

Appendix E: Annual Enforcement Report FY2024-Criminal Convictions

1. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
NGV Motori USA, LLC	AIR/PI	1 Corporation	1		09/8/2023
<p>On September 8, 2023, NGV Motori USA, LLC pleaded guilty to one first degree felony count of Theft, in violation of Texas Penal Code § 31.03.</p> <p>NGV Motori USA, LLC was ordered to pay the TCEQ \$60,000 in restitution.</p> <p>The TCEQ Texas Emissions Reduction Plan (TERP) program contracted with an entity to provide TERP grant funds in exchange for the entity destroying its old diesel-powered engines and replacing them with EPA certified natural gas engines. To prove destruction fraudulent affidavits were submitted to the TERP program, which stated the engines were destroyed. TCEQ ECU investigated and determined the diesel engines were not destroyed and EPA certified natural engines were not used, as required by the TERP contract.</p> <p>The case was prosecuted by the Travis County District Attorney's Office.</p>					

2. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Texas Natural Gas Vehicles, Inc.	AIR/PI	1 Corporation	1		09/8/2023
<p>On September 8, 2023, Texas Natural Gas Vehicles, Inc. pleaded guilty to one first degree felony count of Theft, in violation of Texas Penal Code § 31.03.</p> <p>Texas Natural Gas Vehicles, Inc. was ordered to pay the TCEQ \$65,000 in restitution.</p> <p>The TCEQ TERP program contracted with an entity to provide TERP grant funds in exchange for the entity destroying its old diesel-powered engines and replacing them with EPA certified natural gas engines. To prove destruction fraudulent affidavits were submitted to the TERP program, which stated the engines were destroyed. TCEQ ECU investigated and determined the diesel engines were not destroyed and EPA certified natural engines were not used, as required by the TERP contract.</p> <p>The case was prosecuted by the Travis County District Attorney's Office.</p>					

3. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Jose Moreno	SW	1 Individual		1	09/27/2023
<p>On September 27, 2023, Jose Alberto Moreno Gonzalez pleaded guilty to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Moreno Gonzalez was sentenced to six months deferred adjudication and ordered to pay a fine of \$719.00.</p> <p>An investigation by TCEQ ECU and Balcones Heights Code Enforcement, using evidence obtained by the Texas Department of Transportation (TxDOT), determined Mr. Moreno Gonzalez illegally dumped plumbing debris and other wastes on TxDOT property.</p> <p>The case was prosecuted by City of Balcones Heights Attorney's Office.</p>					

4. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Richard Kollins	WQ/PI	1 Individual		1	11/20/2023
<p>On November 20, 2023, Richard Kollins pleaded to one count of installing a septic system without a license, in violation of Texas Water Code § 7.174.</p> <p>Mr. Kollins paid \$1,000 in fines.</p> <p>An investigation by TCEQ ECU determined Mr. Kollins illegally installed leaching panels on a septic system without the required license.</p> <p>The case was prosecuted by Tyler County Attorney's Office.</p>					

5. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Taylor Howell Whiseant	SW	1 Individual		2	11/20/2023
<p>On November 20, 2023, Taylor Howell Whiseant pleaded to two counts of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Whiseant paid a fine of \$962.</p> <p>An investigation by TCEQ ECU determined Mr. Whiseant illegally dumped demolition debris and other wastes at an unpermitted location.</p> <p>The case was prosecuted by Bowie County Attorney's Office.</p>					

6. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Waddell Excavating	SW	1 Individual		1	11/22/2023
<p>On November 22, 2023, Barclay Waddell pleaded guilty to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Waddell paid a fine of \$500.</p> <p>An investigation by TPWD Criminal Investigation Division and TCEQ ECU determined Mr. Waddell illegally dumped demolition debris and other wastes at an unpermitted location.</p> <p>The case was prosecuted by Bosque County District Attorney's Office.</p>					

7. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Roy's Junk Removal	SW	1 Individual	1		02/14/2024
<p>On February 14, 2024, David Jacobie Sayyed Roy pleaded to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Roy was ordered to serve two years deferred adjudication.</p> <p>TCEQ ECU assisted a Smith County Sheriff's Office investigation, which determined Mr. Roy illegally dumped solid waste for a commercial purpose.</p> <p>The case was prosecuted by the Smith County District Attorney's Office.</p>					

8. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
William Matthew Riehs	SW	1 Individual		1	02/15/2024
<p>On February 15, 2024, William Matthew Riehs pleaded guilty to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Riehs was ordered to serve one year probation and pay \$3,500 in fines.</p> <p>TCEQ ECU assisted a Jackson County Sheriff's Office investigation, which determined Mr. Riehs illegally dumped solid waste for a commercial purpose.</p> <p>The case was prosecuted by the Jackson County District Attorney's Office.</p>					

9. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
CR 1114 Tire Site	SW	1 Individual	1		04/11/2024
<p>On April 11, 2024, Rickey Arlen Taylor pleaded guilty to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Taylor was ordered to serve 160 days in jail.</p> <p>TCEQ ECU assisted a Smith County Sheriff's Office investigation, which determined Mr. Taylor illegally dumped scrap tires.</p> <p>The case was prosecuted by the Smith County District Attorney's Office.</p>					

10. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Brandon Wayne Stone	PWS/PI	1 Individual	1		04/15/2024
<p>On April 15, 2024, Brandon Stone pleaded guilty to one count of Tampering with a Governmental Record, in violation of Texas Penal Code § 37.10.</p> <p>Mr. Stone was ordered to serve four years' deferred adjudication and pay \$1,000 in fines.</p> <p>An investigation conducted by TCEQ ECU determined Mr. Stone submitted a falsified Nitrification Action Plan to a TCEQ Administrative Investigator during a comprehensive compliance investigation.</p> <p>The case was prosecuted by the 271st Judicial District Attorney's Office.</p>					

11. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Inland Recycling L.L.C.	WQ	1 Corporation	1		05/01/2024
<p>On May 1, 2024, Inland Recycling CEO David Polston pleaded guilty to one count of intentional or knowing unauthorized discharge, in violation of Texas Water Code § 7.145.</p> <p>Inland Recycling was ordered to pay \$75,000 in fines, \$56,250 to Colorado County and \$18,750 to the state.</p> <p>An investigation conducted by TCEQ ECU and TPWD CID determined that Polston allowed his oil and gas recycling facility on State Highway 71 in Colorado County to discharge wastewater without the required permits or an order by the TCEQ.</p> <p>The case was prosecuted by the Travis County District Attorney's Office.</p>					

12. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Dwight Nicholas Jr.	AIR/PI	1 Individual	1		05/21/2024
<p>On May 21, 2024, Dwight Nicholas Jr. pleaded guilty to one count of Tampering with a Governmental Record, in violation of Texas Penal Code § 37.10.</p> <p>Mr. Nicholas was ordered to serve two years' deferred adjudication.</p> <p>An investigation conducted by TCEQ ECU determined Mr. Nicholas submitted falsified Leak Detection and Repair monitoring data to the TCEQ.</p> <p>The case was prosecuted by the Harris County District Attorney's Office.</p>					

13. Case Name	Media Type	Number of Defendants	Felony Counts	Misdemeanor Counts	Date of Case Resolution
Malachi Dews	SW	1 Individual		1	07/22/2024
<p>On July 22, 2024, Malachi Dews pleaded guilty to one count of Illegal Dumping, in violation of Texas Health & Safety Code § 365.012.</p> <p>Mr. Dews was ordered to serve 18 months' deferred adjudication.</p> <p>An investigation conducted by TCEQ ECU determined Mr. Dews illegally dumped construction and demolition debris.</p> <p>The case was prosecuted by the Smith County District Attorney's Office.</p>					

Abbreviations and Acronyms

AIR or AQ = air quality

ECU = Environmental Crimes Unit

PI = program integrity

PWS = public water supply

SW = solid waste

U.S.C. = United States Code

WQ = water quality, including domestic and industrial wastewater treatment plants, stormwater, and sludge use operations (beneficial use sites and transporters)

WA = water availability