

**Executive Summary – Enforcement Matter – Case No. 60256**  
**TexPac Hide & Skin Ltd.**  
**RN100734987**  
**Docket No. 2021-0147-AIR-E**

**Order Type:**

Findings Agreed Order

**Findings Order Justification:**

People or environmental receptors have been exposed to pollutants which exceed levels that are protective.

**Media:**

AIR

**Small Business:**

Yes

**Location(s) Where Violation(s) Occurred:**

Tex-Pac, 601 Northeast 29th Street, Fort Worth, Tarrant County

**Type of Operation:**

Leather tanning and finishing site

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

**Texas Register Publication Date:** August 27, 2021

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$6,750

**Total Paid to General Revenue:** \$6,750

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**Compliance History Classifications:**

Person/CN - High

Site/RN - High

**Major Source:** No

**Statutory Limit Adjustment:** N/A

**Applicable Penalty Policy:** April 2014

***Investigation Information***

**Complaint Date(s):** June 28, 2019 and July 17, 2019

**Complaint Information:** Alleged strong odors and very foul odors of manure coming from the facility.

**Date(s) of Investigation:** July 18, 2019 and October 17, 2019.

**Date(s) of NOE(s):** August 1, 2019 and October 31, 2019

**Executive Summary – Enforcement Matter – Case No. 60256**  
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***Violation Information***

Failed to prevent nuisance conditions [30 TEX. ADMIN. CODE § 101.4 and TEX. HEALTH & SAFETY CODE § 382.085(a) and (b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

N/A

**Technical Requirements:**

The Order will require the Respondent to:

a. Within 30 days, submit a plan for review, possible modification, and approval to (i) the Air Section Manager of the Dallas/Fort Worth Regional Office, (ii) the Environmental Supervisor of the City of Fort Worth Code Compliance Department's Environmental Division, and (iii) the TCEQ Order Compliance Team, setting forth industry best management practices designed to prevent the emission of odors from all potential sources at the Site (the "Odor Control Plan"). The Odor Control Plan shall, at a minimum, include an implementation schedule with milestones, all relevant standard operating procedures, and maintenance practices designed to:

i. Minimize odors from each potential source that generates odors at the Site.

ii. Proper operation designed to mitigate odors from the Site.

iii. Monitor for, detect, and respond to potential off-site nuisance odors, including at a minimum:

(1) Procedures for regularly detecting, investigating, and timely mitigating odors detected at the Site's property line;

(2) Procedures for receiving and documenting reports of odors detected off-site from the public;

(3) Procedures for responding promptly to odor complaints including corrective actions to mitigate odor impacts; and

(4) Determine the effectiveness of each measure undertaken pursuant to the Odor Control Plan.

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- iv. Maintain detailed records of activities performed to comply with the Odor Control Plan. Such records shall also include those of activities relating to off-site odor impacts, including property line and off-site surveillance, odor reports received from the public, investigative activities to identify the odor source, and all corrective actions taken to mitigate the odor.
  
- b. Respond completely and adequately, as determined by the TCEQ, to all requests for information and/or modification made by the Executive Director concerning the Odor Control Plan within 10 business days after the date of such request, or by any other deadline specified in writing.
  
- c. Within 45 days, submit written certification to demonstrate compliance with a.
  
- d. Within 30 days after the date of the letter transmitting Executive Director approval of the Odor Control Plan, comply with each provision stated in the Odor Control Plan, implemented according to the schedule contained therein. If the Respondent deviates from any provision of the Odor Control Plan, unless such deviation is pre-approved in writing by the TCEQ, the deviation shall be considered a violation of this Order.
  
- e. Within 45 days after the date of the letter transmitting Executive Director approval of the Odor Control Plan, submit written certification to demonstrate compliance with d.

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Mackenzie Mehlmann, Enforcement Division, Enforcement Team 5, MC 219, (512) 239-2572; Michael Parrish, Enforcement Division, MC 219, (512) 239-2548

**Respondent:** James K. Zitnik, President, TexPac Hide & Skin Ltd., 601 Northeast 29th Street, Fort Worth, Texas 76106

Doug Baker, Vice President of Operations, TexPac Hide & Skin Ltd., 601 Northeast 29th Street, Fort Worth, Texas 76106

**Respondent's Attorney:** N/A

AIR CP\_100734987\_CP\_20191017\_Investigation\_1598000  
**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: Texpac Hide & Skin Ltd.**  
**Customer Number: CN605708452**

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**Regulated Entity Name: TEX-PAC**

