

# Pearland Odor Complaints

## Fact Sheet

**Updated April 1, 2022**

Subsequent to December 1, 2021, the frequency for posting updates to this information will transition to posting on the first business day following each calendar quarter. The next update will be posted on **Friday, July 1, 2022**.

### INVESTIGATIONS

- In August 2015, the TCEQ Houston Region Office began receiving odor related complaints from citizens in and around the Shadow Creek Ranch subdivision.
- As of **April 1, 2022**, citizens have filed approximately **7,202** complaints and the TCEQ has conducted approximately **282** investigations into these complaints.
- Odors have been described as “garbage,” “chemical,” and “sewage” and are typically reported to occur overnight and during the early morning hours.
- The TCEQ issued a complaint investigation report and Notice of Enforcement on October 21, 2016, alleging that Blue Ridge Landfill was the source of the nuisance odors documented in investigations conducted May 4 and 5, 2016, May 23 and 24, 2016, June 6 and June 23, 2016. Information on the enforcement process is available on the TCEQ website at <https://www.tceq.texas.gov/enforcement/process.html>.
- The TCEQ performed a surface emissions monitoring investigation to assess compliance with air regulations concerning emissions from landfills in October and November 2016. The investigation report and a Notice of Enforcement letter were issued on January 3, 2017, alleging that Blue Ridge Landfill failed to perform surface emissions monitoring in accordance with the requirements of the applicable rules. Information on the enforcement process is available on the TCEQ website at <https://www.tceq.texas.gov/enforcement/process.html>.
- Investigators from the TCEQ Houston Region Office have conducted odor surveys beginning as early as 12:00 a.m. and as late as 11:00 p.m. These surveys often include multiple teams of two and have also included staff from the City of Pearland Public Works Department. **The latest odor survey was conducted on February 22, 2022. Landfill odors were not detected during this survey.**
- Staff from the TCEQ Houston Region Office have collected air samples during investigations to be analyzed for Volatile Organic Compounds (VOC). The analytical results have showed only trace levels of VOC in the samples collected.
- The TCEQ deployed its Strategic Sampling Work Group (SSWG) to collect and analyze air samples in locations in and around the Shadow Creek Ranch subdivision during the week of June 6, 2016. The SSWG collected and analyzed air samples between 8:00 pm and 8:00 am each day. The SSWG was equipped with air sampling equipment as well as laboratory instruments to measure air quality. The primary constituents of concern were VOC and sulfur compounds (which are often associated with unpleasant odors). The completed report is located at the end of this summary.
- The TCEQ Houston Region Air and Waste sections conducted a joint focused investigation on October 18, 2016, in which all potential sources of odors from landfill operations were evaluated. The investigation report was approved, and a Notice of Violation (NOV) letter was sent on March 30, 2017, alleging Blue Ridge Landfill failed to document repairs to the landfill cover in the November 2016 MSW cover log and failed

to record leachate levels in the sumps during the fourth week of February 2016. Both alleged violations have been resolved.

- On April 26, 2017, the TCEQ Waste Section conducted a Methane Monitoring investigation at Blue Ridge Landfill. This investigation was approved on January 3, 2018. A Notice of Violation letter was sent to the facility for one resolved alleged violation concerning monitoring of facility structures, three outstanding additional issues concerning calibration and monitoring records, and one addressed additional issue concerning calibration gases used during the methane monitoring. On May 18, 2018 the TCEQ Waste Section conducted a Records Review investigation of documentation provided in response to the April 26, 2017 Methane Monitoring investigation. An Additional Compliance Documentation letter was sent to the facility, as one additional issue concerning calibration records remained outstanding and two additional issues were addressed. The outstanding additional issue was addressed during an on-site follow-up investigation conducted on June 26, 2018.
- On May 2 to May 4, 2017, the TCEQ Waste Section began conducting a compliance evaluation investigation at Blue Ridge Landfill. This investigation was approved on April 5, 2018. A Notice of Violation letter was sent to the facility for eight outstanding alleged violations concerning training, inspections, recordkeeping, manifests, and notification requirements. A resolved alleged violation was also noted concerning submittal of a complete annual waste summary.
- On April 9, 2018, the TCEQ began conducting a Comprehensive Groundwater Monitoring Evaluation at Blue Ridge Landfill. On April 10, the TCEQ co-sampled groundwater from six monitoring wells. Prior to sampling, the monitoring and observation wells that serve as the groundwater detection monitoring system were inspected visually to determine the conditions of well casing, labeling, protective bumpers, surface pads, well heads and caps, survey points of water level elevation measurements, and total well depth measurements. No concerns were noted regarding sampling and field evaluation of the monitoring wells. This investigation was approved on July 12, 2018.
- On April 24, 2018, Blue Ridge Landfill notified the TCEQ regional office that it was planning to conduct regularly scheduled surface emissions monitoring. The region dispatched a team to observe and verify this monitoring program on April 30 through May 4, 2018; May 14 through May 24, 2019; May 30, 2018; and June 6, 2018. The investigators returned to the site on July 7, 2018 to review records. The investigation was approved on October 12, 2018 and the Air Section issued a Notice of Enforcement letter to Blue Ridge Landfill alleging failure to: (a) maintain and operate the gas collection and control system in a manner consistent with good air pollution control practice for minimizing emissions, (b) include all exceedance information in the New Source Performance Standards periodic report, dated July 2, 2018, and (c) report all instances of deviations in the deviation report, dated July 2, 2018.
- The Blue Ridge Landfill complaint investigation conducted by the Waste Section starting May 9, 2018 alleged odors from the landfill which constituted a nuisance condition. On October 12, 2018, the investigation was approved, and a Notice of Enforcement letter was sent for nuisance odor conditions.
- On June 26, 2018, the TCEQ Waste Section conducted an on-site follow-up investigation. An Additional Compliance Documentation letter was sent to the facility, as two alleged violations noted during the May 2 - 4, 2017 investigation concerning recordkeeping and notification requirements remained outstanding and six alleged violations were resolved.
- On July 4 and 10, 2018, the TCEQ Water Section conducted a storm water Comprehensive Compliance Investigation and a Complaint Investigation alleging storm

