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Title:	Investigation
Tertiary ID	1617306

AIR CP_110114022_CP_20191217_INVESTIGATION_1617306
Texas Commission on Environmental Quality
Investigation Report

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Customer: Blue Star Recycling, LLC
Customer Number: CN605347897

Regulated Entity Name: BLUE STAR RECYCLING

Regulated Entity Number: RN110114022

Investigation # 1617306

Investigator: ALAN ADAMS

Conducted: 12/17/2019 -- 12/17/2019

Program(s): AIR QUALITY NON PERMITTED

Investigation Type: Compliance Invest File Review

Additional ID(s):

Address: 9515 S CENTRAL EXPY,
DALLAS, TX , 75241

Local Unit: CITY OF DALLAS LOCAL PROGRAM

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

Incident Numbers

Site Classification

SIC Code: 5093

NAIC Code: 56211

SIC Code: 4953

Location:

Principal(s):

Role	Name
RESPONDENT	BLUE STAR RECYCLING LLC

Contact(s):

Role	Title	Name	Phone
REGULATED ENTITY MAIL CONTACT	OWNER	Chris Ganter	Phone (214) 680-1720 Cell (972) 984-5220

Other Staff Member(s):

Role	Name
Supervisor	JOSEPH VU

Associated Check List

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

Investigation Comments:

INTRODUCTION:

On 12/17/2019, an in-house and onsite follow up investigation was conducted to resolve outstanding violations (Tracking #718754 and #718917) issued during a compliance investigation (Inv #11570663), conducted on 03/19/2019, of Blue Star Recycling, located at 9515 S. Central Expy Dallas, TX 75241 by Alan Adams investigator for the Dallas Local Program. The purpose of this investigation was to determine if the facility had met all of the requirements to resolve the outstanding violations. The mail contact for this investigation will be the owner, Mr.

BLUE STAR RECYCLING - DALLAS

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Chris Ganter.

Daily Narrative:

During the compliance investigation on 03/19/19, the facility was issued the following violations: 1) Tracking #718754: 30 TAC 106.261 and 106.262: Failure to obtain a Permit by Rule (PBR) Registration from the TCEQ. 2) Tracking #718917: 30 TAC 101.4: Failure to keep asphalt-laden dust from leaving their property and causing a nuisance to other citizens.

On 12/17/2019, Alan Adams performed an in-house file review and TCEQ Central Registry review, and confirmed that on 01/25/2019, the facility successfully forfeited the taxable entity's charter, certificate and registration with the Secretary of State(Attachment 1). Also on 12/17/2019 Alan Adams went to the facility to confirm that no dust was leaving the site. No dust was observed leaving the site. Also observed was that all the grinded asphalt material, which was the cause of the nuisance, had been removed from the site. The facility was not in operation and no one was on site. The facility's action resolves the violation since the facility is no longer considered a regulated entity.

Exit Interview:

On 12/17/2019, Mr. Ganter was contacted by phone, however the phone has been disconnected. A follow-up compliance letter will be mailed to the facility.

GENERAL FACILITY AND PROCESS INFORMATION:

Process Description:

The entity no longer exist.

BACKGROUND:

The RE compliance history rating for Blue Star Recycling (RN110114022) is classified Satisfactory with a 1.00 rating. The customer classification for Blue Star Recycling LLC.(CN605347897) is classified Satisfactory with a 0.63 rating.

Agreed Orders, Court Orders, and other Compliance Agreements: None in the last 5 years

Complaints: Two Complaints for dust (CCEDS Inv. 1537501) and (CCEDS Inv. 1551524)

Prior Enforcement Issues:

1) 03/19/2019: Inv (1570663) Tracking #718754 - 30 TAC 106.261 and 106.262: Failure to obtain a Permit by Rule (PBR) Registration from the TCEQ. Tracking #718917 - 30 TAC 101.4: Failure to keep asphalt-laden dust from leaving their property and causing a nuisance to other citizens. Resolved on 12/17/2019, Inv (1617306).

ADDITIONAL INFORMATION:

Conclusions, Recommendations and Current Enforcement Actions:

The facility will receive a follow-up compliance letter in the mail.

Additional Issues:

None

Attachments:

Forfeiture of Certificate/Charter with Secretary of State

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track Number: 718754

Resolution Status Date: 12/17/2019

Violation Start Date: 3/19/2019

Violation End Date: 12/17/2019

30 TAC Chapter 106.261
30 TAC Chapter 106.262

Alleged Violation:

Investigation: 1570663

Comment Date: 06/27/2019

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Failure to obtain a Permit by Rule (PBR) Registration from the TCEQ. 30 TAC Chapter 106.261, .262. The facility had until 03/31/2019 to register for emitting a material that could potentially have an impact on air quality (less than 6 lbs. of cellulose fiber per hour). At the time of the investigation, Blue Star Recycling had not registered with the state.

