------	-----------------------	----------------------------	-------------------------------	-------------------------------------

Name	Address	Inactive Date
Registered Agent Solutions, Inc.	1701 Directors Blvd., Suite 300 Austin, TX 78744 USA	

Instructions:

To place an order for additional information about a filing press the 'Order' button.

Inserted from https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-entity.asp?Sfiling_number=161580200&Nsession_id=48100044&Ndocument_number=878959420002&pgcurrent=1&Spagefrom=&Norder_item_type_id=10&Ncorp_type_id=&Nfiling_type_id=&Nunder_lp_entity_type=>

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Tuesday, April 2, 2019 9:25 AM

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OLIATHE, KS 66062 USA

[REGISTERED AGENT](#) | [FILING HISTORY](#) | [NAMES MANAGEMENT](#) | [ASSUMED NAMES](#) | [ASSOCIATED ENTITIES](#)

View Image	Document Number	Filing Type	Filing Date	Effective Date	Eff. Cond	Page Count
	7069863	Articles Of Incorporation	February 12, 2001	February 12, 2001	No	2
	22875550001	Public Information Report (PIR)	December 31, 2002	January 14, 2003	No	1
	24447100002	Change of Registered Agent/Office	January 21, 2003	January 21, 2003	No	2
	44889250001	Public Information Report (PIR)	December 31, 2003	October 13, 2003	No	1
	64176900001	Public Information Report (PIR)	December 31, 2004	July 6, 2004	No	1
	101667380001	Public Information Report (PIR)	December 31, 2005	August 25, 2005	No	1
	136046540001	Public Information Report (PIR)	December 31, 2006	July 10, 2006	No	1
	179743560001	Public Information Report (PIR)	December 31, 2007	July 25, 2007	No	1
	270152030001	Public Information Report (PIR)	December 31, 2008	August 3, 2009	No	1
	318982760001	Public Information Report	December 31,	August 4, 2010	No	1

		(PIR)	2009				
☒	299317890002	Change of Registered Agent/Office	March 15, 2010	March 15, 2010	No	2	
☒	335313890001	Public Information Report (PIR)	December 31, 2010	October 18, 2010	No	1	
☒	375876920001	Public Information Report (PIR)	December 31, 2011	July 8, 2011	No	1	
☒	467571900001	Public Information Report (PIR)	December 31, 2012	February 24, 2013	No	1	
☒	430851770001	Public Information Report (PIR)	December 31, 2012	July 15, 2012	No	1	
☒	521022360002	Change of Registered Agent/Office	December 19, 2013	December 19, 2013	No	2	
☒	498504000001	Public Information Report (PIR)	December 31, 2013	August 27, 2013	No	1	
☒	555708660001	Public Information Report (PIR)	December 31, 2014	July 26, 2014	No	1	
☒	619383740001	Public Information Report (PIR)	December 31, 2015	July 31, 2015	No	1	
☒	733082720001	Public Information Report (PIR)	December 31, 2016	May 2, 2017	No	1	
☒	768551300001	Public Information Report (PIR)	December 31, 2017	October 25, 2017	No	1	
☒	821172970001	Public Information Report (PIR)	December 31, 2018	June 26, 2018	No	1	

Instructions:

To place an order for additional information about a filing press the 'Order' button.

Inserted from https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-entity.asp?spage=docs&:Spagfrom=&:Sfiling_number=161580200&:Ndocument_number=878959420002&:Npgcurrent=1&:Norder_item_type_id=10

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Tuesday, April 2, 2019 9:26 AM

TEXAS SECRETARY OF STATE

DAVID WHITLEY

TEXAS SECRETARY OF STATE

DAVID WHITLEY

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BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 161580200 **Entity Type:** Domestic For-Profit Corporation
Original Date of Filing: February 12, 2001 **Entity Status:** In existence
Formation Date: N/A
Tax ID: 19121114268 **FEIN:**
Duration: Perpetual

Name: RUCONIV INC.

Address: 11952 S RENE ST
OLATHE, KS 66062 USA

[REGISTERED AGENT](#) [FILING HISTORY](#) [NAMES](#) [MANAGEMENT](#) [ASSUMED NAMES](#) [ASSOCIATED ENTITIES](#)

Name	Name Status	Name Type	Name Inactive Date	Consent Filing #
RUCONIV INC.	In use	Legal		

Instructions:

To place an order for additional information about a filing press the 'Order' button.

Inserted from https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-entity.asp?page=names&:Spagefrom=&:Filing_number=161580200&:Ndocument_number=878959420002&:Npgcurrent=1&:Morder_item_type_id=10

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Tuesday, April 2, 2019 9:26 AM

TEXAS SECRETARY OF STATE

DAVID WHITLEY

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Address: 11952 S RENE ST
OLATHE, KS 66062 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
--------------------------------------	------------------------------------	-----------------------	----------------------------	-----------------------------------	-----------------------------------------

Last Update	Name	Title	Address
May 2, 2017	SERGIO VINO CUR	PRESIDENT	11952 S RENE ST OLATHE, KS 66062 USA
May 2, 2017	SERGIO VINO CUR	DIRECTOR	11952 S RENE ST OLATHE, KS 66062 USA

Instructions:

To place an order for additional information about a filing press the 'Order' button.

Inserted from https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-entity.asp?spage=mgmt&Spagfrom=&Sfiling_number=161580200&Ndocument_number=878959420002&Npgcurrent=1&Norder_item_type_id=10

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Tuesday, April 2, 2019 9:26 AM



TEXAS SECRETARY of STATE

DAVID WHITLEY

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Formation Date: N/A
Tax ID: 19121114268 **FEIN:**
Duration: Perpetual

Name: RUCONIV INC.
Address: 11952 S RENE ST
OLATHE, KS 66062 USA

REGISTERED AGENT	FILING HISTORY	NAMES	MANAGEMENT	ASSUMED NAMES	ASSOCIATED ENTITIES
--------------------------------------	------------------------------------	-----------------------	----------------------------	-----------------------------------	-----------------------------------------

Assumed Name	Date of Filing	Expiration Date	Inactive Date	Name Status	Counties
--------------	----------------	-----------------	---------------	-------------	----------

No names exist for this filing.

