

TCEQ Interoffice Memorandum

To: Mary Smith, General Counsel

Thru: ^{AS} Amy Settemeyer, Deputy Director
Enforcement Division

From: ^{MP} Michael Parrish, Agenda Special Assistant
Enforcement Division

Date: March 31, 2026

**Subject: Request for Remand
April 1, 2026, Commission Agenda
Item No. 27 – DOORWAY RECYCLING SOLUTIONS INC
Docket No. 2025-0058-MLM-E**

The Executive Director respectfully requests that the above-referenced item be remanded to staff as the Executive Director has determined that additional case development is necessary.

Respondent Contact:

Oscar Manuel Galindo, Director
Salvador Cupe-Becha, Operations Engineer
DOORWAY RECYCLING SOLUTIONS INC
4500 West Illinois Avenue, Suite 201A
Midland, Texas 79703-5491

ogalindo432@yahoo.com
scupebecha@yahoo.com

Please do not hesitate to call Michael Parrish at (512) 239-2548 if you have any questions regarding this matter.

cc: David Timberger, Acting Public Interest Counsel
Melissa Schmidt, Public Interest Counsel
Gill Valls, Office of General Counsel
Katherine McKenzie, Agenda Coordinator, Litigation Division
Amy Settemeyer, Deputy Director, Enforcement Division
Megan Hamilton, Assistant Deputy Director, Enforcement Division
Michael Parrish, Agenda Special Assistant, Enforcement Division
Madelyn Flannagan, Manager, Waste, Enforcement Division
Danielle Porras, Team Leader, Waste, Enforcement Division
Karolyn Kent, Enforcement Coordinator, Waste, Enforcement Division

Executive Summary - Enforcement Matter - Case No. 66484
DOORWAY RECYCLING SOLUTIONS INC
RN111026589 and RN111907267
Docket No. 2025-0058-MLM-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - AIR, MSW

Small Business:

Yes

Location(s) Where Violation(s) Occurred:

Asphalt shingle recycling facility (RN111026589), Midland County Appraisal District Land Parcel ID No. R000204406, located approximately 0.4 mile southwest of the intersection of North State Highway 349 and West County Road 114, Midland, Midland County (the "Facility"); and

Unauthorized MSW disposal site (RN111907267), Midland County Appraisal District Land Parcel ID No. R000212810, located approximately 0.4 mile southwest of the intersection of North State Highway 349 and West County Road 114, Midland, Midland County (the "Site").

Type of Operation:

Asphalt shingle recycling facility and an unauthorized municipal solid waste ("MSW") disposal site

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: 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: December 12, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$260,750

Amount Deferred for Expedited Settlement: \$52,150

Total Paid to General Revenue: \$5,810

Total Due to General Revenue: \$202,790

Payment Plan: 35 payments of \$5,794 each

Compliance History Classifications:

Person/CN - High

Site/RN - High

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Executive Summary – Enforcement Matter – Case No. 66484
DOORWAY RECYCLING SOLUTIONS INC
RN111026589 and RN111907267
Docket No. 2025-0058-MLM-E

Investigation Information

Complaint Date(s): March 13, 2023

Complaint Information: Alleged the amount of shingles on-site exceeds the permitted limit, the site is not being properly managed, shingles are being buried, dust from the grinding operation was impacting their property, and trash from the shingles pile was blowing onto their property and was being eaten by their goats.

Date(s) of Investigation: September 9, 2021 through June 7, 2024 and June 30, 2023 through June 7, 2024

Date(s) of NOE(s): July 26, 2024

Violation Information

1. Failed to maintain recycling records, including records showing compliance with the requirements for limitations on storage of recyclable materials and reasonable efforts to maintain source separation of materials received by the Facility, and make them immediately available for inspection upon request by agency personnel. Specifically, the Respondent did not maintain records demonstrating: the accumulated materials are recyclable and marketable; within 270 days of operations commencing at the Facility, the amount of material that is recycled, or transferred to a different site for recycling, equals at least 25% by weight or volume of the material accumulated within the first 90 days of operations commencing at the Facility; the amount of material that is recycled, or transferred to a different site for recycling, equals at least 50% by weight or volume of the material accumulated at the beginning of each subsequent six-month period; notice to customers of source-separation requirements, training of staff in the inspection of incoming loads to ensure that they contain no more than 10% incidental non-recyclable waste, records of rejected loads for exceeding 10% of incidental non-recyclable waste, and records that show that incidental non-recyclable waste constitutes no more than 5% of the average total volume of all materials received in the last six-month period [30 TEX. ADMIN. CODE §§ 328.4(b)(1), (b)(2), and (b)(3) and 328.5(f)(1) and (f)(2)].