water management issues, storm water pollution, and the mechanical pumping of water from Blue Ridge Landfill. The investigation was approved on September 10, 2018 and resulted in three outstanding alleged violations, concerning monitoring and best management practices. All three violations were subsequently resolved based on compliance documentation received on October 23, 2018, October 30, 2018, and November 6, 2018 as part of the October 23, 2018 investigation.

- On October 23, 2018, the TCEQ Water Section conducted a Complaint Investigation and storm water Comprehensive Compliance Investigation following a complaint of sediment discharge from Blue Ridge Landfill. The investigation was approved on December 13, 2018 and resulted in the resolution of three violations cited during the July 4 and 10, 2018 investigation based on compliance documentation received on October 23, 2018, October 30, 2018, and November 6, 2018 as part of this investigation.
- On October 28, 2018, the TCEQ Waste Section conducted an odor survey in the area surrounding Blue Ridge Landfill. On October 31, 2018, the TCEQ Air Section conducted a focused flare investigation and Waste Section concluded the October 28, 2018 complaint investigation at Blue Ridge Landfill. The Waste complaint investigation was approved on November 30, 2018 with no alleged violations. The Air investigation was approved on December 19, 2019, and a Notice of Enforcement was issued for failure to obtain authorization for emissions that occurred on October 26, 2018.
- On November 12, 2018, the TCEQ Waste Section conducted a leachate investigation at Blue Ridge Landfill. The investigation was approved on February 21, 2019 and resulted in one outstanding alleged violation, concerning monitoring and inspection practices, and one unaddressed additional issue, concerning monitoring records.
- On January 14, 2019, Blue Ridge Landfill notified the TCEQ regional office that it was planning to conduct regularly scheduled surface emissions monitoring. The region dispatched a team to observe and verify the monitoring which began on January 28, 2019. The TCEQ observations ended on March 15, 2019. The investigation was approved on January 8, 2020. Two violations were cited, and a Notice of Violation letter was sent on January 8, 2020.
- On March 19, 2019, the TCEQ Waste Section conducted a landfill gas monitoring investigation; at the time of the investigation, no methane emissions were detected. The Waste investigation was approved on May 29, 2019 with no alleged violations.
- On April 23, 2019, the TCEQ Waste Section conducted a focused waste screening investigation; the investigator observed excavation activities of the removal of unauthorized waste. The observations ended on April 23, 2019. The investigation was approved on July 17, 2019 with no alleged violations.
- On April 26, 2019, the TCEQ Air Section conducted a complaint investigation in response to 60 odor complaints received between April 12 and 26, 2019. A nuisance condition was confirmed. The investigation was approved on July 18, 2019, and a Notice of Enforcement letter was sent to Blue Ridge Landfill.
- On June 24 and 25, 2019, the TCEQ Air Section conducted an on-site Title V compliance investigation. A Notice of Violation letter was sent on August 30, 2019 documenting seven outstanding alleged violations regarding deviation reporting, monitoring, reporting as required by federal regulations, operating a flare without a flame present and failure to report emissions data. The Air Section received a response letter, dated September 30, 2019, from Blue Ridge Landfill. The follow-up investigation resulted in the referral of seven violations to the Enforcement Division and was approved on March 11, 2020.