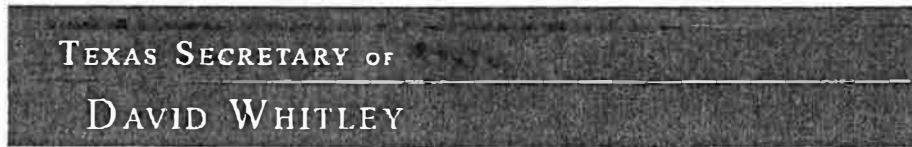
Instructions:

To place an order for additional information about a filing press the 'Order' button.

Inserted from <https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-entity.asp?page=an&Spagefrom=&:5filing_number-161580200&:Ndocument number=878959420002&:Npcurrent=1&:Norder item type id=10>

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Tuesday, April 2, 2019 9:26 AM



TEXAS SECRETARY of STATE

DAVID WHITLEY

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BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

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Formation Date: N/A
Tax ID: 19121114268 **FEIN:**
Duration: Perpetual

Name: RUCONIV INC.

Address: 11952 S RENE ST
OLATHE, KS 66062 USA

<u>REGISTERED</u> <u>AGENT</u>	<u>FILING</u> <u>HISTORY</u>	<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED</u> <u>NAMES</u>	<u>ASSOCIATED</u> <u>ENTITIES</u>	
Name	Entity Type	Document Description	Filing Date	Entity Filing Number	Jurisdiction	Capacity

There are no documents listed for this entity which match your inquiry.

Instructions:

To place an order for additional information about a filing press the 'Order' button.

Inserted from https://direct.sos.state.tx.us/corp_inquiry/corp_inquiry-entity.asp?spage=ae&:Spagfrom=&:Sfiling_number=161580200&:Ndocument_number=878959420002&:Npgcurrent=1&:Norder_item_type_id=10

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

E

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Public Information Report

TX2018 05-102
Ver. 9.0 (Rev.9-15/33)

Texas Franchise Tax Public Information Report
To be filed by Corporations, Limited Liability Companies (LLC), Limited Partnerships (LP),
Professional Associations (PA) and Financial Institutions

■ Tcode 13196

■ Taxpayer number **19121114268** ■ Report year **2018**

You have certain rights under Chapter 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at 1-800-252-1381.

Taxpayer name **RUCONIV INC** Check box if the mailing address has changed.
Mailing address **11952 S RENE ST** Secretary of State (SOS) file number or Comptroller file number
City **OLATHE** State **KS** ZIP code plus 4 **66062** **0165580200**

Check box if there are currently no changes from previous year; if no information is displayed, complete the applicable information in Sections A, B and C.

Principal office **SERGIO VINO CUR, 11952 S RENE ST, OLATHE, KS, United States, 66062**
Principal place of business **SERGIO VINO CUR, 11952 S RENE ST, OLATHE, KS, United States, 66062**



You must report officer, director, member, general partner and manager information as of the date you complete this report.

Please sign below! This report must be signed to satisfy franchise tax requirements.

SECTION A Name, title and mailing address of each officer, director, member, general partner or manager.

Name	Title	Director <input type="checkbox"/> YES	Term expiration	<i>m m d d y y</i>
Mailing address	City	State	ZIP Code	
Name	Title	Director <input type="checkbox"/> YES	Term expiration	<i>m m d d y y</i>
Mailing address	City	State	ZIP Code	
Name	Title	Director <input type="checkbox"/> YES	Term expiration	<i>m m d d y y</i>
Mailing address	City	State	ZIP Code	

SECTION B Enter information for each corporation, LLC, LP, PA or financial institution, if any, in which this entity owns an interest of 10 percent or more.

Name of owned (subsidiary) corporation, LLC, LP, PA or financial institution	State of formation	Texas SOS file number, if any	Percentage of ownership
Name of owned (subsidiary) corporation, LLC, LP, PA or financial institution	State of formation	Texas SOS file number, if any	Percentage of ownership

SECTION C Enter information for each corporation, LLC, LP, PA or financial institution, if any, that owns an interest of 10 percent or more in this entity.

Name of owned (parent) corporation, LLC, LP, PA or financial institution	State of formation	Texas SOS file number, if any	Percentage of ownership
--------------------------------------------------------------------------	--------------------	-------------------------------	-------------------------

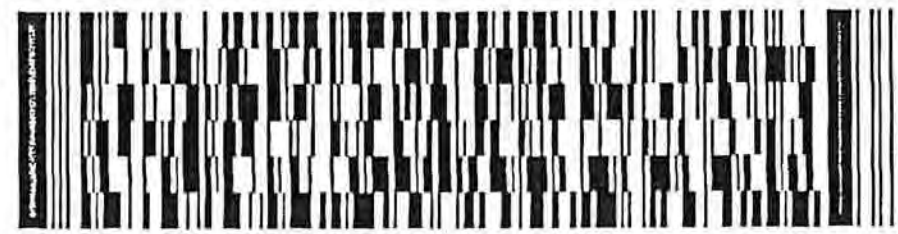
Registered agent and registered office currently on file (see instructions if you need to make changes)
Agent: **REGISTERED AGENT SOLUTIONS, INC** You must make a filing with the Secretary of State to change registered agent, registered office or general partner information.
Office: **1701 DIRECTORS BLVD** City **AUSTIN** State **TX** ZIP Code **78744**

The information on this form is required by Section 171.203 of the Tax Code for each corporation, LLC, LP, PA or financial institution that files a Texas Franchise Tax Report. Use additional sheets for Sections A, B and C, if necessary. The information will be available for public inspection.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief, as of the date below, and that a copy of this report has been mailed to each person named in this report who is an officer, director, member, general partner or manager and who is not currently employed by this or a related corporation, LLC, LP, PA or financial institution.

sign here Title **PRESIDENT** Date **03/14/2018** Area code and phone number **(913) 406-1584**

Texas Comptroller Official Use Only



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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

F

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Texas Comptroller of Public Accounts



Franchise Tax Account Status

As of : 04/02/2019 09:22:09

This Page is Not Sufficient for Filings with the Secretary of State

RUCONIV INC.