**Regulated Entity Number: RN100734987**

**Investigation #** 1598000

**Incident Numbers**

**Investigator:** SANDRA HERNANDEZ

**Site Classification**

**Conducted:** 10/17/2019 -- 10/17/2019

**SIC Code:** 3111

**Program(s):** AIR QUALITY NON PERMITTED

**Investigation Type:** Compliance Invest File Review

**Location:** 601 N.E. 29TH ST.

**Additional ID(s):** TA2754Q

**Address:** ,  
, ,

**Local Unit:** CITY OF FORT WORTH LOCAL PROGRAM

**Activity Type(s):** AIRFIIH - AIR AIRFIIH - INHOUSE  
FOLLOW UP INV

**Principal(s):**

<b>Role</b>	<b>Name</b>
RESPONDENT	TEXPAC HIDE & SKIN LTD

**Contact(s):**

<b>Role</b>	<b>Title</b>	<b>Name</b>	<b>Phone</b>
REGULATED ENTITY MAIL CONTACT	VICE PRESIDENT OF RENDERING	MR DAVID DIXON	Work (417) 234-5550
REGULATED ENTITY CONTACT	VICE PRESIDENT OF OPERATIONS	MR DOUG BAKER	Home (817) 624-5712
PARTICIPATED IN	PLANT MANAGER	MR DIEGO TAVERA	Work (682) 313-5074
PARTICIPATED IN	DIRECTOR OF FOOD SAFETY AND QUALITY ASSURANCE	MR CASEY WATERS	Work (817) 624-5721

**Other Staff Member(s):**

<b>Role</b>	<b>Name</b>
Supervisor	ANTHONY WILLIAMS
QA Reviewer	ANTHONY WILLIAMS

**Associated Check List**

<u>Checklist Name</u>	<u>Unit Name</u>
AIR GENERIC INVESTIGATION (10 ITEMS)	AIR

**Investigation Comments:**

On September 12, 2019, the City of Fort Worth-Local Air Program (CFW-LAP) received a letter from the TCEQ Enforcement Division dated September 6, 2019, from the TCEQ Enforcement Division indicating that Consolidated Packers Hide Company (Customer Number (CN) 600829444) was no longer a legal and valid corporation and requested that correct Respondent be determined and associated to the violation (see Violation Tracking #721093) found during the July 18, 2019 investigation performed at Consolidated Packers Hide (Regulated Number (RN) 101565729) (see Investigation #1581063).

**OUTSTANDING ALLEGED VIOLATION(S)**

**Track Number:** 721093                      **Compliance Due Date:** To Be Determined  
**Violation Start Date:** 7/18/2019

**30 TAC Chapter 101.4**  
**5C THSC Chapter 382.085(b)**

**Alleged Violation:**

**Investigation: 1581063** Comment Date: 07/31/2019  
 Failure of entity to refrain from discharging from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.

At the time of the investigation, Ms. Hernandez performed an odor surveillance, downwind from the facility, and detected very strong, highly offensive odors of a mixture of rancid decaying odor, hide processing odor, and burnt hair odor for 12 minutes that caused Ms. Hernandez to experience adverse health effects such as stomach ache, nausea, and gagging. This confirms that the odors appeared to be in such concentration and of such duration to potentially be injurious to or adversely affect human health and also confirmed that nuisance conditions exist. This violation is considered a category A10.a violation in accordance with the TCEQ Enforcement Initiation Criteria, Revision 15, and is classified as major.

**Investigation: 1598000** Comment Date: 10/22/2019  
 This Data Maintenance File Review was conducted to associate the violation (Violation Tracking #721093) observed during a July 18, 2019 on-site investigation at the referenced facility, to the correct Respondent, as requested from the TCEQ Enforcement Division. The investigator noted that the incorrect RN and CN were previously associated to the violation observed during the July 18, 2019 investigation (see Investigation #1581063). The correct RN and CN have been identified and have been determined to be RN100734987 (Tex-Pac) and CN605708452 (Tex-Pac) and are associated to Violation Tracking #721093.

**Recommended Corrective Action:** The facility is requested to refrain from discharging air contaminant in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property, and cause a nuisance.

Signed Sandra Hernandez  
Environmental Investigator

Date 10/22/19

Signed A. J. [Signature]  
Supervisor

Date 10/31/19

**Attachments: (in order of final report submittal)**

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

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

AIR CP\_101565729\_CP\_20190718\_Investigation Report  
**Texas Commission on Environmental Quality**  
**Investigation Report**

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**Customer: Consolidated Packers Hide Company**  
**Customer Number: CN600829444**

**Regulated Entity Name: CONSOLIDATED PACKERS HIDE**

**Regulated Entity Number: RN101565729**

<b>Investigation #</b> 1581063	<b>Incident Numbers</b> 317269                      317273
<b>Investigator:</b> SANDRA HERNANDEZ	<b>Site Classification</b>
<b>Conducted:</b> 07/18/2019 -- 07/18/2019	<b>SIC Code:</b> 3111
<b>Program(s):</b> AIR QUALITY NON PERMITTED	
<b>Investigation Type:</b> Compliance Investigation	<b>Location:</b>
<b>Additional ID(s):</b> R04101565729	

