EXECUTIVE SUMMARY - ENFORCEMENT MATTER - CASE No. 59196 **Inland Recycling La Grange LC** RN105003388

Docket No. 2020-0750-MLM-E

Order Type:

Default Order (SOAH preliminary hearing)

Media:

MLM: WQ, AIR, IHW, and Used Oil

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

751 Hatterman Road, La Grange, Fayette County (the "Site")

Type of Operation:

recycling and glycerin refining site

Other Significant Matters:

Additional Pending Enforcement Actions: None Past-Due Penalties: None

Past-Due Fees: \$491.90 (20046357 Referred)

Other: None **Interested Third Parties:** None

Texas Register Publication Date: June 3, 2022

Comments Received: None

Penalty Information

Total Penalty Assessed: \$137,805

\$0 Total Paid to General Revenue:

Total Due to General Revenue: \$137.805

Compliance History Classifications:

Person/CN - HIGH Site/RN - HIGH

No **Major Source: Statutory Limit Adjustment:** None

Applicable Penalty Policy: April 2014

Investigation Information

Complaint Date(s): N/A

May 13, 2019, through June 18, 2019 Date(s) of Investigation:

N/A Date(s) of NOV(s):

Date(s) of NOE(s): March 16, 2020

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Violation Information

- 1. Failed to keep records of all industrial solid waste ("ISW") activities regarding the quantities generated, stored, processed, and disposed of on-site, or shipped offsite for storage, processing, or disposal [30 Tex. Admin. Code § 335.9(a)(1)].
- 2. Failed to submit written notice to the TCEQ which includes the types of ISW or municipal hazardous waste to be recycled, the method of storage prior to recycling, and the nature of the recycling activity 90 days prior to engaging in such activities [30 Tex. ADMIN. CODE §§ 335.6(h) and 335.24].
- 3. Failed to conduct hazardous waste determinations and waste classifications [30 Tex. Admin. Code § 335.62 and 40 C.F.R. § 262.11(a)].
- 4. Failed to obtain authorization to discharge stormwater associated with industrial activities [Tex. Water Code § 26.121, 30 Tex. Admin. Code § 281.25(a)(4), and 40 C.F.R. § 122.26(c)].
- 5. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW [30 Tex. ADMIN. CODE § 335.4].
- 6. Failed to obtain authorization prior to constructing or modifying a source of air contaminants [Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), and 30 Tex. Admin. Code § 116.110(a)].
- 7. Failed to notify the TCEQ as soon as possible but no later than 24 hours after the discovery of a spill or discharge [30 Tex. ADMIN. CODE § 327.3(b)].
- 8. Failed to immediately abate and contain a discharge or spill [30 Tex. ADMIN. CODE §§ 327.5 and 350.2(b)].
- 9. Failed to prepare and implement a Stormwater Pollution Prevention Plan ("SWP3") [30 Tex. ADMIN. CODE § 305.125(1) and TPDES General Permit No. TXR05EJ17, Part III, Section A].
- 10. Failed to mark or clearly label used oil storage containers with the words "Used Oil" [30 Tex. ADMIN. CODE § 324.6 and 40 C.F.R. § 279.22(c)(1)].
- 11. Failed to clean up and manage properly used oil [30 Tex. ADMIN. CODE § 324.15 and 40 C.F.R. § 279.22(d)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

Obtained authorization to discharge stormwater associated with industrial activities, on May 28, 2019 (Violation No. 4).

Technical Requirements:

- 1. Immediately:
 - a. Cease disposing and discharging any additional ISW and used oil at the Site (Violation Nos. 5 and 8); and
 - b. Begin maintaining all records of ISW activities at the Site regarding the quantities generated, stored, processed, disposed of on-site or shipped offsite for storage, processing, or disposal, including those for speculatively accumulated salts, spilled glycerin, spilled free-fatty acids ("FFAs"), contaminated water and soil, watered glycerin, and other wastewaters (Violation No. 1).
- 2. Within 15 days, submit an administratively complete registration or an administratively complete permit application to authorize the current operations at the Site (Violation No. 6).
- 3. Within 30 days, submit written certification to demonstrate compliance for Technical Requirements Nos. 1.a. and 1.b.
- 4. Within 45 days, unless another deadline is expressly provided, properly remove all ISW from the Site (e.g., spilled glycerin, spilled FFAs, contaminated water) and dispose of it at an authorized facility (Violation No. 5).

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- 5. Within 60 days:
 - a. Mark or clearly label all used oil containers with the words "Used Oil" (Violation No. 10);
 - b. Properly remove and dispose of soil contaminated with used oil, using appropriate corrective measures (Violation No. 11);
 - c. Submit a report describing the details of the discharge or spill of used oil and supporting the adequacy of the response action performed (Violation No. 11);
 - d. Implement procedures to ensure that any spill or discharge of glycerin or FFAs is reported to the TCEQ within 24 hours (Violation No. 7);
 - e. Provide notification to the TCEQ that includes an accurate description of recycling activities for the Site (Violation No. 2);
 - f. Conduct waste determinations and waste classifications for all waste streams at the Site, including wash water, watered glycerin, salts, and contaminated soil and water (Violation No. 3); and
 - g. Develop and implement a SWP3 (Violation No. 9).
- 6. Within 75 days, submit written certification to demonstrate compliance for Technical Requirements Nos. 4 and 5.a. through 5.g.
- 7. Within 120 days, conduct an investigation at the Site and any property affected thereby to determine whether response actions are necessary under the Texas Risk Reduction Program ("TRRP") and submit the results (Violation Nos. 5, 8, and 11).
 - a. If applicable, submit an Affected Property Assessment Report ("APAR").
 - b. If applicable, comply with all applicable TRRP requirements.
- 8. Respond completely and adequately within 15 days or by any other deadline specified to all requests for information concerning information, reports, registrations, or any other submittals.

Litigation Information

Date Petition(s) Filed:November 19, 2021Date Green Card(s) Signed:November 22, 2021Date Answer(s) Filed:December 17, 2021SOAH Referral Date:January 31, 2022

Hearing Date(s):

Preliminary hearing: March 24, 2022 (defaulted)

Contact Information

TCEQ Attorneys: Jess Robinson, Litigation Division, (512) 239-3400

Pranjal Mehta, Public Interest Counsel, (512) 239-6363

TCEO Litigation Agenda Coordinator: Katherine McKenzie, Litigation Division, (512) 239-2575

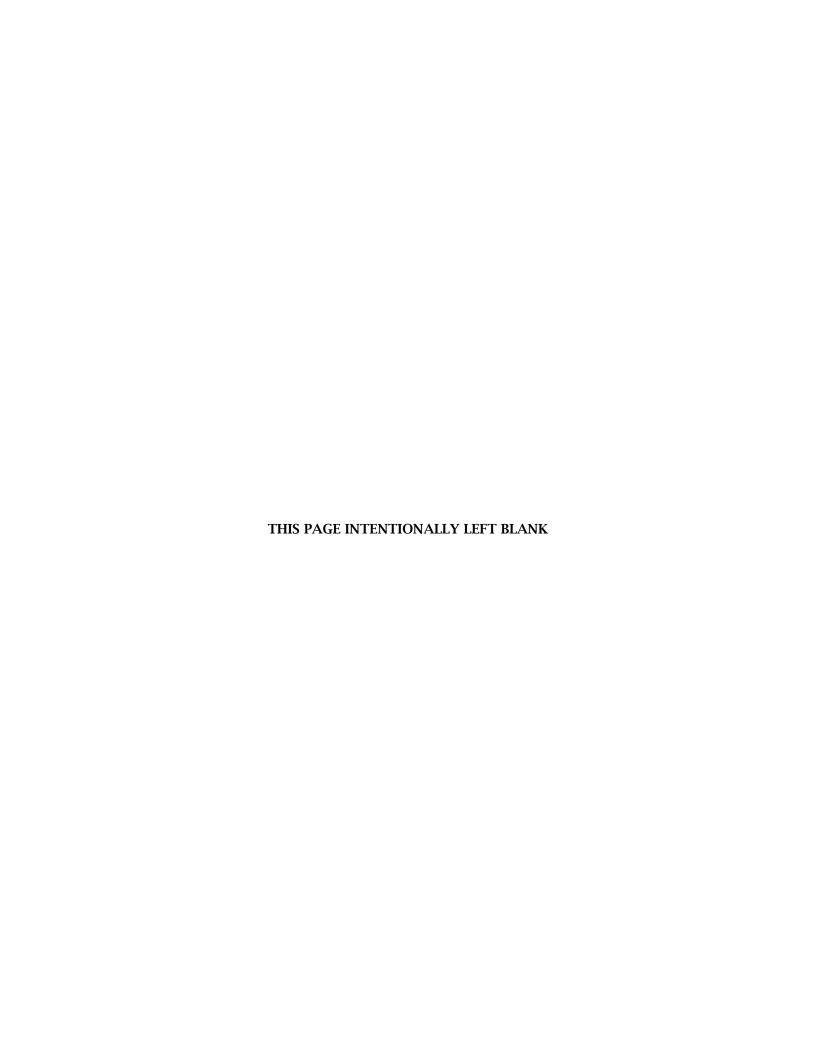
TCEO Enforcement Coordinator: Carlos Molina, Enforcement Division, (512) 239-2557

TCEQ Regional Contact: Elijah Gandee, Austin Regional Office, (512) 339-2929

Respondent Contact: David Polston, President, Inland Recycling La Grange LC, P.O. Box 398,