Texas Taxpayer Number 19121114268

Mailing Address 3711 RETREAT RUN SAN ANTONIO, TX
78253-6450

Right to Transact Business in Texas ACTIVE

State of Formation TX

Effective SOS Registration Date 02/12/2001

Texas SOS File Number 0161580200

Registered Agent Name REGISTERED AGENT SOLUTIONS, INC.

Registered Office Street Address 1701 DIRECTORS BLVD. SUITE 300 AUSTIN,
TX 78744

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

G

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Photographic Documentation

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows the overview of the "Asphalt Parking Lot Storage Area".

Photo 1 of 78



Photo shows the overview of the "Asphalt Parking Lot Storage Area".

Photo 2 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows the overview of the "Asphalt Parking Lot Storage Area".

Photo 3 of 78



Photo shows the overview of the "Asphalt Parking Lot Storage Area".

Photo 4 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	AG
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows the overview of the "Asphalt Parking Lot Storage Area".

Photo 5 of 78



Photo shows double stacked pallets of 1-quart cans of paint.

Photo 6 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows double stacked pallets of 1-quart cans of paint and waste paint..

Photo 7 of 78



Photo shows 275-gallon poly-bulk container filled with paint; double stacked pallets of 1-quart and 1-gallon cans of paint.

Photo 8 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk containers filled with paint; double stacked pallets of 1-quart and 1-gallon cans of paint

Photo 9 of 78



Photo shows a pallet stacked with four (4) 55-gallons drums filled with paint.

Photo 10 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>ag</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk containers filled with paint; double stacked pallets of 1-quart and 1-gallon cans of paint.

Photo 11 of 78



Photo shows 275-gallon poly-bulk containers filled with paint.

Photo 12 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows double stacked pallets of 1-gallon cans of paint

Photo 13 of 78



Photo shows single/double stacked pallets of 1-gallon cans of paint

Photo 14 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk containers filled with paint; double stacked pallets of 1-quart and 1-gallon cans of paint.

Photo 15 of 78



Photo shows 275-gallon poly-bulk containers filled with paint; double stacked pallets of 1-quart and 1-gallon cans of paint.

Photo 16 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk containers filled with paint; double stacked pallets of 1-quart and 1-gallon cans of paint.

Photo 17 of 78



Photo shows stacks of 5-gallon waste paint.

Photo 18 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows stacks of 2-gallon waste paint.

Photo 19 of 78



Photo shows stacks of 1-gallon waste paint.

Photo 20 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	January 29, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows stacks of 1-gallon waste paint.

Photo 21 of 78



Photo shows 15 boxes, 24 per box of leaking yellow spray paint aerosol can boxes.

Photo 22 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>Wb</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows the overview of the "Fenced In Back Patio Storage Area".

Photo 23 of 78



Photo shows 275-gallon poly-bulk containers filled with waste paint; single stacked pallets of 1-quart and 1-gallon cans of waste paint.

Photo 24 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single stacked pallets of 1-gallon cans of waste paint.

Photo 25 of 78



Photo shows 1-gallon cans and 5-gallon buckets of waste paint.

Photo 26 of 78

PHOTOGRAPHIC DOCUMENTATION


Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 1-quart cans of waste paint.

Photo 27 of 78



Photo shows double stacked pallets of 1-quart and 1-gallon cans of waste paint.

Photo 28 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 29 of 78



Photo shows double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 30 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk containers filled with waste paint; single/double stacked pallets of 1-quart cans, 1-gallon cans and 5-gallon buckets of waste paint.

Photo 31 of 78



Photo shows 2-gallon bucket of waste vinyl paste.

Photo 32 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk container filled with waste paint; single/double stacked pallets of 1-quart waste paint and 2-gallon buckets of waste vinyl paste.

Photo 33 of 78



Photo shows double stacked pallets of seven (7) inch paint roller frames.

Photo 34 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>Ah</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows the packaging of the seven (7) inch paint roller frames.

Photo 35 of 78



Photo shows double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 36 of 78

PHOTOGRAPHIC DOCUMENTATION


Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single stacked pallets of 1-quart cans of waste paint.

Photo 37 of 78



Photo shows single stack of 1-gallon waste paint.

Photo 38 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No	N/A	Investigator's Signature	<i>WA</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 39 of 78



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 40 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>Ah</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 1-quart cans of waste paint.

Photo 41 of 78



Photo shows 1-quart cans of waste paint.

Photo 42 of 78

PHOTOGRAPHIC DOCUMENTATION


Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 43 of 78



Photo shows double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 44 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows broken 1-quart cans of waste vinyl paste.

Photo 45 of 78



Photo shows 1-quart can of waste vinyl paste.

Photo 46 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 275-gallon poly-bulk containers filled with paint; double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 47 of 78



Photo shows 275-gallon poly-bulk containers filled with paint; single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 48 of 78

PHOTOGRAPHIC DOCUMENTATION


Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 1-gallon can of waste paint.

Photo 49 of 78



Photo shows double stacked pallets of 1-gallon cans of waste paint.

