

Fiscal Year 2022 Annual Enforcement Report - Criminal Cases for 2022

1. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Big Lake Gas Plant L.P.	Air	1 Corporate		2	10/01/2021
<p>On October 1, 2021, Big Lake Gas Plant L.P. pleaded guilty to one count of Negligent Endangerment, 42 U.S.C.A. § 7413(c)(4), and one count of failing to update its risk management plan within six months of a fatal release, 42 U.S.C.A. § 7413(c)(1).</p> <p>Big Lake Gas Plant was ordered to pay a \$3,000,000 fine and acknowledge possible future orders of restitution to the victims.</p> <p>Environmental Protection Agency (EPA) Criminal Investigation Division (CID), TCEQ Environmental Crimes Unit (ECU), and the Texas Environmental Enforcement Task Force investigated and determined the plant negligently released hydrogen sulfide into the ambient air. One employee died due to exposure sustained while working at the plant and another employee was injured. The investigation also established that Big Lake Gas Plant knowingly failed to properly update its risk management plan following the incident, an update required by law.</p> <p>The case was prosecuted by the US Attorney’s Office, Northern District of Texas.</p>					

2. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
PU-Wee Septic	WQ	1 Individual	1		10/18/2021
<p>On October 18, 2021, James Edward Bridges, Jr. pleaded guilty to one count of Unauthorized Discharge, in violation of Texas Water Code § 7.145.</p> <p>Mr. Bridges was ordered to serve three-years deferred adjudication and 80 hours of Community Service.</p> <p>TCEQ ECU and Texas Parks and Wildlife Department (TPWD) CID investigated and determined James Bridges Jr. was responsible for unauthorized discharges of sewage into a drainage ditch.</p> <p>The case was prosecuted by the Houston County District Attorney’s Office.</p>					

3. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Melvin Lee	SW	1 Individual		1	10/25/2021
<p>On October 25, 2021, Melvin Lee pleaded guilty to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Lee was ordered to serve one day in jail.</p> <p>TCEQ ECU investigated and determined Mr. Lee illegally dumped solid waste consisting of demolition debris.</p> <p>The case was prosecuted by the Morris County District Attorney's Office.</p>					

4. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Issa Brothers	Air	2 Individuals		2	11/09/2021
<p>On November 9, 2021, Joussef Issa pleaded guilty to Tampering with a Government Record, in violation of Texas Penal Code § 37.10.</p> <p>Joussef Issa was ordered to pay a fine of \$500.</p> <p>On November 9, 2021, Nazih Issa pleaded guilty to Tampering with a Government Record, in violation of Texas Penal Code § 37.10.</p> <p>Nazih Issa was ordered to pay a \$500 fine and serve three days in jail.</p> <p>TCEQ ECU and Texas Department of Public Safety (DPS) CID investigated and determined Joussef Issa and Nazih Issa falsified vehicle emission testing information.</p> <p>The case was prosecuted by the Brazoria County District Attorney's Office.</p>					

5. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Santos Barcenas	SW	1 Individual	1		12/14/2021

On December 14, 2021, Santos Barcenas began to serve a seven-year sentence after being a fugitive for several months. Mr. Barcenas failed to turn himself in after losing his appeal of a district court's ruling that he violated several conditions of probation.

Previously on September 28, 2015, Mr. Barcenas pleaded guilty to one felony count of Engaging in Organized Criminal Activity, Texas Penal Code § 71.02. Mr. Barcenas was sentenced to five years deferred adjudication and ordered to pay a \$750 fine. Mr. Barcenas was also ordered to pay \$17,445.59 in restitution to the City of Plainview.

TCEQ ECU investigated and determined Mr. Barcenas was responsible for falsifying tire manifests and invoices that indicated disposal of scrap tires to the City of Plainview.

The case was prosecuted by the Hale County District Attorney's Office.

6. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Terry Michael Norfleet	WQ	1 Individual		1	01/05/2022

On January 05, 2022, Terry Michael Norfleet pleaded guilty to one count of Failure to Properly Use Pollution Control Measures, in violation of Texas Water Code § 7.148.

Mr. Norfleet was ordered to serve one day in jail and pay \$1,250 in fines.

TCEQ ECU investigated and determined that Terry Norfleet tampered with an underground storage tank line leak detector device.

The case was prosecuted by the Hunt County Attorney's Office.

7. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Oasis Capital Investment, LLC	Air	2 Individuals	2		01/19/2022 03/01/2022
<p>On January 19, 2022, Severo Zamora was sentenced for one count of violating 18 U.S.C. § 3 (18 U.S.C. § 542), Accessory after the Fact.</p> <p>Mr. Zamora was ordered to serve six months of probation and pay a \$500 fine.</p> <p>On March 1, 2022, Faiz Abdallahi was sentenced for one count of violating 42 U.S.C. § 7413(c)(1), Improper Importation of a Class II Substance.</p> <p>Mr. Abdallahi was ordered to serve three years of probation and pay a \$250,000 fine.</p> <p>TCEQ ECU and EPA CID investigated and determined Faiz Abdallahi, owner of Oasis Capital Investment, LLC., illegally imported R22.</p> <p>This case was prosecuted by the U.S Attorney's Office, Northern District of Texas.</p>					

8. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
123 Big Stars	SW	1 Individual		1	01/26/2022
<p>On January 21, 2022, Alexei Gonzales pleaded guilty to Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>On January 26, 2022, Mr. Gonzales was granted a Pretrial Diversion, ordered to pay \$500 in court costs, and perform 12 hours of community service.</p> <p>TCEQ ECU investigated and determined Mr. Gonzales illegally dumped solid waste consisting of scrap tires.</p> <p>The case was prosecuted by the Caldwell County District Attorney's Office.</p>					

9. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Advanced Powder Solutions, Inc.	HZW	1 Corporation	1		02/03/2022
<p>On February 3, 2022, Advanced Powder Solutions was sentenced to one count of violating 42 U.S.C. § 6928(d)(2)(A) and 18 U.S.C. § 2, Storing Hazardous Waste Without a Permit.</p> <p>The court ordered Advanced Powder Solutions to serve three years of probation and pay a \$50,000 fine. The court also ordered the company, during the first year of probation, to complete at their expense, the disposal of all remaining hazardous waste located at the Advanced Powder Solutions, Inc. facility in compliance with applicable federal and state solid and hazardous waste regulations.</p> <p>TCEQ ECU and EPA CID investigated and determined the corporation was illegally storing hazardous waste.</p> <p>This case was prosecuted by the U.S Attorney’s Office, Southern District of Texas.</p>					

10. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Harvest Fuels	AIR	1 Corporation 2 Individuals		3	02/10/2022
<p>On February 10, 2022, Harvest Fuels LLC., was sentenced for one count of Unauthorized Emissions, in violation of Texas Water Code § 7.177(a)(5).</p> <p>The court ordered Harvest Fuels to pay a \$10,000 fine and \$270 in court costs.</p> <p>On February 10, 2022, Eric Lee Johnson was sentenced for one count of Unauthorized Emissions, in violation of Texas Water Code § 7.177(a)(5).</p> <p>Mr. Johnson was ordered to serve one-year deferred adjudication and pay a \$2,000 fine. He was also ordered to pay \$24,580.79 in restitution and perform 40 hours community service at the Houston Food Bank. As a condition of his probation, Mr. Johnson was required to hire an environmental consultant to train his employees to properly handle industrial substances and/or wastes, and to produce an environmental consulting report that describes the training received, the persons in attendance, specifies recommendations made, and affirms all recommendations were completed and followed by Defendant, including registering and/or obtaining permits with the Texas Commission on Environmental Quality if required.</p> <p>On February 7, 2022, Marlon Brant Williams was placed on a Pre-Trial Intervention Agreement for Unauthorized Emissions, in violation of Texas Water Code § 7.177(a)(5).</p> <p>TCEQ ECU and Harris County investigated and determined Harvest Fuels, Eric Lee Johnson, and his employees were responsible for unauthorized emissions of volatile organic compounds.</p> <p>The case was prosecuted by the Harris County District Attorney's Office.</p>					

11. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
WWWMS Inc.	DW	1 Corporation 1 Individual	2		02/23/2022
<p>On February 23, 2022, WWWMS Inc. entered into a Pre-Trial Intervention Agreement, along with co-owner Clinton Wayne Gehrke with the Harris County District Attorney's Office.</p> <p>Gehrke, co-owner of WWWMS Inc. entered into a one-year Pre-Trial Intervention Agreement. Gehrke was required to perform 40 hours community service and complete TCEQ approved continuing education water compliance courses.</p> <p>WWWMS Inc. entered into a six-month Pre-Trial Intervention Agreement. WWWMS Inc. required to make all company management complete approved TCEQ continuing education water compliance courses. WWWMS Inc. donated \$15,000, which will be split evenly between the Galveston Bay Foundation and the Buffalo Bayou Partnership.</p> <p>TCEQ ECU investigated and determined Clinton Wayne Gehrke and his employees were responsible for falsifying lead and copper testing results.</p> <p>The case was prosecuted by the Harris County District Attorney's Office.</p>					

12. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
HP Gas	HW	1 Individual	1		02/22/2022
<p>On April 26, 2021, John Fansler pleaded guilty to illegal storage of hazardous waste without a permit, in violation of 42 U.S.C § 6928(d)(2)(A) and 18 U.S.C. § 2.</p> <p>On February 22, 2022, John Fansler was sentenced to a prison term equal to the total of time already served and was ordered to pay restitution, if any is determined to be owed.</p> <p>EPA CID and TCEQ ECU investigated and determined John Fansler owned and operated HP Gas, which was illegally storing hazardous waste in drums and barrels, without a permit.</p> <p>The case was prosecuted by US the Attorney's Office, Southern District of Texas.</p>					

13. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Glenn Clamon	SW	1 Individual		1	02/28/2022
<p>On February 28, 2022, Glenn Alexander Clamon was sentenced for one misdemeanor count of violating Texas Health & Safety Code § 365.012, Illegal Dumping.</p> <p>Mr. Clamon was ordered to pay a \$300 fine.</p> <p>TCEQ ECU investigated and determined Glenn Clamon illegally dumped solid waste.</p> <p>The case was prosecuted by the Anderson County District Attorney's Office.</p>					

14. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Vith Household Trash Service	SW	2 Individuals	2		03/03/2022
<p>On February 17, 2022, Jonathan Vith pleaded guilty to one felony count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>On March 3, 2022, Jonathan Vith was sentenced to two years in state jail, which was suspended for five years of community supervision. Mr. Vith was also ordered to pay a \$1,000 fine.</p> <p>On February 17, 2022, Susan Vith pleaded guilty to one felony count of Tampering with or Fabricating Physical Evidence, in violation of Texas Penal Code § 37.09.</p> <p>On March 3, 2022, Susan Vith was placed on deferred adjudication community supervision for five years and was ordered to pay \$1,500 in fines and \$404 in court costs.</p> <p>TCEQ ECU investigated and determined Jonathan Vith illegally dumped solid waste.</p> <p>The case was prosecuted by the Cass County District Attorney's Office.</p>					

15. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
F2 Auto Services	AIR/PI	1 Individual	1		06/01/2022
<p>On June 1, 2022, Simon Domfeh, a certified vehicle inspector at F2 Auto Services, pleaded guilty to one felony count of Tampering with a Governmental Record, in violation of Texas Penal Code § 37.10.</p> <p>Mr. Domfeh was placed on deferred adjudication community supervision for two years and was ordered to pay \$290 in court costs.</p> <p>TCEQ ECU and DPS CID investigated and determined Simon Domfeh falsified vehicle emission testing information.</p> <p>The case was prosecuted by the Harris County District Attorney's Office.</p>					

16. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Angie Reyes	WQ/PI	1 Individual		1	07/05/2022
<p>On July 5, 2022, Angie Carola Escalante Reyes pleaded guilty to operating as a sewer system installer without a valid license, in violation of Texas Water Code § 7.172.</p> <p>Ms. Reyes was ordered to pay a \$100 fine.</p> <p>TCEQ ECU investigated and determined Angie Reyes installed OSSF systems without the required license.</p> <p>The case was prosecuted by the Montgomery County Attorney's Office.</p>					

17. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Joe Slater	WQ/PI	1 Individual	5	2	07/29/2022
<p>On July 26, 2022, Joe Slater pleaded guilty to three separate felony indictments of Theft of Property, in violation of Texas Penal Code § 31.03 and two indictments alleging Theft of Property from the Elderly, in violation of Texas Penal Code § 31.03(f)(3)(A).</p> <p>Mr. Slater was ordered to serve 11 months confinement for each of the three charges of Theft of Property and five years confinement for each of the two charges of Theft of Property from the Elderly. It was ordered that the sentences run concurrently.</p> <p>On July 29, 2022, Joe Slater pleaded guilty to two separate misdemeanor complaints alleging Tampering with a Government Record, in violation of Texas Penal Code § 37.10.</p> <p>Mr. Slater was ordered to pay \$200 in fines and to serve 200 days in jail.</p> <p>Based on these convictions TCEQ Occupational Licensing revoked Mr. Slater's OSSF license.</p> <p>TCEQ ECU and Parker County Sheriff's Office investigated and determined Joe Slater tampered with OSSF application documents and committed theft against customers.</p> <p>The case was prosecuted by the Parker County District Attorney's Office.</p>					