2. Failed to provide an updated written cost estimate to close the Facility, which includes disposition of all processed and unprocessed combustible materials stored outdoors. Specifically, only 1,500 tons of asphalt shingles covering one acre of land were represented on the Notice of Intent ("NOI"); however, the Facility had approximately 10,500 tons of unprocessed asphalt shingles that were observed covering 3.5 acres of land outdoors, and the Respondent had not updated the closure cost estimate [30 TEX. ADMIN. CODE § 328.5(c)(2)].

3. Failed to provide proof of adequate financial assurance to cover all closure costs for storing combustible materials outdoors. Specifically, the Facility did not provide proof of adequate financial assurance for the additional amount of combustible material that was stored outdoors at the Facility [30 TEX. ADMIN. CODE § 328.5(f)(3)].

Executive Summary – Enforcement Matter – Case No. 66484
DOORWAY RECYCLING SOLUTIONS INC
RN111026589 and RN111907267
Docket No. 2025-0058-MLM-E

4. Failed to have a fire prevention and suppression plan and make it available to the local fire prevention authority [30 TEX. ADMIN. CODE § 328.5(h)].
5. Caused, suffered, allowed, or permitted the unauthorized disposal and storage of MSW. Specifically, investigators observed approximately 26.2 cubic yards of MSW consisting of scrap metal, approximately 3.9 cubic yards of chopped wooden pallets, at least 40 scrap tires, and approximately 32,410 tons of unprocessed asphalt shingles that were intermixed with wooden pallet material, scrap metal, and roofing nails that covered approximately three acres of land at the Facility [30 TEX. ADMIN. CODE § 330.15(a) and (c)].
6. Failed to obtain authorization prior to constructing or modifying a source of air contaminants. Specifically, the Respondent constructed and operated an asphalt shingle grinding operation prior to obtaining the proper authorization [30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b)].
7. Caused, suffered, allowed, or permitted the unauthorized disposal and storage of MSW. Specifically, investigators observed approximately 11,800 tons of MSW consisting of unprocessed asphalt shingles intermixed with wooden pallet material, scrap metal, and roofing nails, as well as approximately 390 tons of ground asphalt shingles that covered approximately 1.1 acres of land at the Site [30 TEX. ADMIN. CODE §§ 330.15(a) and 330.7(a)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondent to:

- a. Immediately:
 - i. Begin maintaining all recycling records at the Facility, including but not limited to, records showing that the material is recyclable and marketable, as well as records for the amount of material recycled or transferred to different facility for recycling within 270 days of operations commencing at the Facility, and for each subsequent six-month period, notice to customers of source separation requirements, training of staff, inspections of incoming loads, and records showing incidental non-recyclable waste;
 - ii. Cease accepting and processing any additional asphalt shingles until proper authorization is obtained at the Facility and the Site;
 - iii. Cease the unauthorized disposal of any additional MSW at the Facility; and

Executive Summary – Enforcement Matter – Case No. 66484
DOORWAY RECYCLING SOLUTIONS INC
RN111026589 and RN111907267
Docket No. 2025-0058-MLM-E

- iv. Cease the unauthorized disposal of any additional MSW at the Site.

- b. Within 45 days, submit an administratively complete permit application to authorize the asphalt shingle grinding operation at the Facility and the associated air emissions.