Columbus, Texas 78934

Respondent's Attorney: N/A



\$134,305



Notes

PAYABLE PENALTY

Penalty Calculation Worksheet (PCW)

SET ON MENTAL OF	Policy F	Revision 4 (April 2014	•	arcaracio	II WOIRSII	1000 (100	,	Revision March 26, 2014
DATES	Assigned	23-Mar-2020						
	PCW	4-Aug-2021	Screening	3-Apr-2020	EPA Due			
RESPO		TY INFORMATI						
Red	g. Ent. Ref. No.		<u>La Grange Lu</u>					
	ty/Site Region				Major/M	inor Source	Minor	
								-
	NFORMATION	F0106			No. a	f Wieletiene	0	
En	f./Case ID No.	2020-0750-MLM	I-F		NO. O	f Violations Order Type	_	
Med		Industrial and H		te	Government			
	Multi-Media	Used Oil, Water	Quality, and A	Air	Enf.		Carlos Molina	
						EC's Team	Enforcement T	eam 7
Adn	nin. Penalty \$ 1	Limit Minimum	\$0	Maximum	\$25,000			
			Penalt	v Calcula	tion Section	n		
OTAL	L BASE PENA	LTY (Sum of		,		,	Subtotal 1	\$133,750
חוום	STMENTS (+	/-) TO SUBT	OTAL 1					
נטנטג	Subtotals 2-7 are of	otained by multiplyin	g the Total Base i	Penalty (Subtotal 1	.) by the indicated pe	ercentage.		
	Compliance Hi	story		-10.0%	Adjustment	Subto	tals 2, 3, & 7	-\$13,375
	Notes	F	Reduction for I	High Performer	classification.			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	espondent doe	s not meet the	culpability crite	ria.		
								+.0
	Good Faith Eff	ort to Comply 1	otai Adjustn	nents			Subtotal 5	\$0
	Economic Ben				Enhancement*		Subtotal 6	\$0
	Estimated	Total EB Amounts I Cost of Compliance	\$8,813 \$98,875	*Сарре	ed at the Total EB \$ A	lmount		
SUM C	OF SUBTOTA	LS 1-7				F	inal Subtotal	\$120,375
		AS JUSTICE N			11.6%		Adjustment	\$13,930
educes o	or enhances the Fina	Subtotal by the indi					1	
	Notes	associated	with Violation		e avoided cost of nd offset High Pe			
						Final Per	alty Amount	\$134,305
STATU	JTORY LIMIT	Γ ADJUSTMEI	NT			Final Asse	ssed Penalty	\$134,305
DEFER	RRAL				0.0%	Reduction	Adjustment	\$0
		nalty by the indicate	d percentage.		0.0 /3		ujusement	40
		_		1.6				

Deferral not offered for non-expedited settlement.

Screening Date 3-Apr-2020

Docket No. 2020-0750-MLM-E

PCW

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Respondent Inland Recycling La Grange LC

Case ID No. 59196

Reg. Ent. Reference No. RN105003388

Media Industrial and Hazardous Waste

Enf. Coordinator Carlos Molina

		Enf. Coo	rdinator	Carlos Molina		
				Compliance History Worksheet		
>>	Со	mpliance Hist Component	ory <i>Site</i> En Number of	hancement (Subtotal 2)	Number	Adjust.
		NOVs	Written not	ices of violation ("NOVs") with same or similar violations as those in enforcement action (number of NOVs meeting criteria)	0	0%
			Other writte	en NOVs	0	0%
				final enforcement orders containing a denial of liability (<i>number of ting criteria</i>)	0	0%
		Orders	without a	cated final enforcement orders, agreed final enforcement orders denial of liability, or default orders of this state or the federal t, or any final prohibitory emergency orders issued by the commission	0	0%
		Judgments	of liability	judicated final court judgments or consent decrees containing a denial of this state or the federal government (number of judgments or crees meeting criteria)	0	0%
		and Consent Decrees	final court j	rated final court judgments and default judgments, or non-adjudicated udgments or consent decrees without a denial of liability, of this state ral government	0	0%
		Convictions	Any crimin counts)	al convictions of this state or the federal government (number of	0	0%
		Emissions	Chronic exc	essive emissions events (number of events)	0	0%
		Audits	Texas Envi	fying the executive director of an intended audit conducted under the ronmental, Health, and Safety Audit Privilege Act, 74th Legislature, ber of audits for which notices were submitted)	0	0%
		Addits		of violations under the Texas Environmental, Health, and Safety Audit t, 74th Legislature, 1995 (<i>number of audits for which violations were</i>	0	0%
			Environmer	atal management systems in place for one year or more	No	0%
		Other	1	on-site compliance assessments conducted by the executive director ecial assistance program	No	0%
		Gener	Participation	n in a voluntary pollution reduction program	No	0%
				liance with, or offer of a product that meets future state or federal tenvironmental requirements	No	0%
				Adjustment Per	centage (Sub	ototal 2) 0%
>>	Re	peat Violator	(Subtotal 3)		
		No		Adjustment Per	centage (Sub	ototal 3) 0%
>>	Со	mpliance Hist	ory Person	Classification (Subtotal 7)		
		High Perf	ormer	Adjustment Per	centage (Sub	ototal 7) -10%
>>	Co	mpliance Hist	ory Summa	ıry		
		Compliance History Notes		Reduction for High Performer classification.		
				Total Compliance History Adjustment Percentage (S	Subtotals 2,	3, & 7) -10%
>>	Fina	l Compliance	History Ad		200 ***********************************	1000/
				Final Adjustment Percent	aye ^capped	at 100% -10%

		ening Date	•			ket No. 202	20-0750-MLM-E		PCW
	F	Respondent	Inland Recycling	g La Grange L	C			Policy	Revision 4 (April 2014)
		Case ID No.						PCW R	evision March 26, 2014
Reg.	Ent. Ref	erence No.							
			Industrial and F	lazardous Wa	ste				
		Coordinator ation Number							
	VIOI		1						
		Rule Cite(s)		30 Te	ex. Admin. Co	de § 335.9(a)	(1)		
							()		
			Failed to keep r	ecords of all i	ndustrial solid	waste activiti	ies regarding the	guantities	
							e or shipped off-		
							ndent did not m		
	Violatio	n Description					alts, spilled glyce		
							d soil generated, ondent did not n		
							ewater generate		
				proc	essed, or disp	osed of off-sit	te.		
							Bas	se Penalty	\$25,000
>> Env	ironme	ntal, Proper	ty and Hum	an Health	Matrix				
		_	_	Harm					
00		Release	Major	Moderate	Minor				
OR		Actual Potential				Po	rcent 0.0%	1	
		Potential				Pe	0.0%	1	
>>Prog	gramma	tic Matrix							
		Falsification	Major	Moderate	Minor	_		1	
			Х			Pe	rcent 5.0%]	
	Matrix		Greater t	han 70% of th	ne rule require	ement was no	t met.		
	Notes								
						Adjust	ment	\$23,750	
						Adjust	ment	\$23,750	\$1,250
Violatio	on Even	he.				Adjust	tment	\$23,750 [\$1,250
Violatio	on Even	ts				Adjust	ment	\$23,750	\$1,250
Violatio	on Even		/iolation Events	1			ment mber of violation		\$1,250
Violatio	on Even			1					\$1,250
Violatio	on Even		daily	1					\$1,250
Violatio	on Even			1					\$1,250
Violatio	on Even		daily weekly	1				days	\$1,250 \$1,250
Violatio	on Even		daily weekly monthly quarterly semiannual	1			mber of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual	1			mber of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual	1			mber of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual	1			mber of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual	'	vent is recom	290 Nu	mber of violation	days	
Violatio	on Even		daily weekly monthly quarterly semiannual annual	'	vent is recom	290 Nu	mber of violation	days	
			daily weekly monthly quarterly semiannual annual single event	One single e		290 Nui	mber of violation Violation Bas	days	
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single e		290 Nu	mber of violation Violation Bas	days	\$1,250
		Number of \	daily weekly monthly quarterly semiannual annual single event ply Extraordinary	One single e		290 Nui	mber of violation Violation Bas	days	\$1,250
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV		290 Nui	mber of violation Violation Bas	days	\$1,250
		Number of \	daily weekly monthly quarterly semiannual annual single event ply Extraordinary	One single e 0.0% efore NOE/NOV	NOE/NOV to ED	290 Nui	mber of violation Violation Bas	days se Penalty	\$1,250
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV	NOE/NOV to ED	mended. PRP/Settlement of the property of the good	mber of violation Violation Bas	days se Penalty	\$1,250
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV	NOE/NOV to ED	290 Nui	mber of violation Violation Bas	days se Penalty	\$1,250
		Number of \	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV	NOE/NOV to ED	mended. PRP/Settlement of the property of the good	Wiolation Base	days se Penalty	\$1,250
Good F	aith Eff	Number of \	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV x The Responde	NOE/NOV to ED	mended. PRP/Settlement of the good iolation.	wiolation Violation Base Offer faith criteria for	Reduction	\$1,250 \$0
Good F	aith Eff	Number of \	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV x The Responde	NOE/NOV to ED	mended. PRP/Settlement of the good iolation.	Wiolation Base	Reduction	\$1,250 \$0
Good F	aith Eff	Number of \ orts to Com	daily weekly monthly quarterly semiannual annual single event	One single e 0.0% efore NOE/NOV x The Responde	NOE/NOV to ED	mended. PRP/Settlement of the good iolation.	wiolation Violation Base Offer faith criteria for	Reduction Subtotal t Test	\$1,250 \$0
Good F	aith Eff	Number of \ orts to Com	daily weekly monthly quarterly semiannual annual single event ply Extraordinary Ordinary N/A Notes this violatio	One single e 0.0% efore NOE/NOV x The Responde	ent does not n this v	mended. PRP/Settlement (neet the good iolation. St. Viol	Violation Offer faith criteria for Violation atutory Limi	Reduction Subtotal t Test nalty Total	\$1,250 \$0 \$1,250