**Address:** 601 NE 29TH ST,  
FORT WORTH, TX , 76106

**Local Unit:** CITY OF FORT WORTH LOCAL PROGRAM  
**Activity Type(s):** AIRCOMPL - AIR CMPL - AIR  
COMPLAINT INV

**Principal(s):**

<b>Role</b>	<b>Name</b>
RESPONDENT	CONSOLIDATED PACKERS HIDE CO

**Contact(s):**

<b>Role</b>	<b>Title</b>	<b>Name</b>	<b>Phone</b>
REGULATED ENTITY MAIL CONTACT	VICE PRESIDENT OF RENDERING	MR DAVID DIXON	Work      (417) 234-5550
REGULATED ENTITY CONTACT	VICE PRESIDENT OF OPERATIONS	MR DOUG BAKER	Home      (817) 624-5712
PARTICIPATED IN	PLANT MANAGER	MR DIEGO TAVERA	Work      (682) 313-5074
PARTICIPATED IN	DIRECTOR OF FOOD SAFETY AND QUALITY ASSURANCE	MR CASEY WATERS	Work      (817) 624-5721

**Other Staff Member(s):**

<b>Role</b>	<b>Name</b>
Supervisor	ANTHONY WILLIAMS
QA Reviewer	ANTHONY WILLIAMS

**Associated Check List**

<u>Checklist Name</u>	<u>Unit Name</u>
AIR COMPLAINT INVESTIGATION	AIR

**Investigation Comments:**

**INTRODUCTION**

On July 18, 2019, Ms. Sandra Hernandez and Mr. Sean Stanton, investigators with the City of Fort Worth, Local Air Program (CFW-LAP) conducted an Air Complaint Investigation (AIR COMPL) in response to an air complaint against Consolidated Packers Hide (CPH). CPH is located at 601 Northeast 29th Street, Fort Worth, Tarrant County (see Attachment 1). Mr. David Dixon, Vice President of Rendering, and Mr. Doug Baker, Vice President of Operations, were the facility contacts during this investigation. Mr. Diego Tavera, Plant Manager, and Mr. Casey Waters, Director of Food Safety and Quality Assurance, participated. This investigation was performed in order to determine compliance with the Texas Commission on Environmental Quality (TCEQ) rules regarding nuisance. On June 28, 2019, at 3:34 pm, Ms. Hernandez was assigned this complaint investigation.

**Daily Narrative:**

On June 28, 2019, at 3:00 pm, the complainant contacted the CFW Code Compliance Department by phone. On June 28, 2019, at 3:32 pm, the CFW Consumer Health Division forwarded the complaint to CFW-LAP by email. The complainant stated that there was a strong odor coming from the alleged facility. Complainant information is being handled as confidential and is included in the CFW-LAP confidential file.

On July 17, 2019, at 11:48 am, a second complaint was received by CFW Code Compliance Department. On July 17, 2019, at 11:56 am, the CFW Code Compliance Department forwarded the complaint was forwarded to CFW-LAP. On July 17, 2019, at 4:49 pm, this complaint was assigned to Ms. Hernandez. The complainant stated that there was a very foul odor of manure coming from the alleged facility.

On July 18, 2019, at 1:00 pm, Ms. Hernandez arrived in the area and the facility and conducted an odor survey of the following streets: North Main Street, Northeast 29th Street, North Terry Street, Northeast 30th Street and North Pecan Street (see Attachment 1). Ms. Hernandez noted that the terrain of the area is hilly and nearby land use was generally residential, commercial, and industrial properties. Ms. Hernandez noted that the winds were from the south at 12 miles per hour (mph). The conditions were sunny, the temperature was 92 degrees Fahrenheit (F), and the relative humidity was 43%. This was confirmed via meteorological data acquired from TCEQ Continuous Ambient Monitoring Station designated at Ft. Worth Northwest C13/AH302 (CAMS 13). At 1:15 pm, during the odor survey, downwind from the facility, Ms. Hernandez noted that the winds were from the south at 9 mph, the temperature was 94 degrees F, and the relative humidity was 43%. Ms. Hernandez detected very strong, highly offensive odors of a mixture of rancid decaying odor, hide processing odor, and burnt hair odor for 12 minutes that caused Ms. Hernandez to experience adverse health effects such as stomach ache, nausea, and gagging. This confirms that the odors appeared to be in such concentration and of such duration to potentially be injurious to or adversely affect human health and also confirmed that nuisance conditions exist. Therefore, this was noted as an alleged violation (see Attachment 2). Ms. Hernandez left the area at 1:27 pm.

On July 18, 2019, at 1:49 pm, Ms. Hernandez contacted the complainant to gather more information regarding the complaint. The complainant stated that the odor was detected on July 15, 2019 at 10:47 am, and again at 6:15 pm. The complainant described the odor as a burnt animal and burnt hair odor. The complainant stated that the odor was very strong and would want to make anyone run to find some clean air. The complainant stated that the odor has also been experienced on the weekends and interferes with the enjoyment of sitting outdoors and grilling outdoors. At this time, Ms. Hernandez informed the complainant of the final investigation results. Ms. Hernandez did not request to meet the complainant at his/her location due Ms. Hernandez not feeling confident that the site conditions were safe for Ms. Hernandez's health.