- c. Within 90 days:
 - i. Remove all unauthorized MSW, including scrap tires, from the Facility and dispose of it at an authorized facility;

 - ii. Remove all unauthorized MSW from the Site and dispose of it at an authorized facility;

 - iii. Prepare the fire prevention and suppression plan for the Facility and make it available to the local fire prevention authority; and

 - iv. Submit documentation that demonstrates acceptable financial assurance for the closure of the Facility and provide an updated written cost closure estimate for the Facility.

- d. Within 180 days, submit written certification to demonstrate compliance with a through c.

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Karolyn Kent, Enforcement Division, Enforcement Team 6, MC 219, (512) 239-2536; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

Respondent: Oscar Manuel Galindo, Director, DOORWAY RECYCLING SOLUTIONS INC, 4500 West Illinois Avenue, Suite 201A, Midland, Texas 79703-5491
Salvador Cupe-Becha, Operations Engineer, DOORWAY RECYCLING SOLUTIONS INC, 4500 West Illinois Avenue, Suite 201A, Midland, Texas 79703-5491

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	29-Jul-2024	Screening	29-Jul-2024	EPA Due	
	PCW	8-Jan-2025				

RESPONDENT/FACILITY INFORMATION	
Respondent	DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)
Reg. Ent. Ref. No.	RN111026589
Facility/Site Region	7-Midland
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	66484	No. of Violations	5
Docket No.	2025-0058-MLM-E	Order Type	1660
Media Program(s)	Municipal Solid Waste	Government/Non-Profit	No
Multi-Media	Air	Enf. Coordinator	Karolyn Kent
		EC's Team	Enforcement Team 6
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$155,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	-10.0% Adjustment	Subtotals 2, 3, & 7	-\$15,500
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Notes	Reduction for High Performer classification.
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Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	50.0% Enhancement*	Subtotal 6	\$77,500
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Total EB Amounts	\$362,816	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$1,576,531	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$217,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount	\$217,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$217,000
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DEFERRAL	20.0% Reduction Adjustment	-\$43,400
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$173,600
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Screening Date 29-Jul-2024

Docket No. 2025-0058-MLM-E

PCW

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 66484

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111026589

Media Municipal Solid Waste

Enf. Coordinator Karolyn Kent

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 29-Jul-2024 **Docket No.** 2025-0058-MLM-E **PCW**
Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2) *Policy Revision 5 (January 28, 2021)*
Case ID No. 66484 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Enf. Coordinator Karolyn Kent

Violation Number 1
Rule Cite(s) 30 Tex. Admin. Code §§ 328.4(b)(1), (b)(2), and (b)(3) and 328.5(f)(1) and (f)(2)
Violation Description
 Failed to maintain recycling records, including records showing compliance with the requirements for limitations on storage of recyclable materials and reasonable efforts to maintain source separation of materials received by the Facility, and make them immediately available for inspection upon request by agency personnel. Specifically, the Respondent did not maintain records demonstrating: the accumulated materials are recyclable and marketable; within 270 days of operations commencing at the Facility, the amount of material that is recycled, or transferred to a different site for recycling, equals at least 25% by weight or volume of the material accumulated within the first 90 days of operations commencing at the Facility; the amount of material that is recycled, or transferred to a different site for recycling, equals at least 50% by weight or volume of the material accumulated at the beginning of each subsequent six-month period; notice to customers of source-separation requirements, training of staff in the inspection of incoming loads to ensure that they contain no more than 10% incidental non-recyclable waste, records of rejected loads for exceeding 10% of incidental non-recyclable waste, and records that show that incidental non-recyclable waste constitutes no more than 5% of the average total volume of all materials received in the last six-month period.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				0.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
		X			10.0%

Matrix Notes 100% of the rule requirement was not met.

Adjustment \$22,500

\$2,500

Violation Events

Number of Violation Events 1 1054 Number of violation days

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	X

Violation Base Penalty \$2,500

One single event is recommended.