	E	conomic	Benefit	Wo	rksheet						
Respondent	Inland Recyclin	ng La Grange LC									
Case ID No.											
Reg. Ent. Reference No.											
							Years of				
	Media Industrial and Hazardous Waste Violation No. 1										
Violation No.	1			Depreciation							
						5.0	15				
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount				
Item Description		•									
Item Description											
Delayed Costs											
Delayed Costs Equipment		1		0.00	\$0	\$0	\$0				
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0				
Other (as needed)				0.00	\$0	\$0 \$0	\$0 \$0				
Engineering/Construction				0.00	\$0	\$0	\$0				
Land				0.00	\$0	n/a	\$0				
Record Keeping System	\$1,000	13-May-2019	17-Jan-2021	1.68	\$84	n/a	\$84				
Training/Sampling	\$1,000	IJ May 2015	17 3411 2021	0.00	\$0	n/a	\$0				
Remediation/Disposal				0.00	\$0	n/a	\$0				
Permit Costs				0.00	\$0	n/a	\$0				
Other (as needed)				0.00	\$0	n/a	\$0				
Notes for DELAYED costs		investigation o	late and the fina	al date i	is the estimated da	<u> </u>					
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering		r one-time avoide	d costs)				
Disposal				0.00	\$0	\$0	\$0				
Personnel				0.00	\$0	\$0	\$0				
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0				
Supplies/Equipment				0.00	\$0	\$0	\$0				
Financial Assurance				0.00	\$0	\$0	\$0				
ONE-TIME avoided costs				0.00	\$0	\$0	\$0				
Other (as needed)				0.00	\$0	\$0	\$0				
Notes for AVOIDED costs											
Approx. Cost of Compliance		\$1,000			TOTAL		\$84				

	Screening Date	3-Apr-2020		Docket	No. 2020-0750-ML	M-E	PCW
		Inland Recycling	La Grange LC			Policy	Revision 4 (April 2014)
Dan	Case ID No.					PCW R	evision March 26, 2014
Reg.	Ent. Reference No.	Industrial and Ha	zardous Wast	•			
	Enf. Coordinator		izai uous Wasi	е			
	Violation Number						
	Rule Cite(s)	,	30 Tex Adı	min Code 88 335	5.6(h) and 335.24		
			30 TEXI 7101		7.0(11) und 33312 1		
	Violation Description	solid waste or prior to recycling	municipal haz g, and the nat es. Specifically	ardous waste to lure of the recyclin	hich includes the type be recycled, the meth ng activity 90 days pr ted to another facility EO notification.	od of storage ior to engaging	
			,- 3		•		
						Base Penalty	\$25,000
=							
>> En	vironmental, Proper	ty and Huma	n Health M	latrix			
	Release	Major	Moderate	Minor			
OR	Actual						
	Potential				Percent (0.0%	
>>Pro	grammatic Matrix						
//110	Falsification	Major	Moderate	Minor			
		Х			Percent	5.0%	
	Matrix						
	Notes	100	% of the rule	requirement was	not met.		
					Adjustment	\$23,750	
							+1 250
						L	\$1,250
Violati	on Events						
	Number of \	/iolation Events	1	29	Number of viol	ation days	
		daily					
		weekly					
		monthly					
		quarterly			Violatio	n Base Penalty	\$1,250
		semiannual annual					
		single event	X				
			One single ev	ent is recommen	ided.		
Good F	aith Efforts to Com		0.0%			Reduction	\$0
			ore NOE/NOV N	IOE/NOV to EDPRP/S	ettlement Offer		
		Extraordinary					
		Ordinary N/A	Х				
			<u>, </u>				
		Notes	The Responder	nt does not meet this violat	the good faith criteriation.	a for	
					Viol	ation Subtotal	\$1,250
Econor	nic Benefit (EB) for	this violation	1		Statutory I	imit Test	
		ed EB Amount		\$571	_	l Penalty Total	\$1,255
	Estimato	EG ED AIIIOUNT					\$1,233
						sted for limits)	\$1,255

	F	conomic	Renefit	Wo	rksheet		
Respondent			Denenie	110	i KSIICCE		
		ig La Grange LC					
Case ID No.							
Reg. Ent. Reference No.							
Media	Industrial and	Hazardous Waste				Percent Interest	Years of
Violation No.	2					reitent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
· · · ·	Item Cost	Date Required	rillai Date	113	Interest Saveu	Costs Saveu	LB Allibuilt
Item Description							
Delayed Costs				1			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$500	13-May-2019	17.1 2021	0.00 1.68	\$0 \$42	n/a n/a	\$0 \$42
Notes for DELAYED costs						e description of recy he estimated date o	-
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)	\$500	12-Feb-2019	3-Apr-2020	1.14	\$29	\$500	\$529
Notes for AVOIDED costs		•				e description of recy final date is the scre	_
Approx. Cost of Compliance		\$1,000			TOTAL		\$571

	Screening Date	3-Anr-2020		ocket No. 2020-0750-MLM-E		PCW
	Respondent			2020-0750-MEM-E	Policy	Revision 4 (April 2014)
	Case ID No.		3 · · · 3 · ·			evision March 26, 2014
Rea.	Ent. Reference No.				, 017 1.	CVISION FIGURE 20, 2017
			Hazardous Waste			
	Enf. Coordinator					
	Violation Number	3				
	Rule Cite(s)	30 Tex. Adı	min. Code § 335.62 and 4	0 Code of Federal Regulations ("0	CFR") §	
			262	2.11(a)		
	Violation Description	Specifically, w	aste determinations and	eterminations and waste classific waste classifications were not con in, salts, and contaminated soil.		
				Bas	e Penalty	\$25,000
>> En	vironmental, Prope	tv and Hum	an Health Matrix			
		c, and man	Harm			
	Release	Major	Moderate Minor	3		
OR	Actual				ı	
	Potential	X		Percent 15.0%		
> > D#0	grammatic Matrix					
>>PF0	Falsification	Major	Moderate Minor			
	1 disineación	Major	Hoderate Fillion	Percent 0.0%		
				<u> </u>		
	Matrix Human healt	h or the environ	ment will or could be exp	osed to pollutants that would exce	ed levels	
				tal receptors as a result of the vic		
				Adjustment	\$21,250	
				Aujustillent	Ψ21,230	
						\$3,75 0
\/:-I-+:	F					
violati	on Events					
	Number of \	/iolation Events	4	290 Number of violation	davs	
				ramser er vielation	aayo	
		daily				
		weekly				
		monthly				
		quarterly		Violation Bas	e Penalty	\$15,000
		semiannual				
		annual				
		single event	X			
	F	our single event	s are recommended (one	event for each waste stream).		
Caade	aith Effanta to Can	I	0.00/		5 I	¢0
Good F	aith Efforts to Com		0.0% efore NOE/NOV NOE/NOV to	EDPRP/Settlement Offer	Reduction	\$0
		Extraordinary	Clore HozyHov HozyHov to	EDITA / Section City		
		, Ordinary				
		N/A	х			
		,	,			
		Notes	-	t meet the good faith criteria for		
			tni	s violation.		
				Violation	subtotal	\$15,000
Econoi	mic Benefit (EB) for	this violation	on	Statutory Limi	t Test	
	Ectimate	ed EB Amount	\$1,415	Violation Final Pen	alty Total	\$15,062
	Estillati	Amount		_	-	
			This violation Fina	I Assessed Penalty (adjusted t	for limits)	\$15,062

	F	conomic	Ranafit	Wai	rkshoot		
Respondent			Dellell	VVO	KSHEEL		
Case ID No.	•	ig La Grange LC					
Reg. Ent. Reference No.							
Media Violation No.		Hazardous Waste				Percent Interest	Years of Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs		11		1	T 10		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$16,800	13-May-2019		0.00 1.68	\$0 \$1,415	n/a n/a	\$0 \$1,415
Notes for DELAYED costs			The date requir	ed is th		ations of the four wa on date and the fina	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	r one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$16,800			TOTAL		\$1,415