On July 18, 2019, at 2:20 pm, Ms. Hernandez contacted Mr. Dixon and informed him of the complaint allegations, enforcement protocol, and investigation results. Ms. Hernandez informed Mr. Dixon that health effects had been experienced by Ms. Hernandez during the odor survey. At this time, Ms. Hernandez informed Mr. Dixon that the health effects experienced as a result of the odors from the alleged facility confirms that the odors appeared to be in such concentration and of such duration to potentially be injurious to or adversely affect human health and also confirmed that nuisance conditions exist. Ms. Hernandez informed Mr. Dixon that one alleged violation was

## CONSOLIDATED PACKERS HIDE - FORT WORTH

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noted and that the facility would be referred to the TCEQ Enforcement Division. At this time, Mr. Dixon requested to meet with Ms. Hernandez.

On July 18, 2019, at 2:28 pm, Ms. Hernandez met with Mr. Dixon, Mr. Baker, Mr. Tavera, and Mr. Waters at the facility offices located next to the facility. Ms. Hernandez informed the facility representatives of the complaint allegations, enforcement protocol, and investigation results. The facility representatives stated that the odor might have been related to production trash located outside of the facility. The facility representatives also stated that the odor could be associated to the facility's dryer since the odors described by the complaint and investigator were of burnt hair. The facility representatives stated that they would investigate the facility operations to determine what could be the cause of the odor. Ms. Hernandez left the facility offices at 2:50 pm.

On July 18, 2019, at 3:29 pm, Mr. Dixon contacted the Mr. Hernandez and stated that his workers had found a plastic bag that contained a deceased dog and stated he believed that he could have found a potential source of the odor (see Attachment 3). Mr. Dixon requested that Ms. Hernandez return to the facility to determine if it was the same odor that had been previously been experienced. Ms. Hernandez agreed.

On July 18, 2019, at 3:45 pm, Ms. Hernandez and Mr. Stanton arrived at the facility offices located next to the facility and met with Mr. Dixon. At this time, Mr. Dixon informed them that Mr. Tavera and Mr. Baker were waiting on North Pecan Street, at the north end of the facility.

On July 18, 2019, at 3:55 pm, Ms. Hernandez and Mr. Stanton arrived at the north end and downwind of the facility on North Pecan Street. During this time Ms. Hernandez and Mr. Stanton noted, very strong, highly offensive odors of a mixture of rancid decaying odor and hide processing odor for 4 minutes (see Attachment 4). Ms. Hernandez contacted Mr. Baker by phone and he informed her to meet him and his staff in the front of the facility.

On July 18, 2019, at 4:00 pm, Ms. Hernandez and Mr. Stanton arrived at the front of facility and met with Mr. Tavera and Mr. Baker. Mr. Tavera and Mr. Baker walked Ms. Hernandez and Mr. Stanton to the north side of the facility alongside the railroad tracks to show them what might have been the cause of the odor. While walking along the railroad tracks, Ms. Hernandez and Mr. Stanton noted highly offensive odors of a mixture of rancid decaying odor and hide processing odor. At 4:10 pm, upon arrival to the location where the bag that contained a deceased dog was located, Ms. Hernandez and Mr. Stanton noted that lime had been poured over the bag, therefore, no odors were experienced during this time (see Attachment 3). The facility representatives stated that one of their staff had poured lime over the bag to conceal the odor without being given the directive. The facility representatives stated that the odor of the deceased dog was very strong and made the staff sick to their stomachs. Ms. Hernandez explained that she did not believe the odor from the bag was the cause of the odor experienced earlier that day that caused health effects because the odor experienced earlier was a mixture of rancid decaying odor, hide processing odor, and burnt hair. Ms. Hernandez stated that the very strong, highly offensive odors of a mixture of rancid decaying odor, hide processing odor, and burnt hair odor was detected on the north end and downwind of the facility on North Pecan Street 5 minutes before meeting them in the front of the facility. Mr. Tavera and Mr. Baker state that they would continue to work on investigating what could be the cause of the odor. The investigator left the facility at 4:30 pm.

On July 18, 2019, at 4:35 pm, Ms. Hernandez and Mr. Stanton conducted an additional odor survey to confirm if the odor had dissipated after the deceased dog has been cover with lime. The investigators surveyed the following streets: Northeast 29th Street, North Terry Street, Northeast 30th Street and North Pecan Street (see Attachment 1). Ms. Hernandez noted that the terrain of the area is hilly and nearby land use was generally residential, commercial, and industrial properties. Ms. Hernandez noted that the winds were from the south at 12 mph. The conditions were sunny, the temperature was 96 degrees F, and the relative humidity was 35%. This was confirmed via meteorological data acquired from TCEQ CAMS 13. During the odor survey, downwind from the facility, Ms. Hernandez and Mr. Stanton detected very strong, highly offensive odors of a mixture of rancid decaying odor, hide processing odor, and burnt hair odor for 15 minutes (see Attachment 4). During the odor survey, Ms. Hernandez and Mr. Stanton noted that Mr. Baker was also performing an odor survey at that time in the same area to determine what could be the cause of the odor. Mr. Baker stated that he detected the odor as well. Ms. Hernandez and Mr. Stanton left the area at 4:55 pm.