Photo 50 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows double stacked pallets of 1-quart cans and 1-gallon cans of waste paint.

Photo 51 of 78



Photo shows double stacked pallets of 1-gallon cans and 5-gallon buckets of waste paint.

Photo 52 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 1-gallon cans of waste paint.

Photo 53 of 78



Photo shows 1-quart cans of waste paint.

Photo 54 of 78

PHOTOGRAPHIC DOCUMENTATION


Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	
Investigation Date	January 20, 2019 February 12, 2019		



Photo shows 1-quart cans of waste paint.

Photo 55 of 78



Photo shows 5-gallon buckets of waste paint.

Photo 56 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows a 5-gallon bucket of waste paint.

Photo 57 of 78



Photo shows a 1-gallon can of waste paint.

Photo 58 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 59 of 78



Photo shows double stacked pallets of 1-quart waste paint.

Photo 60 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 61 of 78



Photo shows a pile of 1-quart cans of waste paint

Photo 62 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
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Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows 5-gallon buckets of waste paint.

Photo 63 of 78



Photo shows a 1oz. factory match finish paint.

Photo 64 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows a single stacked pallet of 1oz. factory match finish paint.

Photo 65 of 78



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 66 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single/double stacked pallets of 1-quart cans, 1-gallon cans, and 5-gallon buckets of waste paint.

Photo 67 of 78



Photo shows single stacked pallet of carpet cleaner.

Photo 68 of 78

PHOTOGRAPHIC DOCUMENTATION


Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows a single stacked pallet of boxed miscellaneous screw sets.

Photo 69 of 78



Photo shows a single stacked pallet of boxed miscellaneous screw sets.

Photo 70 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019 February 12, 2019		



Photo shows single stacked pallet of 5oz. duplicolor autobody spray.

Photo 71 of 78



Photo shows single stacked pallet of 5oz. duplicolor autobody spray.

Photo 72 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows single stacked pallet of 1-gallon waste paint.

Photo 73 of 78



Photo shows paint transferred from its original container to a 1-gallon plastic container.

Photo 74 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows empty 1-gallon buckets.

Photo 75 of 78



Photo shows paint can lids belong to "waste" paint cans.

Photo 76 of 78

PHOTOGRAPHIC DOCUMENTATION

Facility Name	Templeton Storage Site at 415 Eye St.	Photograph Day	February 1, 2019
TCEQ ID No.	R15110435245	County	Cameron
EPA ID No.	N/A	Facility Location	415 Eye St., Harlingen, Texas
Investigation No.	1552969	TCEQ Investigator	Alejandro Garcia
Incident No.	N/A	Investigator's Signature	<i>AG</i>
Investigation Date	January 20, 2019-February 12, 2019		



Photo shows paint can lids belong to "waste" paint cans.

Photo 77 of 78



Photo shows paint can lids belong to "waste" paint cans.

Photo 78 of 78

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

H

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Site Diagram

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
LEGEND FOR SITE DIAGRAM**

- A. 1-GALLON CANS, SINGLE STACKED PALLET OF PAINT , 3 X 3 X 5, 4 PER BOX.
- A1. 1-GALLON CANS, DOUBLE STACKED PALLET OF PAINT, 1 PALLET: 3 X 3 X 5, 4 PFR BOX.
- B. 1-QUART CANS, SINGLE STACKED PALLET OF PAINT, 3 X 3 X 6, 9 PER BOX.
- B1. 1-QUART CANS, DOUBLE STACKED PALLET OF PAINT, 1 PALLET: 3 X 3 X 6, 4 PER BOX.
- BA. 1-QUART CANS, SINGLE STACKED PALLET OF PAINT, 4 X 4 X 6, 9 PER BOX.
- BA1. 1-QUART CANS, DOUBLE STACKED PALLET OF PAINT, 1 PALLET: 4 X 4 X 6, 4 PER BOX.
- C. 5-GALLON BUCKETS, SINGLE STACKED PALLET OF PAINT, 3 X 3 X 3.
- C1. 5-GALLON BUCKETS, SINGLE STACKED PALLET OF PAINT, 1 PALLET: 3 X 3 X 3.
- CA. 5-GALLON BUCKETS, SINGLE STACKED PALLET OF PAINT, 3 X 3 X 3.
- D. 55-GALLON METAL DRUM SINGLE STACKED PALLET OF PAINT, 4 PER PALLET.
- E. 1-QUART CANS, SINGLE STACK PALLET OF VINYL PASTE, 3 X 3 X 4, 4 PER BOX.
- EA. 2-GALLON BUCKET, SINGLE STACK PALLET OF VINYL PASTE, 3 X 3 X 4.
- EB. 5-GALLON BUCKET, SINGLE STACK PALLET OF VINYL PASTE, 3 X 3 X 2.
- F. SINGLE STACKED PALLET OF 7-INCH PAINT ROLLER FRAME, 3 X 4 X 8, 12 PER BOX.
- G. SINGLE STACKED PALLET OF RAINGUARD MULTI-SURFACE WATERPROOFING LIQUID, 3 X 3 X 2, 4 PER BOX.
- H. SINGLE STACKED PALLET OF 1OZ. FACTORY MATCH FINISH PAINT, 5 X 7 X 7, 24 PER BOX.
- I. SINGLE STACKED PALLET OF TARPS, 3 X 3 X 3, 10 PER BOX.
- J. SINGLE STACKED PALLET OF CARPET CLEANER, 4 X 4 X 4, 6 PER BOX.
- K. SINGLE STACKED PALLET OF MISCELLANEOUS SCREW SETS, 3 X 3 X 4, 8 PER BOX.
- L. SINGLE STACKED PALLET 5OZ. DUPLICOLOR AUTOBODY SPRAY 3 X 3 X 4, 16 PER BOX.
- M. 275-GALLON POLY-BULK PLASTIC CONTAINER OF PAINT.
- N. THE LETTER IS NOT USED SINCE IT IS REPRESENTING NORTH ON THE SITE. DIAGRAM.
- O. THE LETTER IS NOT USED TO AVOID CONFUSION WITH THE NUMBER ZERO (0).
- P. CHURCH'S CHICKEN ORDER SPEAKER BOX.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
SITE DIAGRAM