	Screening Date	3-Apr-2020	D	ocket No. 2020-0750-MLM	 I-E	PCW
	Respondent					Revision 4 (April 2014)
	Case ID No.	59196				Revision March 26, 2014
Reg.	Ent. Reference No.	RN105003388				
			Hazardous Waste			
	Enf. Coordinator		1			
	Violation Number		Code C 26 121 20 Tox	Marin Code 5 201 25(a)(4)]]
	Rule Cite(s)	Tex. Water		Admin. Code § 281.25(a)(4), a 22.26(c)	ind 40 CFR	
			g 12	22.20(0)		
	Violation Description	activities. Spe	ecifically, the Respondent authorization under Texas	arge stormwater associated wi was performing industrial acti Pollutant Discharge Eliminatio Permit No. TXR050000.	vities prior to	
					Base Penalty	\$25,000
>> En	vironmental, Prope	rty and Hum	an Health Matrix			
		, and man	Harm			
	Release		Moderate Minor	a		
OR	Actual					
	Potential			Percent 0.	0%	
>>Pro	grammatic Matrix					
//110	Falsification	Major	Moderate Minor			
		Х		Percent 5.	0%	
				=		1
	Matrix Notes	10	00% of the rule requireme	ent was not met.		
				Adjustment	\$23,750	
						\$1,250
Violati	on Events					
	Number of N	Violation Events	1	15 Number of viola	tion days	
	Number of	riolation Events		15 Number of viola	tion days	
		daily				
		weekly				
		monthly	X			
		quarterly		Violation	Base Penalty	\$1,250
		semiannual				
		annual				
		single event				
			1.16 11.14 12	2010:		1
	One monthly o	event is recomm	2019 authorization wa	2019 investigation start date to obtained.	the May 28,	
Good F	aith Efforts to Com	ply	0.0%		Reduction	\$0
			Before NOE/NOV NOE/NOV to	EDPRP/Settlement Offer		
		Extraordinary				
		Ordinary				
		N/A	Х			
		Notes		ot meet the good faith criteria is violation.	for	
		'		Viola	tion Subtotal	\$1,250
Econor	mic Benefit (EB) for	this violation	on	Statutory Li	mit Test	
				_	_	
	Estimate	ed EB Amount	\$0	Violation Final	Penalty Total	\$1,255
			This violation Fina	l Assessed Penalty (adjust	ed for limits)	\$1,255

	E	conomic	Ronofit	Wa.	rkshoot		
			benent	VVO	rksneet		
Respondent		ng La Grange LC					
Case ID No.	59196						
Reg. Ent. Reference No.	RN105003388						
Media	Industrial and	Hazardous Waste	!			D T t	Years of
Violation No.	4					Percent Interest	Depreciation
11014110111101						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				-			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$225	13-May-2019	28-May-2019	0.04	\$0 \$0	n/a n/a	\$0 \$0
Notes for DELAYED costs		date required is t	he initial investi	gation o		ization to discharge date is the date auth R05F117.	
Avoided Costs	ANNUL					r one-time avoided	L costs)
Avoided Costs Disposal	ANNO	ALIZE avoided C	osts before en	0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0 \$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0 \$0
Supplies/Equipment				0.00	\$0	\$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	\$0 \$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$225			TOTAL		\$0

	Screening Date			Docket No	2020-0750-MLM-E		PCW
	Respondent		g La Grange LC			Policy	Revision 4 (April 2014)
D	Case ID No.					PCW R	Revision March 26, 2014
Reg.	Ent. Reference No.		Hazardous Waste				
	Enf. Coordinator		iazai uous waste				
	Violation Number						
	Rule Cite(s)		30 T	ex. Admin. Code § 3	335 4		
			30 1	cx. Admin. code y	333.4		
	Violation Description	of ISW. Spe fatty acids, a	cifically, waste gondam	enerated at the Site ninated with arsenic,	mitted the unauthorized on the control of the contr	or free d total	
					Base	Penalty	\$25,000
–							
>> En	vironmental, Prope	rty and Hum	an Health Ma	atrix			
	Release	Major	Moderate	Minor			
OR	Actual		Х				
	Potential				Percent 15.0%		
>>Pro	grammatic Matrix						
110	Falsification	Major	Moderate	Minor			
					Percent 0.0%		
				•			1
	Matrix				nt amounts of pollutants t		
	Notes not exceed lev	els that are pro		i neaith or environm iolation.	ental receptors as a resu	lit or the	
			<u> </u>				
				A	Adjustment	\$21,250	
							¢2.750
							\$3,750
Violati	on Events						
					7 N 1 6 1 1 1 1		
	Number of v	Violation Events	10	290	Number of violation da	ays	
		daily					
		weekly					
		monthly	X				
		quarterly semiannual			Violation Base	Penalty	\$37,500
		annual					
		single event					
							1
	Ten monthly	events are reco	mmended from t	he June 18, 2019 in	vestigation end date to the	he April	
			3, 2020 s	screening date.			
	<u> </u>						
Good F	aith Efforts to Com		0.0% efore NOE/NOV NO	DE/NOV to EDPRP/Settler		eduction	\$0
		Extraordinary	elore NOL/NOV NC	DE/NOV to EDFRF/Settlel	There one		
		Ordinary					
		N/A	Х				
			The Respondent	t does not meet the	good faith criteria for		
		Notes	The Respondent	this violation.	good falen enteria for		
					Violation S	ubtotal	\$37,500
Econo	mic Reposit (ED) for	thic violati	n n		Statuton, Limit 3	Tact	
ECONO	mic Benefit (EB) for	uns violatio) i i		Statutory Limit	CSL	
	Estimat	ed EB Amount		\$3,599	Violation Final Penal	ty Total	\$37,656
			This violat	ion Final Assessed	d Penalty (adjusted for	· limits)	\$37,656
						/	1 - 7

	E	conomic	Ronofit	Wa.	rkchoot		
			Denent	WO	KSHEEL		
Respondent		ng La Grange LC					
Case ID No.	59196						
Reg. Ent. Reference No.	RN105003388						
Media	Industrial and	Hazardous Waste					Years of
Violation No.						Percent Interest	Depreciation
Violation No.	J					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		Date Required	Tillal Date	113	Interest Saveu	Costs Saveu	LD Alliount
Item Description							
Delayed Costs							
Équipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$42,725	13-May-2019	17-Jan-2021	1.68	\$3,599	n/a	\$3,599
Notes for DELAYED costs	arsenic, me	cury, chromium, investigation d	and hydrocarbo late and the fina	ns to ar al date i	n authorized facilit s the estimated da	d contaminated watery. The date required the compliance.	d is the initial
Avoided Costs	ANNU	ALIZE avoided c	osts before en		•	r one-time avoided	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
				0.00	\$0	\$0	\$0
Other (as needed)							
Other (as needed) Notes for AVOIDED costs							

	Screening Date			Docket No.	2020-0750-MLM-E		PCW
	Respondent		g La Grange LC			Policy	Revision 4 (April 2014)
Dog	Case ID No. Ent. Reference No.					PCW R	Revision March 26, 2014
Keg.			Hazardous Waste				
	Enf. Coordinator						
	Violation Number			· · · · · · · · · · · · · · · · · ·	0.0.6.	2.0510(.)	ı
	Rule Cite(s)	30 Tex. Admin	i. Code § 116.110(a) a ani	and Tex. Health (d 382.085(b)	& Safety Code §§ 38.	2.0518(a)	
		Failed to obt	tain authorization prior		or modifying a sour	ce of air	
		contaminant	ts. Specifically, the Sit	te was not const	ructed as represente	d in the	
	Violation Description		r Registration No. 7945 erty line or nearest off-				
		processing and	d refining crude glycer	in which uses di	fferent materials, has	different	
		storage, and h	as different emission r	rates than what	is presented in the a	pplication.	
					Ras	e Penalty	\$25,000
					Dus	c i charty	Ψ=3/000
>> En	vironmental, Prope	ty and Hum	an Health Matrix	(
	Release	Major	Moderate Mino	r			
OR	Actual				D	I	
	Potential				Percent 0.0%		
>>Pro	grammatic Matrix						
	Falsification	Major	Moderate Mino	r	Percent 5.0%		
		Х			7.0%		
	Matrix						
	Matrix Notes	10	00% of the rule require	ement was not n	net.		
				Ad	justment	\$23,750	
							\$1,250
							+-/
Violati	on Events						
	Number of \	/iolation Events	1	290	Number of violation	days	
		doily			_		
		daily weekly					
		monthly				_	
		quarterly			Violation Bas	e Penalty	\$1,250
		semiannual annual					
		single event	X				
			One single event is	recommended.			
Good F	aith Efforts to Com	ply	0.0%			Reduction	\$0
		В	efore NOE/NOV NOE/NOV	to EDPRP/Settleme	ent Offer		
		Extraordinary Ordinary					
		N/A	X		<u>1</u>		
		ŕ	The Respondent does	not meet the a	and faith criteria for		
		Notes	The Respondent does	this violation.	ood raitir eriteria roi		
						I	
					Violation	Subtotal	\$1,250
Econoi	nic Benefit (EB) for	this violation	on		Statutory Limit	t Test	
		ed EB Amount		421	Violation Final Pen		\$1,255
	ESUMAU	ed ED MIIIOUNI					
			This violation F	inal Assessed I	Penalty (adjusted f	or limits)	\$1,255