### Exit Interview

At the time of the investigation, Ms. Hernandez informed Mr. Dixon, Mr. Baker, and Mr. Tavera that one violation

## CONSOLIDATED PACKERS HIDE - FORT WORTH

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was noted at the conclusion of the investigation and that the facility would be referred to the TCEQ Enforcement Division.

On July 19, 2019, Ms. Hernandez emailed Mr. Dixon and Mr. Baker a TCEQ Exit Interview Form detailing the alleged violation (see Attachment 2).

On July 31, 2019, Ms. Hernandez emailed Mr. Dixon and Mr. Baker an updated TCEQ Exit Interview form as the previously sent one had a discrepancy (see Attachment 2).

### GENERAL FACILITY AND PROCESS INFORMATION

#### Process Description:

Raw cow and pig hides are received on pallets via truck. The hides are then dumped in water vats called raceways. The raceways are filled with brine water consisting of water and salt. After about 12 hours of curing, the hides are pulled out of the raceway via a conveyor chain. The hides are then dropped into a fleshing machine, which shaves off most flesh. The finished hides are sent off to leather tanneries. The hides are then dropped on to a table where they are sorted and graded. The fleshings are put into bins and rendered on-site into dry meal. The dry meal is sent to dog food processing facilities.

### BACKGROUND

On July 24, 2018 – August 6, 2018, the CFW-LAP conducted an odor complaint investigation at the above referenced facility and intermittent highly offensive odors of hide processing, moderate for 1 minute, light for 4 minutes, and no odors for 25 minutes were noted (see Investigation 1505429). The duration, intensity, and frequency of the odor did not meet the TCEQ nuisance odor protocol for an alleged violation at this time. An additional odor survey was conducted on August 6, 2018 and intermittent highly offensive odors of hide processing, moderate for 11 minutes, light for 4 minutes, and no odors for 15 minutes were noted. The duration, intensity, and frequency of the odor did not meet the TCEQ nuisance odor protocol for an alleged violation at that time.

On December 4 - 12, 2017, the CFW-LAP conducted an odor complaint investigation at the above referenced facility and highly offensive odors, moderate for 3 minutes, light for 9 minutes, very light for 5 minutes, and no odors for 30 minutes were noted (see Investigation 1459889). An additional odor survey was conducted on December 20, 2017, at the above referenced facility and highly offensive odors, very light for 2 minutes, and no odors for 28 minutes were noted. The duration, intensity, and frequency of the odor did not meet the TCEQ nuisance odor protocol for an alleged violation at that time.

On October 23, 2017 through November 3, 2017, the CFW-LAP conducted an odor complaint investigation at the above referenced facility and noted highly offensive odors, very strong for 1 minute, strong for 4 minutes, moderate for 9 minutes, light for 18 minutes, very light for 8 minutes and no odors for 83 minutes (see Investigation 1448025). An additional odor survey was conducted on November 7, 2017, at the above referenced facility and highly offensive odors, moderate for 7 minutes, light for 13 minutes, very light for 2 minutes and no odors for 28 minutes were noted. The duration, intensity, and frequency of the odor did not meet the TCEQ nuisance odor protocol for an alleged violation at that time.

On July 14 - 28, 2017, the CFW-LAP conducted an odor complaint investigation at the above referenced facility and noted highly offensive odors, strong for 1 minute, moderate for 28 minutes, light for 48 minutes, very light for 58 minutes and no odors for 148 minutes (see Investigation 1420861). The duration, intensity, and frequency of the odor did not meet the TCEQ nuisance odor protocol for an alleged violation at that time.

On June 8 -15, 2017, the CFW-LAP conducted an odor complaint investigation at the above referenced facility and noted highly offensive odors, light for 10 minutes, very light for 11 minutes and no odors for 9 minutes (see Investigation 1421003). The duration, intensity, and frequency of the odor did not meet the TCEQ nuisance odor protocol for an alleged violation at that time.

#### Compliance History Rating

Regulated Entity Rating and Classification: 0.00 (Unclassified).

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Customer Rating and Classification: 0.00 (Unclassified).

Agreed Orders, Court Orders, and other Compliance Agreements:

None in the last five years.

Complaints:

See Attachment 5.

Prior Enforcement Issues:

None in the last five years.

**ADDITIONAL INFORMATION**

Conclusions, Recommendations, and Current Enforcement Actions:

During the investigation, one violation was noted. The odors detected by Ms. Hernandez caused her to experience adverse health effects such as stomach ache, nausea, and gagging. This confirms that the odors are adversely affecting human health and safety and that nuisance conditions exist. This violation is considered a category A10.a violation in accordance with the TCEQ Enforcement Initiation Criteria, Revision 15, and is classified as major. Therefore, the facility will be forwarded to the TCEQ Enforcement Division. Ms. Hernandez recommends that the incidents associated with this investigation be closed, a copy of the final report be mailed to the complainant, and a Notice of Enforcement be issued to the facility.

Additional Issues:

None.