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 \$2,500

Economic Benefit (EB) for this violation **Statutory Limit Test**
Estimated EB Amount \$63 **Violation Final Penalty Total** \$3,500
This violation Final Assessed Penalty (adjusted for limits) \$3,500

Economic Benefit Worksheet

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)
Case ID No. 66484
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
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	\$315	9-Sep-2021	2-Sep-2025	3.98	\$63	n/a	\$63
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost to begin maintaining records demonstrating compliance with recycling requirements, including records showing that the material is recyclable and marketable, as well as records for the amount of material recycled or transferred to different facility for recycling within 270 days of operations commencing at the Facility, and for each subsequent six-month period, notice to customers of source separation requirements, training of staff, inspections of incoming loads, and records showing incidental non-recyclable waste (\$45 per record). The Date Required is the investigation start date, 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

\$315

TOTAL

\$63

Screening Date 29-Jul-2024 **Docket No.** 2025-0058-MLM-E **PCW**
Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2) *Policy Revision 5 (January 28, 2021)*
Case ID No. 66484 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Enf. Coordinator Karolyn Kent

Violation Number

Rule Cite(s)

Violation Description

Failed to provide an updated written cost estimate to close the Facility, which includes disposition of all processed and unprocessed combustible materials stored outdoors. Specifically, only 1,500 tons of asphalt shingles covering one acre of land were represented on the Notice of Intent ("NOI"); however, the Facility had approximately 10,500 tons of unprocessed asphalt shingles that were observed covering 3.5 acres of land outdoors, and the Respondent had not updated the closure cost estimate. Also, failed to provide proof of adequate financial assurance to cover all closure costs for storing combustible materials outdoors. Specifically, the Facility did not provide proof of adequate financial assurance for the additional amount of combustible material that was stored outdoors at the Facility.

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual	<input type="text"/>	<input type="text"/>	
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>		

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="10.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input type="text"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input checked="" type="checkbox"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)
Case ID No. 66484
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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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
Financial Assurance	\$18,756	9-Sep-2021	2-Sep-2025	3.98	\$3,736	n/a	\$3,736
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$500	9-Sep-2021	2-Sep-2025	3.98	\$100	n/a	\$100

Notes for DELAYED costs

Estimated delayed cost to update the NOI's cost closure estimate to accurately reflect the current storage and management of combustible material stored outdoors at the Facility (\$500), and to provide financial assurance for the additional 9,000 tons of combustible material stored outdoors at the Facility (\$18,755.93). The Dates Required are the investigation start date, and the Final Dates are 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	\$18,756	9-Sep-2021	29-Jul-2024	2.89	\$5,431	\$54,161	\$59,592
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Estimated avoided cost to provide financial assurance for the additional 9,000 tons of combustible material stored outdoors at the Facility. The Date Required is the investigation start date, and the Final Date is the screening date.

Approx. Cost of Compliance

	\$73,417
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TOTAL

	\$63,428
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Screening Date 29-Jul-2024 **Docket No.** 2025-0058-MLM-E **PCW**
Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2) *Policy Revision 5 (January 28, 2021)*
Case ID No. 66484 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Enf. Coordinator Karolyn Kent

Violation Number 3

Rule Cite(s) 30 Tex. Admin. Code § 328.5(h)

Violation Description Failed to have a fire prevention and suppression plan and make it available to the local fire prevention authority.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual				15.0%
	Potential	X			

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes Human health or the environment will or could be exposed to pollutants that would exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$21,250

\$3,750

Violation Events

Number of Violation Events 12 1054 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$45,000

Twelve quarterly events are recommended from the September 9, 2021 investigation start date to the July 29, 2024 screening date.

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 \$45,000

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$50 **Violation Final Penalty Total** \$63,000

This violation Final Assessed Penalty (adjusted for limits) \$63,000

Economic Benefit Worksheet

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)
Case ID No. 66484
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Violation No. 3

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)	\$250	9-Sep-2021	2-Sep-2025	3.98	\$50	n/a	\$50

Notes for DELAYED costs

Estimated delayed cost to prepare the fire prevention and suppression plan for the Facility and make it available to the local fire prevention authority. The Date Required is the investigation start date, 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 \$250

TOTAL \$50

Screening Date 29-Jul-2024 **Docket No.** 2025-0058-MLM-E **PCW**
Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2) *Policy Revision 5 (January 28, 2021)*
Case ID No. 66484 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Enf. Coordinator Karolyn Kent

Violation Number 4

Rule Cite(s) 30 Tex. Admin. Code § 330.15(a) and (c)

Violation Description
 Caused, suffered, allowed, or permitted the unauthorized disposal and storage of municipal solid waste ("MSW"). Specifically, investigators observed approximately 26.2 cubic yards of MSW consisting of scrap metal, approximately 3.9 cubic yards of chopped wooden pallets, at least 40 scrap tires, and approximately 32,410 tons of unprocessed asphalt shingles that were intermixed with wooden pallet material, scrap metal, and roofing nails that covered approximately three acres of land at the Facility.