	F	conomic	Ronofit	Wai	rkshoot		
Respondent			Denene	110	KSIICCL		
Case ID No.		.g _a					
Reg. Ent. Reference No.							
							V
		Hazardous Waste				Percent Interest	Years of
Violation No.	6					ı	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
·							
Delayed Costs				-			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	±F.000	12.14	17.1 2021	0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$5,000	13-May-2019	1/-Jan-2021	1.68 0.00	\$421 \$0	n/a n/a	\$421 \$0
Notes for DELAYED costs		•				g operations at the S stimated date of con	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	r one-time avoided	l costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed) Notes for AVOIDED costs		<u> </u>		0.00	\$0	\$0	<u>\$0</u>
Approx. Cost of Compliance		\$5,000			TOTAL		\$421

		ening Date			Dock	cet No. 2020-0750-MLM-E		PCW
				g La Grange LC			Policy	Revision 4 (April 2014)
D		ase ID No.					PCW F	Revision March 26, 2014
кед.	Ent. Ker		RN105003388	Hazardous Waste	_			
	Enf C	oordinator		nazardous waste	2			
		tion Number		1				
		Rule Cite(s)		20.74	Admin Ca	4- C 227 2/L)		
		. ,		30 16	ex. Admin. Co	de § 327.3(b)		
	Violation	n Description	discovery of a	spill or discharge atty acids were	e. Specifically discharged from	ole but no later than 24 hours a transproximately 500 gallons o to the Site in early May 2019 notify the TCEQ.	f glycerin	
						Base	e Penalty	\$25,000
F		tal Duana		an Haalah M				
>> Env	/ironmer	itai, Propei	rty and Hum	an Health M	latrix			
		Release	Major	Moderate	Minor			
OR		Actual						
		Potential				Percent 0.0%		
> > D#04		tic Matrix						
>>Prog	gramma	tic Matrix Falsification	Major	Moderate	Minor			
	Ī	Tuisineation	Х	Moderate	111101	Percent 5.0%		
	Matrix Notes		10	00% of the rule r	requirement w	vas not met.		
	notes							
						Adjustment	\$23,750	
								\$1,250
								1 /
Violatio	on Event	S						
		Number of V	lialation Events	1		Number of violation	dava	
		Number of V	/iolation Events	1		Number of violation	uays	
			daily					
			weekly					
			monthly					
			quarterly			Violation Base	e Penalty	\$1,250
			semiannual annual					
			single event	V				
			Single event	^				
				One single ev	ent is recomm	nended.		
Good E	aith Effo	rts to Com	nlv	0.0%			Reduction	\$0
Good I	aitii Liio	its to com	Piy		OE/NOV to EDPR	P/Settlement Offer	Reduction	ΨΟ
			Extraordinary		-			
			Ordinary					
			N/A	Х				
				The Responden	nt does not me	eet the good faith criteria for		
			Notes	The Responden	this vic			
						Violation	Subtotal	\$1,250
							•	¥2,230
Econon	nic Bene	fit (EB) for	this violation	on		Statutory Limit	Test	
					10.1			
		Estimate	ed EB Amount		\$34	Violation Final Pena	alty Total	\$1,255
		Estimate	ed EB Amount			Violation Final Pena sessed Penalty (adjusted fo	-	\$1,255 \$1,255

	F	conomic	Renefit	Wa	rksheet			
Daamamdank			Denent	440	KSHEEL			
Respondent		ig La Grange LC						
Case ID No.								
Reg. Ent. Reference No.	RN105003388							
Media	Industrial and	Hazardous Waste	!			Percent Interest	Years of	
Violation No.	7					Percent Interest	Depreciation	
						5.0 1		
	Thom Cook	Data Bassinad	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount	
	Item Cost	Date Required	rinai Date	TIS	Interest Saveu	Costs Saveu	EB Amount	
Item Description								
Delayed Costs				•				
Equipment				0.00	\$0	\$0	\$0	
Buildings				0.00	\$0	\$0	\$0	
Other (as needed)				0.00	\$0	\$0	\$0	
Engineering/Construction				0.00	\$0	\$0	\$0	
Land				0.00	\$0	n/a	\$0	
Record Keeping System				0.00	\$0	n/a	\$0	
Training/Sampling				0.00	\$0	n/a	\$0	
Remediation/Disposal				0.00	\$0	n/a	\$0	
Permit Costs	+100	12.14 2010	17.1 2021	0.00	\$0	n/a	\$0	
Other (as needed)	\$100	13-May-2019	17-Jan-2021	1.68	\$8	n/a	\$8	
Notes for DELAYED costs	Estimated de	layed cost to dev	elop and implen	nent a r	method to report	discharges to the TC	EQ. The date	
Notes for DELATED Costs	require	d is the initial inve	estigation date a	nd the	final date is the es	stimated date of con	npliance.	
Avoided Costs	ANNII	ALIZE avoided c	osts hefore en	terina	item (except for	r one-time avoide	d costs)	
Disposal	7.1110	Terre arolaca c	0505 501010 01	0.00	\$0	\$0	\$0	
Personnel				0.00	\$0	\$0	\$0	
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0	
Supplies/Equipment				0.00	\$0	\$0	\$0	
Financial Assurance				0.00	\$0	\$0	\$0	
ONE-TIME avoided costs				0.00	\$0	\$0	\$0	
Other (as needed)	\$25	5-May-2019	3-Apr-2020	0.92	\$1	\$25	\$26	
Notes for AVOIDED costs	Estimated av	Estimated avoided cost to report the discharge to the TCEQ. The date required is the date the report was due and the final date is the screening date.						
Approx. Cost of Compliance		\$125			TOTAL		\$34	

	Screening D	ate 3-Apr-2020		ket No. 2020-0750-MLM-E	PCW
		ent Inland Recyclin	ng La Grange LC		Policy Revision 4 (April 2014)
D	Case ID			F	PCW Revision March 26, 2014
кед.	Ent. Reference	dia Industrial and	Hazardous Wasto		
	Enf. Coordina		riazaruous waste		
	Violation Nun		1		
	Rule Cit	e(s)	30 Tex. Admin. Code §	8 327 5 and 350 2(h)	
			30 Text Marinin Code 3	3 327.13 4114 330.12(3)	
	Violation Descrip			discharge or spill. Specifically, clean charge of approximately 500 gallons o ree fatty acids.	
				Base Pen	alty \$25,000
=					
>> En	vironmentai, Pro	perty and Hun	nan Health Matrix Harm		
	Rele	ase Major	Moderate Minor		
OR		tual	X		
	Pote	ntial		Percent 15.0%	
>> D ro	grammatic Matr	v			
	Falsificat		Moderate Minor		
				Percent 0.0%	
	Matrix		•	significant amounts of pollutants that	
	Notes not excee	d levels that are pro	otective of human health or e violation.	environmental receptors as a result of	tne
			violation.		
				Adjustment \$21,	250
					+2.750
					\$3,750
Violati	on Events				
	Numbe	of Violation Events	10	Number of violation days	
		daily			
		weekly			
		monthly	X		
		quarterly		Violation Base Pena	alty \$37,500
		semiannual annual			
		single event			
					<u></u>
	Ten mon	hly events are reco	mmended from the June 18	2019 investigation end date to the A	nril
	1 611 11161	, 5755 4.5 . 555	3, 2020 screening d		
Good F	aith Efforts to C	omply	0.0%	Reduc	tion \$0
				PRP/Settlement Offer	
		Extraordinary			
		Ordinary			
		N/A	•		
		Notes	III	neet the good faith criteria for iolation.	
				Violation Subt	otal \$37,500
Facus	mia Dansfit (FD)	for this wists.		Chabutanu lineit Tari	
ECONO	mic Benefit (EB)	ior this violati	UII	Statutory Limit Test	
	Esti	nated EB Amount	\$2,527	Violation Final Penalty To	otal \$37,656
				ssessed Penalty (adjusted for lim	its) \$37,656

		•	D ("1	.			
	E	conomic	Renetit	WO	rksneet		
Respondent	Inland Recyclin	ng La Grange LC					
Case ID No.	59196						
Reg. Ent. Reference No.							
		Hazardous Waste					Years of
Violation No.		nazaruous wasie				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs	r	1		0.00	+0	1 +0	+0
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)	\$30,000	13-May-2019		0.00 1.68	\$0 \$2,527	n/a n/a	\$0 \$2,527
Notes for DELAYED costs	to the Execut	ive Director and t	o comply with a	ll applic	able requirements	s Risk Reduction Pros of TRRP. The date d date of compliance	required is the
Avoided Costs	ANNU	LIZE avoided c	osts before en	terina	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$30,000			TOTAL		\$2,527

	Screening Date	3-Apr-2020		et No. 2020-0750-MLM-E	PCW
		Inland Recyclin	g La Grange LC		Policy Revision 4 (April 2014)
D	Case ID No.				PCW Revision March 26, 2014
кед.	Ent. Reference No.		Hazardous Waste		
	Enf. Coordinator		lazaruous waste		
	Violation Number				
	Rule Cite(s)	30 Tex. Admin	. Code § 305.125(1) and TPDE	S General Permit No. TXR05EJ17	<mark>, Part</mark>
			III, Sectio	n A	
	Violation Description	Specifically, F	Respondent submitted a Notice	er Pollution Prevention Plan ("SW of Intent ("NOI") to obtain cover EJ17 without first developing and uired SWP3.	rage
				Base Pe	enalty \$25,000
_					
>> En	vironmental, Prope	rty and Hum	ıan Health Matrix Harm		
	Release	. Major	Moderate Minor		
OR	Actua				
	Potentia	X		Percent 15.0%	
>>Dro	grammatic Matrix				
>>P10	Falsification	Major	Moderate Minor		
				Percent 0.0%	
			· · · · · · · · · · · · · · · · · · ·		
	Matrix Human healt	th or the environ	ment will or could be exposed	to pollutants that would exceed le	evels
				ceptors as a result of the violatio	
				·	
				Adjustment \$2	21,250
				, a justiment	.1/230
					\$3,750
Violati	on Events				
T TOTAL					
	Number of	Violation Events	10	Number of violation days	3
		daily			
		daily weekly			
		monthly	X		
		quarterly		Violation Base Pe	enalty \$37,500
		semiannual			
		annual			
		single event			
					".2
	ien montniy	/ events are reco	ommended from the June 5, 20 .2020 screening date	119 follow-up visit date to the Ap	11 3,
			2020 00:00:11119 00:00:		
Good F	aith Efforts to Com	inly	0.0%	Pad	uction \$0
300a 1	2110.10 10 0011		Sefore NOE/NOV NOE/NOV to EDPRP		40
		Extraordinary			
		Ordinary			
		N/A	X		
		Notes	The Respondent does not me	_	
		Mores	this viol	ation.	
		L			
				Violation Sul	btotal \$37,500
Econo	mic Benefit (EB) for	this violation	on	Statutory Limit Te	est
	Estimat	ed EB Amount	\$162	Violation Final Penalty	Total \$37,656
			This violation Final Ass	essed Penalty (adjusted for li	imits) \$37,656