**NOE Date: 8/1/2019**

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

**Track Number:** 721093

**Compliance Due Date: To Be Determined**

**Violation Start Date:** 7/18/2019

**30 TAC Chapter 101.4  
5C THSC Chapter 382.085(b)**

**Alleged Violation:**

**Investigation: 1581063**

Comment Date: 07/31/2019

Failure of entity to refrain from discharging from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property.

At the time of the investigation, Ms. Hernandez performed an odor surveillance, downwind from the facility, and detected very strong, highly offensive odors of a mixture of rancid decaying odor, hide processing odor, and burnt hair odor for 12 minutes that caused Ms. Hernandez to experience adverse health effects such as stomach ache, nausea, and gagging. This confirms that the odors appeared to be in such concentration and of such duration to potentially be injurious to or adversely affect human health and also confirmed that nuisance conditions exist. This violation is considered a category A10.a violation in accordance with the TCEQ Enforcement Initiation Criteria, Revision 15, and is classified as major.

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**Recommended Corrective Action:** The facility is requested to refrain from discharging air contaminant in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property, and cause a nuisance.

Signed Sandra Hernandez  
Environmental Investigator

Date 7/31/2019

Signed [Signature]  
Supervisor

Date 8/1/19

**Attachments: (in order of final report submittal)**

- Enforcement Action Request (EAR)
- Letter to Facility (specify type) : NCE
- Investigation Report
- Sample Analysis Results
- Manifests
- Notice of Registration

- 1 Maps, Plans, Sketches
- 3 Photographs
- Correspondence from the facility
- Other (specify) :  
2- TCEQ EXIT Interview Form
- 4- Investigator Odor Log
- 5- Reg. Entry History Detail



# Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

<b>DATES</b>	<b>Assigned</b>	17-Dec-2020	<b>Screening</b>	21-Dec-2020	<b>EPA Due</b>	
	<b>PCW</b>	17-May-2021				

<b>RESPONDENT/FACILITY INFORMATION</b>	
<b>Respondent</b>	TexPac Hide & Skin Ltd.
<b>Reg. Ent. Ref. No.</b>	RN100734987
<b>Facility/Site Region</b>	4-Dallas/Fort Worth
<b>Major/Minor Source</b>	Minor

<b>CASE INFORMATION</b>			
<b>Enf./Case ID No.</b>	60256	<b>No. of Violations</b>	1
<b>Docket No.</b>	2021-0147-AIR-E	<b>Order Type</b>	Findings
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Mackenzie Mehlmann
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$25,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$7,500
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<b>ADJUSTMENTS (+/-) TO SUBTOTAL 1</b>	
Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	

<b>Compliance History</b>	-10.0%	Adjustment	<b>Subtotals 2, 3, &amp; 7</b>	-\$750
<b>Notes</b>	Reduction for High Performer classification.			

<b>Culpability</b>	No	0.0%	Enhancement	<b>Subtotal 4</b>	\$0
<b>Notes</b>	The Respondent does not meet the culpability criteria.				

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$0
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<b>Economic Benefit</b>	0.0%	Enhancement*	<b>Subtotal 6</b>	\$0
Total EB Amounts	\$2,545	*Capped at the Total EB \$ Amount		
Estimated Cost of Compliance	\$20,000			

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$6,750
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	Adjustment	\$0
Reduces or enhances the Final Subtotal by the indicated percentage.			
<b>Notes</b>			
	<b>Final Penalty Amount</b>		\$6,750

<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$6,750
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<b>DEFERRAL</b>	0.0%	Reduction	Adjustment	\$0
Reduces the Final Assessed Penalty by the indicated percentage.				
<b>Notes</b>	No deferral is recommended for Findings Orders.			

<b>PAYABLE PENALTY</b>	\$6,750
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**Screening Date** 21-Dec-2020

**Docket No.** 2021-0147-AIR-E

**PCW**

**Respondent** TexPac Hide & Skin Ltd.

*Policy Revision 4 (April 2014)*

**Case ID No.** 60256

*PCW Revision March 26, 2014*

**Reg. Ent. Reference No.** RN100734987

**Media** Air

**Enf. Coordinator** Mackenzie Mehlmann

### Compliance History Worksheet

**>> Compliance History Site Enhancement (Subtotal 2)**

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

**Adjustment Percentage (Subtotal 2)** 0%

**>> Repeat Violator (Subtotal 3)**

No

**Adjustment Percentage (Subtotal 3)** 0%

**>> Compliance History Person Classification (Subtotal 7)**

High Performer

**Adjustment Percentage (Subtotal 7)** -10%

**>> Compliance History Summary**

**Compliance History Notes**

Reduction for High Performer classification.

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

**>> Final Compliance History Adjustment**

**Final Adjustment Percentage \*capped at 100%** -10%

**Screening Date** 21-Dec-2020  
**Respondent** TexPac Hide & Skin Ltd.  
**Case ID No.** 60256  
**Reg. Ent. Reference No.** RN100734987  
**Media** Air  
**Enf. Coordinator** Mackenzie Mehlmann

**Docket No.** 2021-0147-AIR-E

**PCW**

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

**Violation Number** 1

**Rule Cite(s)** 30 Tex. Admin. Code § 101.4 and Tex. Health & Safety Code § 382.085(a) and (b)

**Violation Description**  
 Failed to prevent nuisance conditions. Specifically, on July 18, 2019, an investigator conducted odor surveys at off-site locations at the complainants' sites or equal distance; detected very strong and highly offensive rancid decaying, hide processing, and burnt hair odors; and experienced stomach aches, nausea, and gagging that resulted in the documentation of nuisance odor and health conditions.