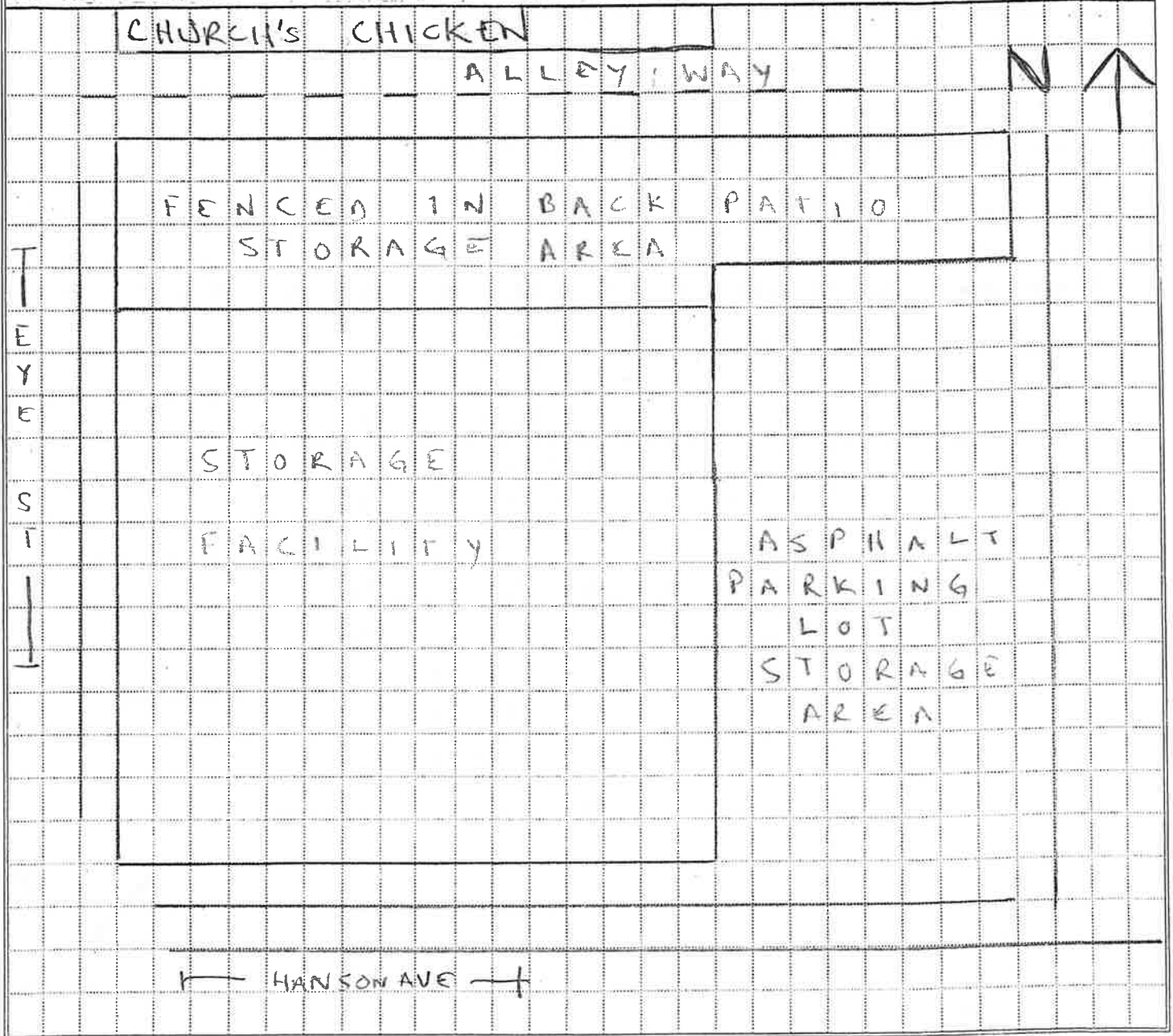
Regulated Entity Name:

County:

Investigation Date:

TCEQ Investigator:

Site Diagram



Not to scale.

Notes:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
 SITE DIAGRAM

Regulated Entity Name:

County:

Investigation Date:

TCEQ Investigator:

Site Diagram

CHURCH'S WICKEN

ALLEY WAY

FENCED IN BACK PATIO

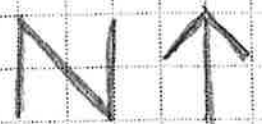
STORAGE AREA

B B I B I B I B I B I
 B I B I A I
 B I M

A I A I A I A I D D M
 A I A I A I A I M M M
 A A A M M
 M A/B M
 M M

STORAGE

FACILITY



Not to scale.