	F	conomic	Renefit	Wo	rksheet		
Dognandant		ng La Grange LC	Denenie		i itorreet		
		ng La Grange LC					
Case ID No.							
Reg. Ent. Reference No.	RN105003388	}					
Media	Industrial and	Hazardous Waste				D T t	Years of
Violation No.	9					Percent Interest	Depreciation
Violation No.	_					5.0	15
	.						
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	5-Jun-2019	17-Jan-2021	1.62	\$162	n/a	\$162
Notes for DELAYED costs Avoided Costs			date is the est	imated	date of complianc	he follow-up visit da e. r one-time avoide	
	ANNO	ALIZE avoided C	osts perore en	0.00	\$0	\$0	\$0
Disposal Personnel				0.00	\$0	\$0	\$0 \$0
Inspection/Reporting/Sampling				0.00	\$0	\$0 \$0	\$0 \$0
Supplies/Equipment				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs		<u></u>		0.00	1 40	1 40 1	- Oq
Approx. Cost of Compliance		\$2,000			TOTAL		\$162

\$3,500



Notes

PAYABLE PENALTY

Penalty Calculation Worksheet (PCW)

THE THE NAME OF THE PARTY OF TH	Policy F	Revision 4 (April 2014	•	iculatio	II WUIKSII	eet (FC	•	Revision March 26, 2014
DATES	Assigned		_		_			
	PCW	4-Aug-2021	Screening	3-Apr-2020	EPA Due			
RESPO	NDENT/FACILI	TY INFORMATI	ON					
_		Inland Recycling	La Grange LC					
	g. Ent. Ref. No.				NA : (NA		laa:	
Facili	ty/Site Region	11-Austin			Major/M	inor Source	Minor	
CASE I	NFORMATION							
	f./Case ID No.	59196			No. o	f Violations	2	
	Docket No.	2020-0750-MLM	-E			Order Type		
Med	lia Program(s)				Government			
	Multi-Media	Air, Water Quali	ty, and IHW		Enf. (Carlos Molina	
Adr	nin. Penalty \$	Limit Minimum	\$0 N	1aximum	\$5,000	EC's Team	Enforcement T	eam 7
			Penalty	/ Calcula	tion Section	n		
ΤΩΤΛΙ	I RASE DENA	LTY (Sum of	,				Subtotal 1	\$3,500
IUIA	L DASE FEINA	CETT (Sum of	violation b	ase penan	lies <i>j</i>		Subtotal 1	Ψ3,300
ADJU	STMENTS (+	/-) TO SUBTO	OTAL 1					
		otained by multiplying	the Total Base Pe	, ,				
	Compliance Hi	story		-10.0%	Adjustment	Subto	tals 2, 3, & 7	-\$350
	Notes	R	eduction for Hi	gh Performer	classification.			
	Culpability	No		0.0%	Enhancement		Subtotal 4	\$0
	Notes	The Re	spondent does	not meet the	culpability criter	ria.		
	Good Faith Eff	ort to Comply T	otal Adiustme	ents			Subtotal 5	\$0
		• •						,
	Economic Ben	ofit .		0.00/	Enhancement*		Subtotal 6	\$0
		Total EB Amounts I Cost of Compliance	\$172 \$2,050		d at the Total EB \$ A	mount	Subtotal 6	Ş U
SUM (OF SUBTOTA	LS 1-7				F	inal Subtotal	\$3,150
OTUE	D EACTORS	AC ILICTICE A	IAV DEQUIT) E	44.40/		A 42	#3FA
		AS JUSTICE N I Subtotal by the indi-		KE	11.1%		Adjustment	\$350
			za por contage.				1	
	Notes	Recommende	d enhancement	t to offset Hig	h Performer clas	sification.		
						Final Pen	alty Amount	\$3,500
STATI	UTORY LIMIT	T ADJUSTME	NT			Final Asse.	ssed Penalty	\$3,500
DECC	DDAL				0.00/	Dadiostic	A 42	40
DEFEI		enalty by the indicate	d nercentage		0.0%	Reduction	Adjustment	\$0
reduces (c i iliui Assessed Fe	marcy by the mulcate	a percentage.]	

Deferral not offered for non-expedited settlement.

Screening Date 3-Apr-2020

Docket No. 2020-0750-MLM-E

PCW

Respondent Inland Recycling La Grange LC

Case ID No. 59196

Reg. Ent. Reference No. RN105003388

Media Used Oil

Enf. Coordinator Carlos Molina

Policy Revision 4 (April 2014) PCW Revision March 26, 2014

Component	ory Site Enhancement (Subtotal 2) Number of	Number	Adjust.			
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%			
	Other written NOVs	0	0%			
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%			
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%			
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%			
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%			
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%			
Emissions	Chronic excessive emissions events (number of events)	0	0%			
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%			
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%			
	Environmental management systems in place for one year or more	No	0%			
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%			
Other	Participation in a voluntary pollution reduction program	No	0%			
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%			
	Adjustment Per	centage (Su	btotal 2)			
peat Violator	(Subtotal 3)					
No	Adjustment Per	centage (Su	btotal 3)			
mpliance Hist	ory Person Classification (Subtotal 7)					
High Performer Adjustment Percentage (Subtotal 7)						
mpliance Hist	ory Summary					

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

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% -10%

	Scree	ning Date	3-Apr-2020	Docket No.	2020-0750-MLM-E		PCW
		•	Inland Recycling La Grange Lo	C		Policy Revis	sion 4 (April 2014)
		ase ID No.				PCW Revision	n March 26, 2014
Reg.	Ent. Refe		RN105003388				
			Used Oil				
		ordinator					
		tion Number					
		Rule Cite(s)	30 Tex. Admin. Code § 3	324.6 and 40 Code of F § 279.22(c)(1)	ederal Regulations ("CFI	R")	
	Violation	Description			t of five 5-gallon buckets		
					Base F	Penalty	\$5,000
>> Env	vironmen	tal. Proper	ty and Human Health	Matrix			
		tai, i i opei	Harm	· · · · · · · · · · · · · · · · · · ·			
		Release	Major Moderate	Minor			
OR		Actual			-		
		Potential			Percent 0.0%		
> > D#04	a + 2 m m 2 t	ic Matrix					
>>Prog	grammat	Falsification	Major Moderate	Minor			
	Ī	T districation	X	Minor	Percent 5.0%		
	<u> </u>						
	Matrix Notes		100% of the rule	requirement was not	met.		
	<u> </u>						
				Ac	ljustment	\$4,750	
							\$250
							Ψ230
Violatio	on Events	S					
		Number of \	/iolation Events 10	290	Number of violation da	ys	
			daily weekly monthly quarterly semiannual annual		Violation Base F	Penalty	\$2,500
			single event				
		Ten monthly	events are recommended from screening of	m the investigation end date of April 3, 2020.	d date of June 18, 2019	to the	
Good F	aith Effo	rts to Com	ply 0.0%		Re	duction	\$0
			Before NOE/NOV	NOE/NOV to EDPRP/Settler			
			Extraordinary				
			Ordinary				
			N/A x				
			Notes The Responde	ent does not meet the other this violation.	good faith criteria for		
					Violation S	ubtotal	\$2,500
Econon	nic Benef	fit (EB) for	this violation		Statutory Limit T	est	
		Fetimate	ed EB Amount	\$4	Violation Final Penalt	v Total	\$2,500
		Estinati	/	Ψ']	I mai renalt	,	
			This viola	tion Final Assessed	Penalty (adjusted for	limits)	\$2,500

	F	conomic	Renefit	Wa	rksheet		
D d t			Denent	440	KSHEEL		
Respondent		ig La Grange LC					
Case ID No.							
Reg. Ent. Reference No.	RN105003388						
Media	Used Oil					Percent Interest	Years of
Violation No.	1					Percent Interest	Depreciation
1101001111111						5.0	15
		Data Damilia d	Elect Bata		T		
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description							
Delayed Costs				_			
, Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$50	13-May-2019	17-Jan-2021	1.68	\$4	n/a	\$4
Notes for DELAYED costs		•	•			th the words "Used stimated date of con	
Avoided Costs	ANNU	ALIZE avoided c	osts before er	tering	item (except for	r one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$50			TOTAL		\$4