**Base Penalty** \$25,000

>> **Environmental, Property and Human Health Matrix**

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

>> **Programmatic Matrix**

	Falsification	Major	Moderate	Minor	Percent
					0.0%

**Matrix Notes**  
 Human health or the environment has been exposed to pollutants that exceed levels that are protective of human health or environmental receptors as a result of the violation.

**Adjustment** \$17,500

\$7,500

**Violation Events**

Number of Violation Events 1 1 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

**Violation Base Penalty** \$7,500

One single event is recommended for the documented nuisance odor and health conditions.

**Good Faith Efforts to Comply**

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

**Notes**  
 The Respondent does not meet the good faith criteria for this violation.

**Violation Subtotal** \$7,500

**Economic Benefit (EB) for this violation**

**Statutory Limit Test**

**Estimated EB Amount** \$2,545

**Violation Final Penalty Total** \$6,750

**This violation Final Assessed Penalty (adjusted for limits)** \$6,750

## Economic Benefit Worksheet

**Respondent** TexPac Hide & Skin Ltd.  
**Case ID No.** 60256  
**Reg. Ent. Reference No.** RN100734987  
**Media** Air  
**Violation No.** 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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### Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$20,000	18-Jul-2019	1-Feb-2022	2.55	\$2,545	n/a	\$2,545

Notes for DELAYED costs

Estimated cost to minimize the odors from the Site from causing nuisance odor and health conditions that impact off-site receptors. The Date Required is the date an odor was detected and the Final Date is the estimated date of compliance.

### Avoided Costs

**ANNUALIZE avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$20,000

**TOTAL**

\$2,545



# Compliance History Report

Compliance History Report for CN605708452, RN100734987, Rating Year 2020 which includes Compliance History (CH) components from September 1, 2015, through August 31, 2020.

<b>Customer, Respondent, or Owner/Operator:</b>	CN605708452, TexPac Hide & Skin Ltd.	<b>Classification:</b> HIGH	<b>Rating:</b> 0.00
<b>Regulated Entity:</b>	RN100734987, TEX-PAC	<b>Classification:</b> HIGH	<b>Rating:</b> 0.00
<b>Complexity Points:</b>	1	<b>Repeat Violator:</b>	NO
<b>CH Group:</b>	14 - Other		
<b>Location:</b>	601 Northeast 29th Street, Fort Worth, Tarrant County, Texas		
<b>TCEQ Region:</b>	REGION 04 - DFW METROPLEX		
<b>ID Number(s):</b>			
<b>AIR NEW SOURCE PERMITS ACCOUNT NUMBER TA2754Q</b>	<b>AIR QUALITY NON PERMITTED ID NUMBER R04100734987</b>		

<b>Compliance History Period:</b>	September 01, 2015 to August 31, 2020	<b>Rating Year:</b>	2020	<b>Rating Date:</b>	09/01/2020
<b>Date Compliance History Report Prepared:</b>	May 17, 2021				
<b>Agency Decision Requiring Compliance History:</b>	Enforcement				
<b>Component Period Selected:</b>	May 17, 2016 to May 17, 2021				
<b>TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.</b>					
<b>Name:</b>	Mackenzie Mehlmann			<b>Phone:</b>	(512) 239-2572

## Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

N/A

### **B. Criminal convictions:**

N/A

### **C. Chronic excessive emissions events:**

N/A

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

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

### **F. Environmental audits:**

N/A

### **G. Type of environmental management systems (EMSs):**

N/A

### **H. Voluntary on-site compliance assessment dates:**

N/A

### **I. Participation in a voluntary pollution reduction program:**

N/A

### **J. Early compliance:**

N/A

### **Sites Outside of Texas:**

N/A

**Component Appendices**

**Appendix A**

**All NOVs Issued During Component Period 5/17/2016 and 5/17/2021**

N/A

For Informational Purposes Only

**Appendix B**

**All Investigations Conducted During Component Period May 17, 2016 and May 17, 2021**

Item 1

October 31, 2019\*\*

(1598000)

For Informational Purposes Only

\* No violations documented during this investigation

\*\*Investigation applicable for the Compliance History Rating period between 09/01/2015 and 08/31/2020.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
TEXPAC HIDE & SKIN LTD.  
RN100734987**

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

## **AGREED ORDER DOCKET NO. 2021-0147-AIR-E**

On \_\_\_\_\_, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding TexPac Hide & Skin Ltd. (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent presented this Order to the Commission.

The Respondent understands that it has certain procedural rights at certain points in the enforcement process, including the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Order, the Respondent agrees to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Order are binding upon the Respondent.