Notes:

— HANSON AVE —

* NOT DRAWN
 TO SCALE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
SITE DIAGRAM

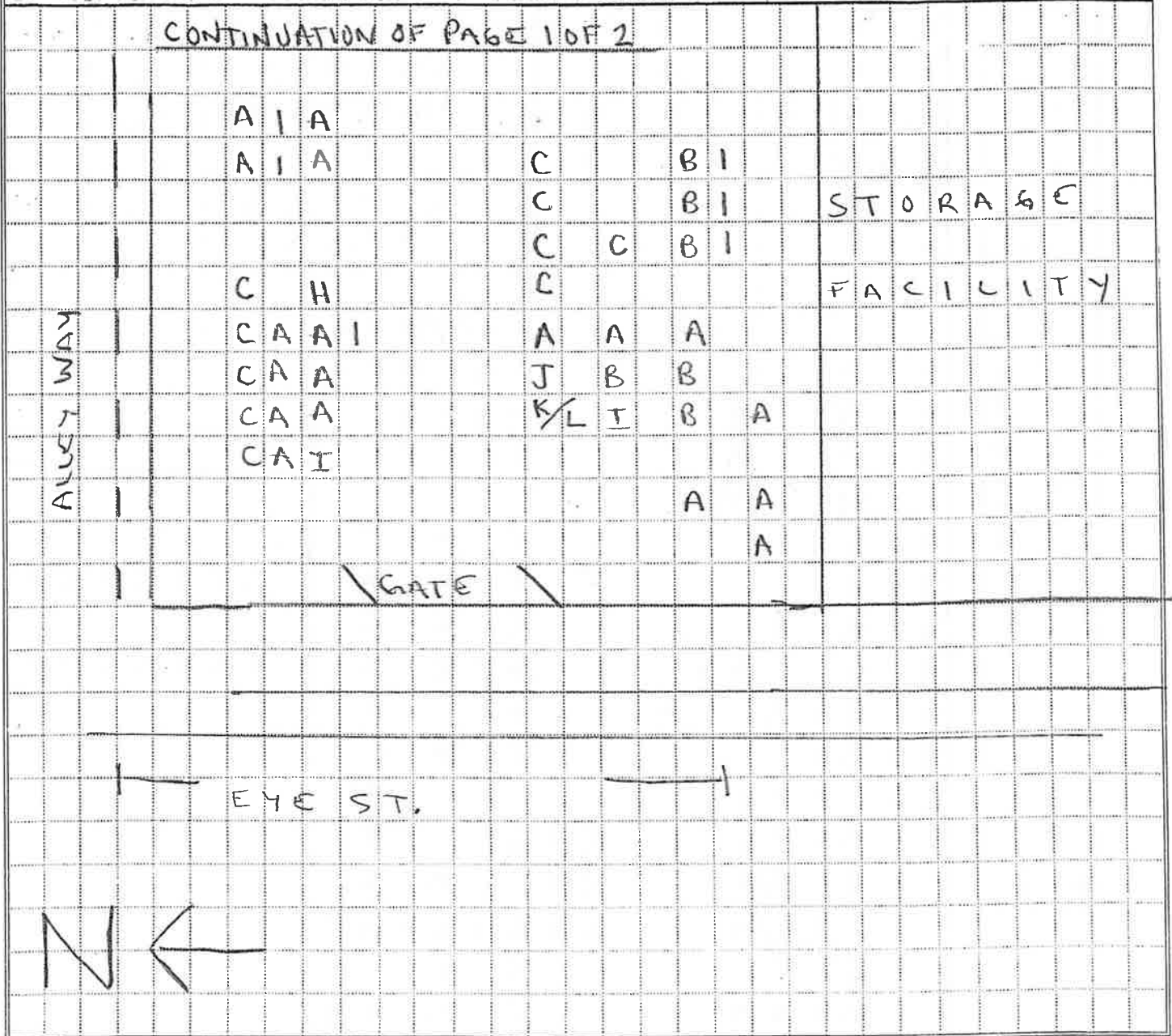
Regulated Entity Name:

County:

Investigation Date:

TCEQ Investigator:

Site Diagram



Not to scale.

Notes:

NOT DRAWN TO SCALE.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT	I
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Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245	Investigation No:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

MSW Calculations

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
MSW CALCULATIONS**

- **Asphalt Parking Lot Storage Area**

- a. 2-Single stacked pallet of 1-quart cans in boxes, 3 by 3 by 6, 9 per box or 121.5 gallons per pallet stack.
 - i. $3*3*6=54$
 - ii. $54*9=486$ qt.
 - 1. 1 quart=0.25 gallons
 - 2. $486\text{ qt.}*0.25=121.5$ gallons
 - a. $121.5\text{ gal.}*2=243$ gallons of paint.
 - b. 0 gallons of waste paint.
- b. 9-Double stacked pallet of 1-quart cans in boxes, 3 by 3 by 6, 9 per box or 121.5 gallons per pallet stack.
 - i. $3*3*6=54$
 - ii. $54*9*2=972$ qt.
 - 1. 1 quart=0.25 gallons
 - 2. $972\text{ qt.}*0.25=243$ gallons
 - a. $243\text{ gal.}*9=2,187$ gallons of paint.
 - b. 243 gallons of waste paint.
- c. 4-Single stacked pallet of 1-gallon paint cans in boxes, 3 by 3 by 5, 4 per box or 180 gallons per pallet stack.
 - i. $3*3*5=45$
 - ii. $45*4=180$ gal.
 - 1. $180\text{ gal.}*4=720$ gallons of paint.
 - 2. 0 gallons of waste paint.
- d. 10-Double stacked pallet of 1-gallon paint cans in boxes, 3 by 3 by 5, 4 per box or 180 gallons per pallet stack.
 - i. $3*3*5=45$
 - ii. $45*4*2=360$ gal.
 - 1. $360\text{ gal.}*10=3,600$ gallons of paint.
 - 2. 0 gallons of waste paint.
- e. 14- 275-gallon poly-bulk plastic container of paint.
 - 1. $275\text{ gal.}*14=3,850$ gallons of paint.
 - 2. 0 gallons of waste paint.

- Total Asphalt Parking Lots Storage Area Waste
 - a. 243 gallons of waste paint.

- **Storage Facility Area**

- a. 4 by 4 by 8 boxes, 12 per box of yellow spray paint aerosol cans.
 - i. $4*4*8=128$
 - ii. $128*12=1,536$ aerosol cans of spray paint
 - 1. 1,536 aerosol cans of spray paint.
 - 2. 1,536 aerosol cans of waste spray paint.