Base Penalty \$25,000

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual		X		25.0%
	Potential				

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
					0.0%

Matrix Notes
 Human health or the environment has been exposed to significant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$18,750

\$6,250

Violation Events

Number of Violation Events 12 1054 Number of violation days

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$75,000

Twelve quarterly events are recommended from the September 9, 2021 investigation start date to the July 29, 2024 screening date.

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	

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

Violation Subtotal \$75,000

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$298,279 **Violation Final Penalty Total** \$105,000

This violation Final Assessed Penalty (adjusted for limits) \$105,000

Economic Benefit Worksheet

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)
Case ID No. 66484
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$1,497,549	9-Sep-2021	2-Sep-2025	3.98	\$298,279	n/a	\$298,279
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated delayed cost to remove all MSW, including scrap tires, from the Facility and dispose of it at an authorized facility (\$1,497,549; \$5 per scrap tire for 40 tires and \$1,497,349 for the other MSW). The Date Required is the investigation start date, 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

\$1,497,549

TOTAL

\$298,279

Screening Date 29-Jul-2024 **Docket No.** 2025-0058-MLM-E **PCW**
Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2) *Policy Revision 5 (January 28, 2021)*
Case ID No. 66484 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Enf. Coordinator Karolyn Kent

Violation Number

Rule Cite(s) 30 Tex. Admin. Code § 116.110(a) and Tex. Health & Safety Code §§ 382.0518(a) and 382.085(b)

Violation Description
 Failed to obtain authorization prior to constructing or modifying a source of air contaminants. Specifically, the Respondent constructed and operated an asphalt shingle grinding operation prior to obtaining the proper authorization.

Base Penalty

>> Environmental, Property and Human Health Matrix

Release	Harm			Percent
	Major	Moderate	Minor	
Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>
Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

Falsification	Major	Moderate	Minor	Percent
<input type="text"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="10.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input checked="" type="checkbox"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDRP/ Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="checkbox"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 1 of 2)
Case ID No. 66484
Reg. Ent. Reference No. RN111026589
Media Municipal Solid Waste
Violation No. 5

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	\$5,000	9-Sep-2021	2-Sep-2025	3.98	\$996	n/a	\$996
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs	Estimated delayed cost to obtain proper authorization to operate the asphalt shingle grinding operation at the Facility and the associated air emissions. The Date Required is the investigation start date, 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 \$5,000

TOTAL \$996



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	29-Jul-2024	Screening	29-Jul-2024	EPA Due	
	PCW	8-Jan-2025				

RESPONDENT/FACILITY INFORMATION	
Respondent	DOORWAY RECYCLING SOLUTIONS INC (PCW No. 2 of 2)
Reg. Ent. Ref. No.	RN111907267
Facility/Site Region	7-Midland
Major/Minor Source	Minor

CASE INFORMATION			
Enf./Case ID No.	66484	No. of Violations	1
Docket No.	2025-0058-MLM-E	Order Type	1660
Media Program(s)	Municipal Solid Waste	Government/Non-Profit	No
Multi-Media	Air	Enf. Coordinator	Karolyn Kent
		EC's Team	Enforcement Team 6
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$31,250
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

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

Compliance History	-10.0%	Adjustment	Subtotals 2, 3, & 7	-\$3,125
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Notes: Reduction for High Performer classification.