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

### **I. FINDINGS OF FACT**

1. The Respondent owns and operates a leather tanning and finishing site located at 601 Northeast 29th Street in Fort Worth, Tarrant County, Texas (the "Site"). The Site consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. During an investigation conducted on July 18, 2019 and a record review conducted on October 17, 2019, an investigator conducted odor surveys at off-site locations at the complainants' sites or equal distance on July 18, 2019; detected very strong and highly offensive rancid decaying, hide processing, and burnt hair odors; and experienced stomach aches, nausea, and gagging that resulted in the documentation of nuisance odor and health conditions.

## II. CONCLUSIONS OF LAW

1. As evidenced by Finding of Fact No. 1, the Respondent is subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 382 and the rules of the TCEQ.
2. As evidenced by Finding of Fact No. 2, the Respondent failed to prevent nuisance conditions, in violation of 30 TEX. ADMIN. CODE § 101.4 and TEX. HEALTH & SAFETY CODE § 382.085(a) and (b).
3. Pursuant to TEX. WATER CODE § 7.051, the TCEQ has the authority to assess an administrative penalty against the 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.
4. An administrative penalty in the amount of \$6,750 is justified by the facts recited in this Order, and considered in light of the factors set forth in TEX. WATER CODE § 7.053. The Respondent paid the \$6,750 penalty.

## III. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Conclusion of Law No. 4 for violations of state statutes and rules of the TCEQ. The payment of this penalty and the 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 that are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: TexPac Hide & Skin Ltd., Docket No. 2021-0147-AIR-E" to:

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

2. The Respondent shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Order, submit a plan to (i) the Air Section Manager of the Dallas/Fort Worth Regional Office, (ii) the Environmental Supervisor of the City of Fort Worth Code Compliance Department's Environmental Division, and (iii) the TCEQ Order Compliance Team at the respective addresses listed in Ordering Provision No. 2.f, setting forth industry best management practices designed to prevent the emission of odors from all potential sources at the Site (the "Odor Control Plan"). The Odor Control Plan shall, at a minimum, include an implementation schedule with

milestones, all relevant standard operating procedures, and maintenance practices designed to:

- i. Minimize odors from each potential source that generates odors at the Site.
- ii. Proper operation designed to mitigate odors from the Site.
- iii. Monitor for, detect, and respond to potential off-site nuisance odors, including at a minimum:
  - (1) Procedures for regularly detecting, investigating, and timely mitigating odors detected at the Site's property line;
  - (2) Procedures for receiving and documenting reports of odors detected off-site from the public;
  - (3) Procedures for responding promptly to odor complaints including corrective actions to mitigate odor impacts; and
  - (4) Determine the effectiveness of each measure undertaken pursuant to the Odor Control Plan.
- iv. Maintain detailed records of activities performed to comply with the Odor Control Plan. Such records shall also include those of activities relating to off-site odor impacts, including property line and off-site surveillance, odor reports received from the public, investigative activities to identify the odor source, and all corrective actions taken to mitigate the odor.
- b. Respond completely and adequately, as determined by the TCEQ, to all requests for information and/or modification made by the Executive Director concerning the Odor Control Plan within 10 business days after the date of such request, or by any other deadline specified in writing.
- c. Within 45 days after the effective date of this Order, submit written certification to demonstrate compliance with Ordering Provision No. 2.a, as described in Ordering Provision No. 2.f.
- d. Within 30 days after approval of the Odor Control Plan, comply with each provision stated in the Odor Control Plan, implemented according to the schedule contained therein. If the Respondent deviates from any provision of the Odor Control Plan, unless such deviation is pre-approved in writing by the TCEQ, the deviation shall be considered a violation of this Order.
- e. Within 45 days after the approval of the Odor Control Plan, submit written certification to demonstrate compliance with Ordering Provision No. 2.d, as described in Ordering Provision No. 2.f.

- f. Within 15 days after completing the implementation of the Odor Control Plan, submit written certification and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with the Odor Control Plan. The certification shall be signed by the Respondent and shall include the following certification language:

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

The certification shall be submitted to:

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

with a copy to:

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

and a copy to:

Environmental Supervisor  
City of Fort Worth  
Code Compliance Department, Environmental Division  
200 Texas Street  
Fort Worth, Texas 76102-6314

3. All relief not expressly granted in this Order is denied.
4. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
5. If the 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, the Respondent's failure to comply is not a violation of this Order. The Respondent shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
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 the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Order Compliance Team at the address listed above.
  7. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms in this Order.
  8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
  9. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
  10. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
  11. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

### SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
For the Executive Director

6/8/2022

\_\_\_\_\_  
Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

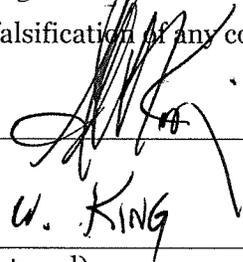
I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Name (Printed or typed)  
Authorized Representative of  
TexPac Hide & Skin Ltd.

3/8/22  
\_\_\_\_\_  
Title

If mailing address has changed, please check this box and provide the new address below:

**Instructions:** Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.