- b. 1 broken 5-gallon bucket of paint.
 - i. 5 gallons of paint.
 - ii. 5 gallons of waste paint.
 - c. 3 by 3 by 4 boxes, 4 per box of 1-gallon paint cans.
 - i. $3*3*4=36$
 - ii. $36*4=144$ gal.
 - 1. 144 gallons of paint.
 - 2. 144 gallons of waste paint.
 - d. 3 by 3 by 5 boxes, 4 per box of 1-gallon paint cans.
 - i. $3*3*5=45$
 - ii. $45*4=180$ gal.
 - 1. 180 gallons of paint.
 - 2. 180 gallons of waste paint.
 - e. 20-1-gallon cans of paint.
 - i. $20*1=20$ gal.
 - 1. 20 gallons of paint.
 - 2. 20 gallons of waste paint.
 - f. 40-1-gallon cans of paint.
 - i. $40*1=40$ gal.
 - 1. 40 gallons of paint.
 - 2. 40 gallons of waste paint.
 - g. 45-2-gallon buckets of Mr. Mac's Asphalt Sealer.
 - i. $45*2=90$ gal.
 - 1. 90 gallons sealer.
 - 2. 90 gallons of waste sealer.
- Total Storage Facility Area Waste
 - a. $5+144+180+20+40+90=479$ gal.
 - i. 479 gallons of waste paint and 1,536 aerosol cans of waste spray paint.
 - **Fenced In Back Patio Storage Area**
 - a) 14-Single stacked pallet of 1-quart cans in boxes, 3 by 3 by 6, 9 per box or 121.5 gallons per pallet stack.
 - i) $3*3*6=54$
 - ii) $54*9=486$ qt.
 - (1) 1 quart=0.25 gallons
 - (2) $486 \text{ qt.} * 0.25 = 121.5$ gallons
 - (a) $121.5 \text{ gal.} * 14 = 1,701$ gallons of paint.
 - (b) 1,701 gallons of waste paint.
 - b) 15-Double stacked pallet of 1-quart cans in boxes, 3 by 3 by 6, 9 per box or 121.5 gallons per pallet stack.
 - i) $3*3*6=54$
 - ii) $54*9*2=972$ qt.
 - (1) 1 quart=0.25 gallons
 - (2) $972 \text{ qt.} * 0.25 = 243$ gallons
 - (a) $243 \text{ gal.} * 15 = 3,645$ gallons of paint.

- (b) 3,645 gallons of waste paint.
- c) 3-Single stacked pallet of 1-quart cans in boxes, 4 by 4 by 6, 4 per box or 96 gallons per pallet stack.
- i) $4*4*6=96$
 - ii) $96*4=384$ qt.
 - (1) 1 quart=0.25 gallons
 - (2) $384 \text{ qt.} * 0.25 = 96$ gallons
 - (a) $96 \text{ gal.} * 3 = 288$ gallons of paint.
 - (b) 288 gallons of waste paint.
- d) 8-Double stacked pallet of 1-quart cans in buckets, 4 by 4 by 6, 4 per box or 96 gallons per pallet stack.
- i) $4*4*6=96$
 - ii) $96*4*2=768$ qt.
 - (1) 1 quart=0.25 gallons
 - (2) $768*0.25=192$ gal
 - (a) $192 \text{ gal.} * 8 = 1,536$ gallons of paint.
 - (b) 1,536 gallons of waste paint.
- e) 41-Single stacked pallet of 1-gallon paint cans, 3 by 3 by 5, 4 per box or 180 gallons per pallet stack.
- i) $3*3*5=45$
 - ii) $45*4=180$ gallons
 - (1) $180*41=7,380$ gallons of paint.
 - (2) 7,380 gallons of waste paint.
- f) 11-Double stacked pallet of 1-gallon paint cans, 3 by 3 by 5, 4 per box or 180 gallons per pallet stack.
- i) $3*3*5=45$
 - ii) $45*4*2=360$ gallons
 - (1) $360 \text{ gal.} * 11 = 3,960$ gallons of paint.
 - (2) 3,960 gallons of waste paint.
- g) 23-Single stacked pallet of 5-gallon paint buckets, 3 by 3 by 3 or 135 gallons per pallet stack.
- i) $3*3*3=27$
 - ii) $27*5=135$ gallons
 - (1) $135 \text{ gal.} * 23 = 3,105$ gallons of paint.
 - (2) 3,105 gallons of waste paint.
- h) 4-Single stacked pallet of 5-gallon paint buckets, 3 by 3 by 2 or 90 gallons per pallet stack.
- i) $3*3*2=18$
 - ii) $18*5=90$ gallons
 - (1) $90 \text{ gal.} * 4 = 360$ gallons of paint.
 - (2) 360 gallons of waste paint.
- i) 4-Double stacked pallet of 5-gallon paint buckets, 3 by 3 by 3 or 135 gallons per pallet stack.
- i) $3*3*3=27$
 - ii) $27*5*2=270$ gallons
 - (1) $270 \text{ gal.} * 4 = 1,080$ gallons of paint.