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

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	50.0%	Enhancement*	Subtotal 6	\$15,625
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Total EB Amounts: \$61,317
 Estimated Cost of Compliance: \$563,033
 *Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$43,750
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0%	Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount	\$43,750
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$43,750
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DEFERRAL	20.0%	Reduction	Adjustment	-\$8,750
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$35,000
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Screening Date 29-Jul-2024

Docket No. 2025-0058-MLM-E

PCW

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 2 of 2)

Policy Revision 5 (January 28, 2021)

Case ID No. 66484

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111907267

Media Municipal Solid Waste

Enf. Coordinator Karolyn Kent

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 29-Jul-2024 **Docket No.** 2025-0058-MLM-E **PCW**
Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 2 of 2) *Policy Revision 5 (January 28, 2021)*
Case ID No. 66484 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111907267
Media Municipal Solid Waste
Enf. Coordinator Karolyn Kent

Violation Number

Rule Cite(s)

Violation Description

Base Penalty

>> Environmental, Property and Human Health Matrix

OR	Release	Harm			Percent
		Major	Moderate	Minor	
	Actual	<input type="text"/>	<input checked="" type="text" value="X"/>	<input type="text"/>	<input type="text" value="25.0%"/>
	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	

>> Programmatic Matrix

	Falsification	Major	Moderate	Minor	Percent
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="0.0%"/>

Matrix Notes

Adjustment

Violation Events

Number of Violation Events Number of violation days

daily	<input type="text"/>
weekly	<input type="text"/>
monthly	<input type="text"/>
quarterly	<input checked="" type="text" value="X"/>
semiannual	<input type="text"/>
annual	<input type="text"/>
single event	<input type="text"/>

Violation Base Penalty

Good Faith Efforts to Comply Reduction

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary	<input type="text"/>	<input type="text"/>
Ordinary	<input type="text"/>	<input type="text"/>
N/A	<input checked="" type="text" value="X"/>	<input type="text"/>

Notes

Violation Subtotal

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount **Violation Final Penalty Total**

This violation Final Assessed Penalty (adjusted for limits)

Economic Benefit Worksheet

Respondent DOORWAY RECYCLING SOLUTIONS INC (PCW No. 2 of 2)
Case ID No. 66484
Reg. Ent. Reference No. RN111907267
Media Municipal Solid Waste
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

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

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$563,033	30-Jun-2023	2-Sep-2025	2.18	\$61,317	n/a	\$61,317
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated delayed cost to remove all MSW from the Site and dispose of it at an authorized facility. The Date Required is the investigation start date, 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

\$563,033

TOTAL

\$61,317

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 CN605772581, RN111026589, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN605772581, DOORWAY RECYCLING SOLUTIONS INC **Classification:** HIGH **Rating:** 0.00
Regulated Entity: RN111026589, Doorway Recycle Solutions **Classification:** UNCLASSIFIED **Rating:** -----
Complexity Points: 4 **Repeat Violator:** NO
CH Group: 11 - Waste Management (Excluding Landfills)
Location: Approximately 0.4 miles southwest of the intersection of North State Highway 349 and West County Road 114, Midland, Midland County, Texas
TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

MUNICIPAL SOLID WASTE PROCESSING
REGISTRATION 100539

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

Date Compliance History Report Prepared: July 18, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 18, 2020 to July 18, 2025

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

Name: Karolyn Kent

Phone: (512) 239-2536

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 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

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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 CN605772581, RN111907267, Rating Year 2024 which includes Compliance History (CH) components from September 1, 2019, through August 31, 2024.

Customer, Respondent, or Owner/Operator: CN605772581, DOORWAY RECYCLING SOLUTIONS INC **Classification:** HIGH **Rating:** 0.00

Regulated Entity: RN111907267, Doorway Recycle Solutions South **Classification:** HIGH **Rating:** 0.00

Complexity Points: 3 **Repeat Violator:** NO

CH Group: 14 - Other

Location: Approximately 0.4 miles southwest of the intersection of North State Highway 349 and West County Road 114, Midland, Midland County, Texas

TCEQ Region: REGION 07 - MIDLAND

ID Number(s):

MUNICIPAL SOLID WASTE NON PERMITTED ID
NUMBER R71110907267

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

Date Compliance History Report Prepared: July 18, 2025

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: July 18, 2020 to July 18, 2025