- On July 11 and 14, 2019, the TCEQ Air Section conducted a complaint investigation in response to seven odor complaints received between July 11 and 14, 2019. A Notice of Enforcement letter was sent on September 18, 2019 for failing to prevent a nuisance condition.
- On September 7, 2019, the TCEQ Water Section conducted an odor survey in the Pearland Area and documented a nuisance condition. A Notice of Enforcement letter was sent on November 4, 2019.
- On October 8, 2019, the TCEQ Air Section conducted a complaint investigation in response to 23 odor complaints received between October 3 and 7, 2019. A nuisance condition was not confirmed; however, the facility was sent a Notice of Violation on November 13, 2019 for the flare gas flow exceeding permitted limits. On December 13, 2019, the Air Section received a response to the Notice of Violation from Blue Ridge Landfill. Based on the information provided, the violation was withdrawn.
- On January 27, 2020, the TCEQ Air Section dispatched a team to observe and verify Blue Ridge Landfill's regularly scheduled surface emissions monitoring. The monitoring has concluded. A Notice of Enforcement letter was sent on September 11, 2020 for failure to maintain and properly operate the gas collection and control system and failure to prevent a condition of air pollution.
- On February 20, 2020, TCEQ Houston Region and TCEQ Waste Permits Division staff along with the EPA Office of Research and Development and Region 6 staff visited Blue Ridge Landfill to review the landfill design and operation. The city has created a dedicated web page (<http://www.pearlandtx.gov/scrairquality>) for information sharing. Completed TCEQ investigation reports are being posted to this web page.
- On December 9, 2020, the TCEQ Water Section conducted a Stormwater Reconnaissance Investigation to determine compliance with applicable stormwater regulations. No issues were noted, and a general compliance letter was sent to the facility on February 9, 2021.
- The TCEQ Air Section began observations and verification of Blue Ridge Landfill's regularly scheduled surface emissions monitoring (SEM) on January 26, 2021. The observations ended on February 24, 2021. No alleged violations were noted, and a general compliance letter was sent to the facility on July 23, 2021.
- The TCEQ Waste Section conducted a focused leachate investigation of Blue Ridge Landfill on May 14, 2021. No issues were noted, and a general compliance letter was sent to the facility on June 4, 2021.
- On August 31, 2021, the TCEQ Waste Section conducted a landfill methane monitoring investigation. The investigation was approved on October 5, 2021 with no alleged violations noted concerning landfill methane monitoring and quarterly sampling.
- **On November 30, 2021, the TCEQ Waste Section conducted a landfill compliance evaluation investigation of Blue Ridge Landfill. The investigation is ongoing.**
- Complaints about landfill odors can be made by telephone to the TCEQ. Houston Region Waste Complaint Line (713-767-3641). Other air complaints may be filed with the TCEQ Houston Region Air Quality Complaint Line at 713-767-3714. For citizens unable to file a complaint by phone, information about how to file complaints with TCEQ online may be found at <http://www.tceq.texas.gov/complaints>. Citizens are also encouraged to download and complete an odor log from the TCEQ website at <http://www.tceq.texas.gov/assets/public/compliance/odor-log-public.pdf>. When completed, these logs may be provided to investigators to assist them with their investigations. The odor log is intended to document how often an outdoor odor occurs and how long it lasts. Additional details about the nature of the odor, impact of

the odor and weather conditions may also be provided. This will assist the investigator in scheduling their investigation and assessing nuisance conditions. Additional information about the TCEQ complaint investigation process can be found at <http://www.tceq.texas.gov/complaints>. Sections of special interest include “What if Your Complaint is about an Odor” and “Gathering and Preserving Information and Evidence Showing a Violation.”

- The following link also contains helpful information about filing odor complaints, what you need to know, and tools for documentation, such as the Odor Log.  
[https://www.tceq.texas.gov/compliance/complaints/odor\\_complaint.html](https://www.tceq.texas.gov/compliance/complaints/odor_complaint.html)