- (2) 1,080 gallons of waste paint.
- j) 1- Single stacked pallet of 1-quart cans in boxes, 3 by 3 by 4, 4 per box or 36 gallons per pallet stack.
- i) $3*3*4=36$
- ii) $36*4=144$ qt.
- (1) 1 quart=0.25 gallons
- (2) $144 \text{ qt.} * .25 = 36$ gallons
- (a) $36 \text{ gal.} * 1 = 36$ gallons of vinyl paste.
- (b) 36 gallons of was vinyl paste.
- k) 1- Single stacked pallet of 2-gallon vinyl paste buckets, 3 by 3 by 4, or 72 gallons per pallet stack.
- i) $3*3*4=36$
- ii) $36*2=72$ gallons
- (1) 72 gal. *1=72 gallons of vinyl paste.
- (2) 72 gallons of waste vinyl paste.
- l) 1- Single stacked pallet of 5-gallon vinyl paste buckets, 3 by 3 by 2, or 90 gallons per pallet stack.
- i) $3*3*2=18$
- ii) $18*5=90$ gallons
- (1) 90 gal.*1=90 gallons of vinyl paste.
- (2) 90 gallons of waste vinyl paste.
- m) 7- 275-gallon poly bulk plastic container of paint.
- i) $275 \text{ gal.} * 7 = 1,925$ gallons of paint
- (1) 1,925 gallons of paint.
- (2) 1,925 gallons of waste paint.
- Total Fenced In Back Patio Storage Area Waste
 - a. $1,701+3,645+288+1,536+7,380+3,960+3,105+360+1,080+36+72+90+1,925.=$
 - i. 25,178 gallons of waste paint.
 - Total Waste (Combined Areas)
 - a. $243+479+25,178=25,900$ gallons of waste paint.
 - b. 1,536 aerosol cans of waste spray paint.
 - i. **Waste consisting of 25,900 gallons of waste paint and 1,536 aerosol cans of waste spray paint.**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

J

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R15110435245 0	Investigation No.:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

Extension Request Letter

February 7, 2019
p1 of

To: Texas Commission on Environmental Quality
From: William Templeton, Owner of Templeton
Storage site a 415 S. Eye St, Harlingen, Texas
Subject: Request for an extension of time to clean
up my property.

Received

FEB 07 2019

T.C.E.Q.-Region 15

I hereby formally request six months of additional time to clean up this property. If approved, I would be happy to making said approval contingent upon my providing monthly photographic evidence of continuing cleanup progress to the local TCEQ office. Thousands of gallons of paint and other products are stored at this site and even with my continued diligence, a lot of time and effort on my part is going to be needed to clean it up. The vast majority of the products at this site can be rehabilitated and sold at my discount ~~to~~ store in Harlingen.

I have leased one large and one small warehouse units at Weber Storage on Primera Rd. in Primera. I pay \$650- per month for this storage space. I plan to shrink wrap and move numerous pallets from 415 S. Eye St. to the recently acquired Primera Rd. location. My goal is to move all remaining products into the fenced area or inside the Eye St. building. Another priority will be to lower all product to below the top of the fence on the Tyler St. side of the property.

I have had significant health issues in the past few months. I June 2018 I fell while crossing Tyler St. in Harlingen and was virtually incapacitated for a month. I am a type 2 diabetic and take 1500 milligrams of Metformin per day. I have heart and blood pressure issues and take two medications daily. Dr. Evans at the Heart Clinic and Dr. Davila at Wellmed on Loop 499 in Harlingen are my physicians.

I have an agreed order with the TCEQ concerning my property located east of Rio Hondo at the intersection of FM 803 and FM 106. I have agreed to pay \$2,900. - to Ambiotic Environmental Services for preliminary field work and management oversight at that location. I have already ^{paid} \$1,950 - of that amount and the balance will be due soon when the waste classification is complete. I have little cash on hand and have exhausted most of my lines of credit and therefore must rely on profits from my discount store in Harlingen to fund this cleanup. I do own a large product inventory that is paid for and will liquidate as much as I can to raise cash. However, this requires that I spend a lot of time mixing paint and stocking my store to accomplish this. I am dedicated to cleaning up this property and my hope is that TCEQ will allow me this six month extension of time to accomplish this goal.

Respectfully Submitted
William D. Templeton
2/07/19

Received

FEB 07 2019

T.C.E.Q.-Region 15

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



ATTACHMENT

K

Entity Name:	Tempelton Storage Site at 415 Eye St.	Investigation Date:	January 29, 2019-February 12, 2019
TCEQ ID No.:	R151104352450	Investigation No.:	1552969
County:	Cameron	Investigator:	Alejandro Garcia

Comments:

TCEQ Exit Interview Form

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	TEMPLETON STORAGE SITE AT HIS EYE ST	TCEQ Add. ID No.	R15110435245
Investigation Type	CSE	Contact Made In-House (Y/N)	Y
Regulated Entity Contact	WILLIAM TEMPLETON	Purpose of Investigation	FOLLOW UP INVESTIGATION
Title	OPERATOR	Telephone No.	
		Fax No.	
		Date Contacted	
		Date Faxed	

NOTICE: The information provided in this form is intended to provide clarity to issues that have arisen during the investigation process between the TCEQ and the regulated entity named above and *does not represent final TCEQ findings related to violations*. Any potential or alleged violations discovered after the date on this form will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in a final investigation report.

Issue		For Records Request: identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues: include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type ¹	Rule Citation (if known)	Description of Issue
1	AV	330.15(a)	FAILURE TO COMPLY WITH GENERAL PROHIBITION REQUIREMENTS STATED IN 330.15(a) REPORT B VIOLATION
2	AV	330.15(c)	FAILURE TO COMPLY WITH GENERAL PROHIBITION REQUIREMENTS STATED IN 330.15(c) REPORT B VIOLATION
3	O		EXPLAINED TO RESPONDENT OF VIOLATIONS & CORRECTIVE ACTIONS, IF NOT MET RETURN TO ENFORCEMENT.

¹Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Did the investigator advise the regulated entity representative that continued operation is not authorized?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Alexandra ALJANORO GARCIA	2/1/2019	William J Templeton WILLIAM TEMPLETON	2/1/19
Investigator Name (Signed & Printed)	Date	Regulated Entity Representative Name (Signed & Printed)	Date

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512-239-3282.