Investigation: 1617306

Comment Date: 12/17/2019

Failure to obtain a Permit by Rule (PBR) Registration from the TCEQ.

Recommended Corrective Action: Register with the state.

Resolution: Entity forfeited existence with the Secretary of State. The facility was not in operation.

Track Number: 718917

Resolution Status Date: 12/17/2019

Violation Start Date: 3/19/2019

Violation End Date: 12/17/2019

30 TAC Chapter 101.4

Alleged Violation:

Investigation: 1570663

Comment Date: 06/28/2019

30 TAC 101.4 General Air Quality Rules-Nuisance Failure to keep asphalt-laden dust from leaving their property and causing a nuisance to other citizens from the impact of the asphalt-laden dust.

Investigation: 1617306

Comment Date: 12/17/2019

Failure to keep asphalt-laden dust from leaving their property and causing a nuisance to other citizens.

Recommended Corrective Action: Facility needs to find a way to not let dust leave their property.

Resolution: The entity forfeited existence with the Secretary of State. The facility was not in operation and the grinded asphalt material had been removed from the site.

Signed



Environmental Investigator

Date 12-19-19

Signed



Supervisor

Date 12/19/19

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Maps, Plans, Sketches

Letter to Facility (specify type) : _____

Photographs

Investigation Report

Correspondence from the facility

Sample Analysis Results

Other (specify) : _____

Manifests

Notice of Registration

Attachment 1

RN 110114022 CN 605347897

Blue Star Recycling LLC.

Conducted 12/17/2019

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**Forfeiture pursuant to Section 171.309 of the Texas Tax Code
of
Blue Star Recycling, LLC**

File Number : 802596779

Certificate / Charter forfeited : January 25, 2019

The Secretary of State finds that:

1. The Secretary has received certification from the Comptroller of Public Accounts under Section 171.302 of the Texas Tax Code indicating that there are grounds for the forfeiture of the taxable entity's charter, certificate or registration; and
2. The Comptroller of Public Accounts has determined that the taxable entity has not revived its forfeited privileges within 120 days after the date that the privileges were forfeited.

Therefore, pursuant to Section 171.309 of the Texas Tax Code, the Secretary of State hereby forfeits the charter, certificate or registration of the taxable entity as of the date noted above and records this notice of forfeiture in the permanent files and records of the entity.



A handwritten signature in black ink, appearing to read "David Whitley".

David Whitley
Secretary of State

TEXAS SECRETARY of STATE
RUTH R. HUGHS

BUSINESS ORGANIZATIONS INQUIRY - VIEW ENTITY

Filing Number: 802596779 **Entity Type:** Domestic Limited Liability Company (LLC)
Original Date of Filing: December 6, 2016 **Entity Status:** Forfeited existence
Formation Date: N/A
Tax ID: 32062232627 **FEIN:**
Duration: Perpetual
Name: Blue Star Recycling, LLC
Address: 10015 REARWIN LN
Mckinney, TX 75071-6557 USA

<u>REGISTERED AGENT</u>		<u>FILING HISTORY</u>		<u>NAMES</u>	<u>MANAGEMENT</u>	<u>ASSUMED NAMES</u>	<u>ASSOCIATED ENTITIES</u>	
<u>View Image</u>	<u>Document Number</u>	<u>Filing Type</u>	<u>Filing Date</u>	<u>Effective Date</u>	<u>Eff. Cond</u>	<u>Page Count</u>		
	702962800003	Certificate of Formation	December 6, 2016	December 6, 2016	No	2		
	758344900002	Certificate of Amendment	August 22, 2017	August 22, 2017	No	4		
	758076130003	Change of Registered Agent/Office	August 22, 2017	August 22, 2017	No	2		
	864077528826	Tax Forfeiture	January 25, 2019	January 25, 2019	No	1		

Instructions:

- To place an order for additional information about a filing press the 'Order' button.



CITY OF DALLAS

December 19, 2019

Blue Star Recycling LLC
Attn: Mr. Chris Ganter
9515 S. Central Expy
Dallas, TX 75241

Re: Follow-up Compliance and NOV Resolved
Blue Star Recycling LLC
9515 S. Central Expy
Dallas, TX 75241
TCEQ ID #: RN110114022 CN605347897

Dear Mr. Ganter:

On December 17, 2019 Mr. Alan Adams of the City of Dallas Air Quality Compliance Program conducted an onsite follow up investigation (AIRFIIH) to resolve outstanding violations (Tracking #718754 and #718917) issued during a complaint compliance investigation (Inv #11570663), which was conducted on 03/19/2019. Additionally, no further complaints have been received to date, 12/17/2019, since the issuance of this NOV at the above referenced facility. It appears that all areas of noncompliance have been adequately addressed.

The City of Dallas appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's Environment. If you have any questions regarding these matters please contact Mr. Adams at 214-671-5234.

Sincerely,

Joseph Vu MS, P.G., Interim Manager
Air Quality Compliance Program
Office of Environmental Quality and Sustainability