## **ENFORCEMENT ACTIVITIES**

- The TCEQ Enforcement Division consolidated the two Notices of Enforcement and prepared a combined proposed Agreed Order on February 7, 2017. The proposed Agreed Order contains technical requirements designed to bring the landfill into compliance with applicable regulations and to minimize nuisance odor impacts on the neighboring community. Settlement with the proposed revised Agreed Order was achieved on April 7, 2017. The order became effective on July 12, 2017 and may be found at this link:  
[http://www14.tceq.texas.gov/epic/CIO/index.cfm?fuseaction=search.download&agy\\_dk\\_t\\_num\\_txt=2016-1923-AIR-E&agenda\\_dt=07/07/2017](http://www14.tceq.texas.gov/epic/CIO/index.cfm?fuseaction=search.download&agy_dk_t_num_txt=2016-1923-AIR-E&agenda_dt=07/07/2017)
- On August 11, 2017, Blue Ridge Landfill submitted an Odor Control Plan (the Plan) to the TCEQ in accordance with Ordering Provision No. 3b of the Agreed Order.
- On October 6, 2017, the TCEQ mailed a response letter to Blue Ridge Landfill informing them that the Plan could not be approved at that time and requested additional information to demonstrate that the Plan will effectively address odor control at the landfill. A response from Blue Ridge Landfill was requested within 30 days from the date of the letter.
- On November 2, 2017, Blue Ridge Landfill submitted an extension request to respond to the TCEQ's October 6, 2017 letter.
- On November 7, 2017, the TCEQ sent a letter to Blue Ridge Landfill approving the extension request and established a revised compliance deadline of December 1, 2017, which was met.
- On December 21, 2017, the TCEQ informed Blue Ridge Landfill that the Plan could not be approved and requested additional information to demonstrate that the Plan will effectively address odor control at the landfill. A new response from Blue Ridge Landfill was requested by January 18, 2018.
- On January 18, 2018, the TCEQ received the revised odor control plan from Blue Ridge Landfill. TCEQ staff are currently in the process of reviewing the revised plan. Once TCEQ staff completes its review of the revised odor control plan, a meeting will be held with Blue Ridge Landfill representatives to resolve any remaining issues so that an approved plan can be implemented.
- On February 16, 2018, a meeting was held between the TCEQ and representatives of Blue Ridge Landfill to discuss the revised plan. While progress was made, an additional meeting is necessary to resolve the remaining issues. This meeting was scheduled for March 1, 2018.
- On March 1, 2018, a meeting was held between the TCEQ and representatives of Blue Ridge Landfill to discuss the revised plan.
- On March 8, 2018, Blue Ridge Landfill submitted a revised plan to the TCEQ.
- On March 27, 2018, a meeting was held between the TCEQ and representatives of Blue Ridge Landfill to discuss the revised plan.
- On April 5, 2018, Blue Ridge Landfill submitted a revised odor control plan to the TCEQ, which was approved for implementation on April 10, 2018.  
<https://www.tceq.texas.gov/assets/public/complaints/BRLF-OdorControlPlan.pdf>
- On May 10, 2018, Blue Ridge Landfill submitted written certification to the TCEQ that it had implemented the provisions of the odor control plan in accordance with the approved schedule.

- On June 2, 2018, Blue Ridge Landfill submitted documentation to the TCEQ demonstrating that: surface emissions monitoring had been performed quarterly; the 24-hour Odor Complaint Hotline/Message-line and web-site had been activated; the dual carbon canister had been installed; and that Blue Ridge Landfill began conducting 24-hour fence line monitoring in accordance with the approved plan.
- On June 8, 2018, Blue Ridge submitted a permit modification application to incorporate the approved Odor Control Plan into Section 4.10, Part IV-Site Operating Plan, in Municipal Solid Waste Permit No. 1505A.
- On August 2, 2018, Blue Ridge Landfill completed the Supplemental Environmental Project by contributing to the Texas Association of Resource Conservation and Development Areas, Inc. for the Tire Collection Events and Cleanup of Abandoned Tire Sites project.
- On November 9, 2018, the Odor Control Plan was incorporated into Blue Ridge Landfill's Site Operating Plan in their Municipal Solid Waste Permit No. 1505A.
- The TCEQ Enforcement Division consolidated five Notices of Enforcement and prepared a combined proposed Agreed Order (Case No. 57942) on January 9, 2020. The proposed Agreed Order contains technical requirements designed to bring the landfill into compliance with applicable regulations and to minimize nuisance odor impacts on the neighboring community. The 60-day settlement deadline is March 9, 2020; otherwise, the matter will be referred to the TCEQ Litigation Division.
- On March 9, 2020, the TCEQ Enforcement Division notified Blue Ridge that the expedited settlement offer was withdrawn and referred the enforcement case to the TCEQ Litigation Division.
- On March 18, 2020, the TCEQ Litigation Division referred the alleged violations associated to Investigation Nos. 1486565, 1489897, 1555750, 1579487, and 1593030 to the Office of the Attorney General of Texas (OAG) for appropriate legal action against Blue Ridge.
- On March 23, 2020, the TCEQ Enforcement Division referred the alleged violations associated to Investigation Nos. 1526590 and 1623901 to the TCEQ Litigation Division to include the additional alleged violations in the pending OAG enforcement case.