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

Name: Karolyn Kent

Phone: (512) 239-2536

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? NO
- 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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
DOORWAY RECYCLING SOLUTIONS
INC
RN111026589
RN111907267

§
§
§
§
§
§
§

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER
DOCKET NO. 2025-0058-MLM-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding DOORWAY RECYCLING SOLUTIONS INC (the "Respondent") under the authority of TEX. HEALTH & SAFETY CODE chs. 361 and 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates an asphalt shingle recycling facility and an unauthorized municipal solid waste ("MSW") disposal site located at the following respective adjacent locations:
 - a. Asphalt shingle recycling facility (RN111026589), Midland County Appraisal District Land Parcel ID No. R000204406, located approximately 0.4 miles southwest of the intersection of North State Highway 349 and West County Road 114 in Midland, Midland County, Texas (the "Facility"); and
 - b. Unauthorized MSW disposal site (RN111907267), Midland County Appraisal District Land Parcel ID No. R000212810, located approximately 0.4 miles southwest of the intersection of North State Highway 349 and West County Road 114 in Midland, Midland County, Texas (the "Site").

The Facility and the Site involve or involved the management of MSW, including scrap tires, as defined in TEX. HEALTH & SAFETY CODE ch. 361. The Facility consists or consisted of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).

2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE chs. 361 and 382 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.

4. An administrative penalty in the amount of \$260,750 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$5,810 of the penalty and \$52,150 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

The remaining amount of \$202,790 of the undeferred penalty shall be paid in 35 monthly payments of \$5,794 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.

II. ALLEGATIONS

1. During an investigation at the Facility conducted from September 9, 2021 through June 7, 2024, an investigator documented that the Respondent:
 - a. Failed to maintain recycling records, including records showing compliance with the requirements for limitations on storage of recyclable materials and reasonable efforts to maintain source separation of materials received by the Facility, and make them immediately available for inspection upon request by agency personnel, in violation of 30 TEX. ADMIN. CODE §§ 328.4(b)(1), (b)(2), and (b)(3) and 328.5(f)(1) and (f)(2). Specifically, the Respondent did not maintain records demonstrating: the accumulated materials are recyclable and marketable; within 270 days of operations commencing at the Facility, the amount of material that is recycled, or transferred to a different site for

recycling, equals at least 25% by weight or volume of the material accumulated within the first 90 days of operations commencing at the Facility; the amount of material that is recycled, or transferred to a different site for recycling, equals at least 50% by weight or volume of the material accumulated at the beginning of each subsequent six-month period; notice to customers of source-separation requirements, training of staff in the inspection of incoming loads to ensure that they contain no more than 10% incidental non-recyclable waste, records of rejected loads for exceeding 10% of incidental non-recyclable waste, and records that show that incidental non-recyclable waste constitutes no more than 5% of the average total volume of all materials received in the last six-month period.

- b. Failed to provide an updated written cost estimate to close the Facility, which includes disposition of all processed and unprocessed combustible materials stored outdoors, in violation of 30 TEX. ADMIN. CODE § 328.5(c)(2). Specifically, only 1,500 tons of asphalt shingles covering one acre of land were represented on the Notice of Intent ("NOI"); however, the Facility had approximately 10,500 tons of unprocessed asphalt shingles that were observed covering 3.5 acres of land outdoors, and the Respondent had not updated the closure cost estimate.
 - c. Failed to provide proof of adequate financial assurance to cover all closure costs for storing combustible materials outdoors, in violation of 30 TEX. ADMIN. CODE § 328.5(f)(3). Specifically, the Facility did not provide proof of adequate financial assurance for the additional amount of combustible material that was stored outdoors at the Facility.
 - d. Failed to have a fire prevention and suppression plan and make it available to the local fire prevention authority, in violation of 30 TEX. ADMIN. CODE § 328.5(h).
 - e. Caused, suffered, allowed, or permitted the unauthorized disposal and storage of MSW, in violation of 30 TEX. ADMIN. CODE § 330.15(a) and (c). Specifically, investigators observed approximately 26.2 cubic yards of MSW consisting of scrap metal, approximately 3.9 cubic yards of chopped wooden pallets, at least 40 scrap tires, and approximately 32,410 tons of unprocessed asphalt shingles that were intermixed with wooden pallet material, scrap metal, and roofing nails that covered approximately three acres of land at the Facility.
 - f. Failed to obtain authorization prior to constructing or modifying a source of air contaminants, in violation of 30 TEX. ADMIN. CODE § 116.110(a) and TEX. HEALTH & SAFETY CODE §§ 382.0518(a) and 382.085(b). Specifically, the Respondent constructed and operated an asphalt shingle grinding operation prior to obtaining the proper authorization.
2. During an investigation at the Site conducted from June 30, 2023 through June 7, 2024, investigators documented that the Respondent caused, suffered, allowed, or permitted the unauthorized disposal and storage of MSW, in violation of 30 TEX. ADMIN. CODE §§ 330.15(a) and 330.7(a). Specifically, investigators observed approximately 11,800 tons of MSW consisting of unprocessed asphalt shingles intermixed with wooden pallet material, scrap metal, and roofing nails, as well as approximately 390 tons of ground asphalt shingles that covered approximately 1.1 acres of land at the Site.