	Screening Date		Docket No. 2020-0750-MLM-E	PCW
	Respondent		g La Grange LC Policy	Revision 4 (April 2014)
_	Case ID No.		PCW F	Revision March 26, 2014
Reg.	Ent. Reference No.			
		Used Oil		
	Enf. Coordinator			
	Violation Number]
	Rule Cite(s)	3	30 Tex. Admin. Code § 324.15 and 40 CFR § 279.22(d)	
	Violation Description	was not cl	n up and manage properly used oil. Specifically, a used oil container osed and a discharge of hydrocarbon was observed covering the pallet underneath, and approximately one cubic yard of nearby soil.	
			Base Penalty	\$5,000
>> En:	vironmental Brene	the and Hum	an Haalth Matrix	
// EII	vironmental, Propei	ty and num	Harm	
	Release	Major	Moderate Minor	
OR	Actual		X	
	Potential		Percent 5.0%	
>>Pro	grammatic Matrix Falsification	Major	Moderate Minor	
	1 disilication	Major	Percent 0.0%	
			0.070	
	Human health	or the environm	ent has been exposed to insignificant amounts of pollutants which do	
	Matrix not exceed lev		tective of human health or environmental receptors as a result of the	
	Notes		violation.	
	ļ			
			Adjustment \$4,750	
				\$250
				Ψ230
Violati	on Events			
	Number of V	iolation Events	4 290 Number of violation days	
		daily		
		weekly		
		monthly		
		quarterly	X Violation Base Penalty	\$1,000
		semiannual		
		annual		
		single event		
				1
	Four quarterly	events are reco	mmended from the June 18, 2019 investigation end date to the April	
			3, 2020 screening date.	
C 1 F	-:		200	
Good F	aith Efforts to Com		0.0% Reduction efore NOE/NOV NOE/NOV to EDPRP/Settlement Offer	\$0
		Extraordinary	NOCHOC NOCENCE TO A NOCENCE NO	
		, Ordinary		
		N/A	X	
		ĺ	<u>, </u>	
		Notes	The Respondent does not meet the good faith criteria for this violation.	
			CIIIS VIOIALIOIT.	
			Violation Cultitate	#1 000
			Violation Subtotal	\$1,000
Econoi	mic Benefit (EB) for	this violation	on Statutory Limit Test	
	Estimate	ed EB Amount	\$168 Violation Final Penalty Total	\$1,000
			•	
			This violation Final Assessed Penalty (adjusted for limits)	\$1,000

	E	conomic	Ronofit	Wal	rkshoot		
			Dellell	VVO	KSHEEL		
Respondent		ng La Grange LC					
Case ID No.							
Reg. Ent. Reference No.	RN105003388						
							Years of
Violation No.	Media Used Oil					Percent Interest Depreciation	
violation No.	2						-
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
Item Description		•					
Item Description							
Delayed Costs							
Equipment		1		0.00	\$0	\$0	\$0
Equipment Buildings				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Other (as needed)				0.00	\$0 \$0	\$0 \$0	\$0 \$0
Engineering/Construction				0.00	\$0	\$0 \$0	\$0 \$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0 \$0
Training/Sampling				0.00	\$0	n/a	\$0 \$0
Remediation/Disposal				0.00	\$0	n/a	\$0 \$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$2,000	13-May-2019	17-Jan-2021	1.68	\$168	n/a	\$168
Notes for DELAYED costs Estimated delayed cost to remediate and dispose of used oil and contaminated soil at an authorized facility. The date required is the initial investigation date and the final date is the estimated date of compliance.							
Avoided Costs	ANNU	ALIZE avoided c	osts before en	tering	item (except for	one-time avoide	d costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							
Approx. Cost of Compliance		\$2,000			TOTAL		\$168

The TCEQ is committed to accessibility. To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN605387836, RN105003388, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

Customer, Respondent, or CN605387836, Inland Recycling La Grange Classification: HIGH Rating: 0.00

Owner/Operator: LC

Regulated Entity: RN105003388, THE LA GRANGE PLANT Classification: HIGH Rating: 0.00

Complexity Points: 6 Repeat Violator: NO

CH Group: 03 - Oil and Gas Extraction

Location: 751 HATTERMAN ROAD IN LA GRANGE, FAYETTE COUNTY, TEXAS

TCEQ Region: REGION 11 - AUSTIN

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 79453 STORMWATER PERMIT TXR05EJ17

INDUSTRIAL AND HAZARDOUS WASTE NONPERMITTED ID

NUMBER R11105003388

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

Date Compliance History Report Prepared: August 09, 2021

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: September 25, 2015 to September 25, 2020

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

Name: Carlos Molina Phone: (512) 239-2557

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

3) Who is the current owner/operator?

Inland Recycling La Grange LC OWNER OPERATOR since 7/7/2017

4) Who was/were the prior owner(s)/operator(s)?

THE LA GRANGE PLANT, INC., OWNER, 4/15/2010 to 7/6/2017

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

	1971
G.	Type of environmental management systems (EMSs): $\ensuremath{N/A}$
н.	Voluntary on-site compliance assessment dates: $\ensuremath{N/A}$
I.	Participation in a voluntary pollution reduction program: $\ensuremath{N/A}$
J.	Early compliance: N/A
Sit	es Outside of Texas:

F. Environmental audits:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
INLAND RECYCLING LA GRANGE LC;	§	
RN105003388	§	ENVIRONMENTAL QUALITY

DEFAULT ORDER

DOCKET NO. 2020-0750-MLM-E

On _______, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered the Executive Director's Preliminary Report and Petition, filed pursuant to Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code chs. 361, 371, and 382, and the rules of the TCEQ, which requests appropriate relief, including the imposition of an administrative penalty and corrective action of the respondent. The respondent made the subject of this Order is Inland Recycling La Grange LC ("Respondent").

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

- 1. Respondent owns and operates a recycling and glycerin refining site located at 751 Hatterman Road in La Grange, Fayette County, Texas (the "Site"). The Site contains and/or involves the management of industrial solid waste ("ISW") and used oil, as defined in Tex. Health & Safety Code chs. 361 and 371. The Site also consists of or includes one or more sources as defined in Tex. Health & Safety Code § 382.003(12) and is near or adjacent to water in the state as defined in Tex. Water Code § 26.001(5).
- 2. During an investigation beginning on and around May 13, 2019, an investigator documented that Respondent:
 - a. Failed to keep records of all ISW activities regarding the quantities generated, stored, processed, and disposed of on-site or shipped offsite for storage, processing, or disposal. Specifically, Respondent did not maintain required documentation for speculatively accumulated salts, spilled glycerin, spilled free-fatty acids ("FFAs"), and contaminated water and soil generated, stored, processed, or disposed of on-site. Additionally, Respondent did not maintain required documentation for watered glycerin and wastewater generated, stored, processed, or disposed of offsite;
 - b. Failed to submit a written notice to the TCEQ which includes the types of ISW or municipal hazardous waste to be recycled, the method of storage prior to recycling, and the nature of the recycling activity 90 days prior to engaging in such activities. Specifically, ISW is transported to another site for purported recycling without prior TCEO notification;
 - c. Failed to conduct hazardous waste determinations and waste classifications. Specifically, waste determinations and waste classifications were not conducted on wash water, watered glycerin, salts, and contaminated soil;
 - d. Failed to obtain authorization to discharge stormwater associated with industrial activities. Specifically, Respondent was performing industrial activities prior to obtaining authorization under Texas Pollutant Discharge Elimination System ("TPDES") General Permit No. TXR050000;

- e. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW.

 Specifically, waste generated at the Site, including glycerin and FFAs, and water contaminated with arsenic, mercury, chromium, and total petroleum hydrocarbons, was draining offsite and flowing into tributaries of the Colorado River;
- f. Failed to obtain authorization prior to constructing or modifying a source of air contaminants. Specifically, the Site was not constructed as represented in the application for Registration No. 79453 regarding distance from the Site's emission point to property line or nearest off-property structure. Also, Respondent was processing and refining crude glycerin which uses different materials, has different storage, and has different emission rates than what was presented in the application;
- g. Failed to notify the TCEQ as soon as possible but no later than 24 hours after the discovery of a spill or discharge. Specifically, approximately 500 gallons of glycerin or FFAs were discharged from the Site in early May 2019 and Respondent did not notify the TCEQ;
- h. Failed to immediately abate and contain a discharge or spill. Specifically, cleanup was not immediately conducted on a discharge of approximately 500 gallons of glycerin or FFAs;
- Failed to prepare and implement a Stormwater Pollution Prevention Plan ("SWP3").
 Specifically, Respondent submitted a Notice of Intent to obtain coverage under TPDES General Permit No. TXR05EJ17 without first developing and implementing a required SWP3;
- j. Failed to mark or clearly label used oil storage containers with the words "Used Oil." Specifically, two 55-gallon drums and a pallet of five 5-gallon buckets of oil were not labeled with the words "Used Oil"; and
- k. Failed to clean up and manage properly used oil. Specifically, a used oil container was not closed and a discharge of hydrocarbon was observed covering the container, the pallet underneath, and approximately one cubic yard of nearby soil.
- 3. The Executive Director recognizes that Respondent obtained authorization to discharge stormwater associated with industrial activities, on May 28, 2019 (Conclusion of Law No. 5).
- 4. The Executive Director filed the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Inland Recycling La Grange LC" (the "EDPRP") in the TCEQ Chief Clerk's office on November 19, 2021.
- 5. Respondent filed an answer requesting a hearing on December 17, 2021, and the matter was referred to the State Office of Administrative Hearings ("SOAH") on January 31, 2022.
- 6. On February 23, 2022, the TCEQ Chief Clerk mailed notice to Respondent of the March 24, 2022 preliminary hearing via certified mail, return receipts requested, and via first class mail, postage prepaid.
- 7. On March 24, 2022, the Administrative Law Judge ("ALJ") convened the preliminary hearing. Respondent failed to appear, and the Executive Director requested that the ALJ enter a finding that Respondent was served with proper notice of the hearing and the matter be dismissed from the SOAH Docket and remanded to the Executive Director so that a Default Order may be entered by the Commission.
- 8. On March 29, 2022, the ALJ entered a finding that Respondent was served with proper notice of the hearing and remanded the matter to the Executive Director by SOAH Order No. 2 so that the 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. Water Code ch. 26, Tex. Health & Safety Code chs. 361, 371, and 382, and the rules of the TCEQ.
- 2. As evidenced by Finding of Fact No. 2.a., Respondent failed to keep records of all ISW activities regarding the quantities generated, stored, processed, and disposed of on-site or shipped offsite for storage, processing, or disposal, in violation of 30 Tex. ADMIN. CODE § 335.9(a)(1).
- 3. As evidenced by Finding of Fact No. 2.b., Respondent failed to submit a written notice to the TCEQ which includes the types of ISW or municipal hazardous waste to be recycled, the method of storage prior to recycling, and the nature of the recycling activity 90 days prior to engaging in such activities, in violation of 30 Tex. ADMIN. CODE §§ 335.6(h) and 335.24.
- 4. As evidenced by Finding of Fact No. 2.c., Respondent failed to conduct hazardous waste determinations and waste classifications, in violation of 30 Tex. ADMIN. CODE § 335.62 and 40 C.F.R. § 262.11(a).
- 5. As evidenced by Finding of Fact No. 2.d., Respondent failed to obtain authorization to discharge stormwater associated with industrial activities, in violation of Tex. Water Code § 26.121, 30 Tex. Admin. Code § 281.25(a)(4), and 40 C.F.R. § 122.26(c).
- 6. As evidenced by Finding of Fact No. 2.e., Respondent caused, suffered, allowed, or permitted the unauthorized disposal of ISW, in violation of 30 Tex. ADMIN. CODE § 335.4.
- 7. As evidenced by Finding of Fact No. 2.f., Respondent failed to obtain authorization prior to constructing or modifying a source of air contaminants, in violation of Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b), and 30 Tex. Admin. Code § 116.110(a).
- 8. As evidenced by Finding of Fact No. 2.g., Respondent failed to notify the TCEQ as soon as possible but no later than 24 hours after the discovery of a spill or discharge, in violation of 30 Tex. Admin. Code § 327.3(b).
- 9. As evidenced by Finding of Fact No. 2.h., Respondent failed to immediately abate and contain a discharge or spill, in violation of 30 Tex. ADMIN. CODE §§ 327.5 and 350.2(b).
- 10. As evidenced by Finding of Fact No. 2.i., Respondent failed to prepare and implement a SWP3, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and TPDES General Permit No. TXR05EJ17, Part III, Section A.
- 11. As evidenced by Finding of Fact No. 2.j., Respondent failed to mark or clearly label used oil storage containers with the words "Used Oil," in violation of 30 Tex. ADMIN. CODE § 324.6 and 40 C.F.R. § 279.22(c)(1).
- 12. As evidenced by Finding of Fact No. 2.k., Respondent failed to clean up and manage properly used oil, in violation of 30 Tex. ADMIN. CODE § 324.15 and 40 C.F.R. § 279.22(d).
- 13. 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.
- 14. 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.

- 15. 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 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).
- 16. 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 the TCEQ's jurisdiction, for violations of rules adopted under such statutes, or for violations of orders or permits issued under such statutes.
- 17. An administrative penalty in the amount of one hundred thirty-seven thousand eight hundred five dollars (\$137,805.00) is justified by the facts recited in this Order, and considered in light of the factors set forth in Tex. WATER CODE § 7.053.
- 18. 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 one hundred thirty-seven thousand eight hundred five dollars (\$137,805.00) for violations of state statutes and rules of the TCEQ. 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 not raised here.
- 2. The penalty assessed by this Order 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: Inland Recycling La Grange LC; Docket No. 2020-0750-MLM-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. Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Order:
 - i. Cease disposing and discharging any additional ISW and used oil at the Site (Conclusions of Law Nos. 6 and 9); and
 - ii. Begin maintaining all records of ISW activities at the Site regarding the quantities generated, stored, processed, disposed of on-site or shipped offsite for storage, processing, or disposal, including those for speculatively accumulated salts, spilled glycerin, spilled FFAs, contaminated water and soil, watered glycerin, and other wastewaters, in accordance with 30 Tex. ADMIN. Code § 335.9 (Conclusion of Law No. 2).

b. Within 15 days after the effective date of this Order, submit an administratively complete registration in accordance with 30 Tex. Admin. Code ch. 106, or an administratively complete permit application in accordance with 30 Tex. Admin. Code § 116.111, to authorize the current operations at the Site (Conclusion of Law No. 7). The registration or application shall be sent to:

Air Permits Division, MC 163 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- c. Within 30 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.i., to demonstrate compliance with Ordering Provisions Nos. 3.a. and 3.b.
- d. Within 45 days after the effective date of this Order, and unless another deadline is expressly provided herein, properly remove all ISW from the Site (e.g., spilled glycerin, spilled FFAs, contaminated water) and dispose of it at an authorized facility (Conclusion of Law No. 6).
- e. Within 60 days after the effective date of this Order:
 - i. Mark or clearly label all used oil containers with the words "Used Oil," in accordance with 30 Tex. Admin. Code § 324.6 (Conclusion of Law No. 11);
 - ii. Properly remove and dispose of soil contaminated with used oil, using appropriate corrective measures, in accordance with 40 C.F.R. § 279.22 (Conclusion of Law No. 12);
 - iii. Submit a report describing the details of the discharge or spill of used oil and supporting the adequacy of the response action performed to comply with Ordering Provision No. 3.g.ii., in accordance with 30 Tex. ADMIN. CODE § 327.5(c) (Conclusion of Law No. 12);
 - iv. Implement procedures to ensure that any spill or discharge of glycerin or FFAs is reported to the TCEQ within 24 hours, in accordance with 30 Tex. ADMIN. CODE § 327.3 (Conclusion of Law No. 8);
 - v. Provide notification to the TCEQ that includes an accurate description of recycling activities for the Site, in accordance with 30 Tex. ADMIN. CODE § 335.6 (Conclusion of Law No. 3);
 - vi. Conduct waste determinations and waste classifications for all waste streams at the Site, including wash water, watered glycerin, salts, and contaminated soil and water, in accordance with 30 Tex. ADMIN. CODE § 335.62 (Conclusion of Law No. 4); and
 - vii. Develop and implement a SWP3 to comply with the requirements of TPDES General Permit No. TXR05EJ17 (Conclusion of Law No. 10).
- f. Within 75 days after the effective date of this Order, submit written certification, in accordance with Ordering Provision No. 3.i., to demonstrate compliance with Ordering Provisions Nos. 3.d. and 3.e.i. through 3.e.vii.
- g. Within 120 days after the effective date of this Order, conduct an investigation at the Site and any property affected thereby to determine whether response actions are necessary under the Texas Risk Reduction Program ("TRRP"), as codified in 30 Tex. Admin. Code ch. 350, and submit the results to the Enforcement Division at the address provided in Ordering Provision No. 3.i. (Conclusions of Law Nos. 6, 9, and 12).

- i. If the Executive Director determines response actions pursuant to TRRP are necessary, Respondent shall submit an Affected Property Assessment Report ("APAR") to the Order Compliance Team at the address provided in Ordering Provision No. 3.i. Respondent shall submit the APAR by the deadline prescribed by the Executive Director, pursuant to 30 Tex. ADMIN. CODE § 350.91.
- ii. If the Executive Director determines the APAR indicates response actions are necessary, Respondent shall comply with all applicable TRRP requirements by the deadlines prescribed by the Executive Director.
- h. Respond completely and adequately, as determined by the TCEQ, within 15 days or by any other deadline specified in writing, to all requests for information concerning information, reports, registrations, or any other submittals Respondent provides to the TCEQ to comply with these Ordering Provisions.
- i. The certifications required by these Ordering Provisions shall be accompanied by detailed supporting documentation, including photographs, receipts, and/or other records, shall be signed by Respondent, and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The written certifications and supporting documentation necessary to demonstrate compliance with these Ordering Provisions shall be sent to:

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

and: Waste Section Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- 4. All relief not expressly granted in this Order is denied.
- 5. The provisions of this Order shall apply to and be binding upon Respondent. Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
- 6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by 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. Extension requests shall be sent to the Order Compliance Team at the address listed above.

- 7. 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.
- 8. 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 Respondent has not complied with one or more of the terms or conditions in this Order.
- 9. 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.
- 10. 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.
- 11. 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.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date	

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



UNSWORN DECLARATION OF JESS S. ROBINSON

"On behalf of the Executive Director of the Texas Commission on Environmental Quality, the "Executive Director's Preliminary Report and Petition Recommending that the Texas Commission on Environmental Quality Enter an Enforcement Order Assessing an Administrative Penalty Against and Requiring Certain Actions of Inland Recycling La Grange LC" (the "EDPRP") was filed in the TCEQ Chief Clerk's office on November 19, 2021.

Respondent filed an answer requesting a hearing on December 17, 2021, and the matter was referred to the State Office of Administrative Hearings ("SOAH") on January 31, 2022. On February 23, 2022, the TCEQ Chief Clerk mailed notice of the March 24, 2022 preliminary hearing to Respondent via certified mail, return receipts requested, and via first class mail, postage prepaid.

Respondent failed to appear at the hearing on March 24, 2022. At that hearing, I requested that the ALJ enter a finding that Respondent was served with proper notice of the hearing and the matter be remanded to the Executive Director pursuant to 1 Tex. ADMIN. Code § 155.501(e), which gives an ALJ the authority to remand the case back to the TCEQ for informal disposition on a default basis in accordance with Tex. Gov't Code § 2001.056.

The ALJ remanded the matter to the Executive Director by SOAH Order No. 2, issued on March 29, 2022, so that the TCEQ may dispose of this case on a default basis."

"My name is Jess S. Robinson, and I am an employee of the following governmental agency: Texas Commission on Environmental Quality. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in Travis County, State of Texas, on the 7th day of June, 2022

Declarant