III. DENIALS

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

IV. ORDERING PROVISIONS

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

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: DOORWAY RECYCLING SOLUTIONS INC, Docket No. 2025-0058-MLM-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. Immediately upon the effective date of this Order:
 - i. Begin maintaining all recycling records at the Facility, including but not limited to, records showing that the material is recyclable and marketable, as well as records for the amount of material recycled or transferred to different facility for recycling within 270 days of operations commencing at the Facility, and for each subsequent six-month period, notice to customers of source separation requirements, training of staff, inspections of incoming loads, and records showing incidental non-recyclable waste, in accordance with 30 TEX. ADMIN. CODE §§ 328.4 and 328.5;
 - ii. Cease accepting and processing any additional asphalt shingles until proper authorization is obtained at the Facility and the Site;
 - iii. Cease the unauthorized disposal of any additional MSW at the Facility; and
 - iv. Cease the unauthorized disposal of any additional MSW at the Site.
 - b. Within 45 days after the effective date of this Order, submit an administratively complete permit application to authorize the asphalt shingle grinding operation at the Facility and the associated air emissions, in accordance with 30 TEX. ADMIN. CODE § 116.111, to:

Air Permits Division, MC 163
Texas Commission on Environmental Quality

P.O. Box 13087
Austin, Texas 78711-3087

- c. Respond completely and adequately, as determined by the TCEQ, to all requests for information concerning the permit application by any deadline specified in writing, as referenced in Ordering Provision No. 2.b.
- d. Within 90 days after the effective date of this Order:
 - i. Remove all unauthorized MSW, including scrap tires, from the Facility and dispose of it at an authorized facility;
 - ii. Remove all unauthorized MSW from the Site and dispose of it at an authorized facility;
 - iii. Prepare the fire prevention and suppression plan for the Facility and make it available to the local fire prevention authority, in accordance with 30 TEX. ADMIN. CODE § 328.5; and
 - iv. Submit documentation that demonstrates acceptable financial assurance for the closure of the Facility and provide an updated written cost closure estimate for the Facility, in accordance with 30 TEX. ADMIN. CODE § 328.5, to:

Financial Assurance Team, MC 184
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- e. Within 180 days after the effective date of this Order, submit written certification, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a through 2.d. 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:

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

with a copy to:

Waste Section Manager
Midland Regional Office
Texas Commission on Environmental Quality
10 Desta Drive, Suite 350E
Midland, Texas 79705

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 Facility and the Site operations referenced in this Order.
5. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by 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 Enforcement Division at the address listed above.
6. 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.
7. 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.
8. 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

Krista Mello-Jurack

02/15/2026

For the Executive Director

Date

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

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

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

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

Signature

Date

Salvador Cupe-Becha

Nov. 12, 2025

Salvador Cupe-Becha

Operations Engineer

Name (Printed or typed)
Authorized Representative of
DOORWAY RECYCLING SOLUTIONS INC

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.