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**Document Control Sheet**

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<b>Tertiary ID</b>	



**Pollution Control Services Department**

101 S. Richey, Suite H  
Pasadena, Texas 77506  
FAX: 713-274-6475

713-920-2831

October 12, 2017

**VIOLATION NOTICE**

Ted Booher  
Rapid Environmental Services  
7815 SH 225  
La Porte, TX 77521

RE: Inspection No. 170627

Dear Mr. Booher:

The circumstances described below constitute violations of the Texas Clean Air Act and the Texas Solid Waste Disposal Act. You are requested to inform Compliance Coordinator Kathy Stone in writing within ten (10) days of the steps being taken to be in compliance with these laws and to prevent recurrence. Ms. Stone's address is: Pollution Control Services Department, 101 South Richey, Suite H, Pasadena, TX 77506, her fax number is 713-274-6475, or you can e-mail her at [kathy.stone@pcs.hctx.net](mailto:kathy.stone@pcs.hctx.net). Should you have any questions concerning this Violation Notice, or wish to arrange a conference to discuss any compliance plan, please call Ms. Stone at 713-274-6357.

NAME OF OFFENDER: Rapid Environmental Services

PERSON CONTACTED: Ted Booher

**NATURE OF VIOLATIONS:**

On September 13, 2017 at 4:30 p.m., Jasmin Moxham of this office inspected your commercial property located at 7815 SH 225, La Porte, TX 77521 in response to a complaint. As a result of this investigation, it was determined that you are violation of the following sections of the Texas Commission on Environmental Quality Regulations (Title 30 Texas Administrative Code, Chapters 111, 116, 324, 328 and 330). Specifically:

**Section 111.201** Except as provided by this subchapter or by orders or permits of the commission, no person may cause, suffer, allow, or permit any outdoor burning.

RECEIVED  
MAR 08 2018  
TCEQ  
CENTRAL FILE ROOM  
RECEIVED  
OCT 13 2017  
REGION 12

## **VIOLATION NOTICE**

Rapid Environmental Services

October 12, 2017

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Illegal outdoor burning of oil filters was occurring on the property.

**Section 116.110(a)** Any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of this state shall obtain a permit or satisfy the conditions for exempt facilities before any actual work is begun on the facility

Your facility is not authorized to operate an incinerator. To continue operating you must obtain a permit from the state or demonstrate that you meet the requirements of a Texas Commission on Environmental Quality permit by rule or exemption from permitting.

**Section 324.4(1)** A person must not collect, transport, store, burn, market, recycle, process, use, discharge, or dispose of used oil in any manner that endangers the public health or welfare or the environment.

### **Section 328.23**

(a) A person may not store, process, or dispose of a used oil filter in a manner that results in the discharge of oil into soil or water.

(c) A bulk filter container used to store used oil filters:

- (1) must not leak; and
- (2) must be securely closed, waterproof, and in good condition.

**Section 328.26(d)** A processor that stores used oil filters in a container shall label each container clearly with the phrase "Used Oil Filters."

**Section 330.15(a)** A person may not cause, suffer, allow, or permit the collection, storage, transportation, processing, or disposal of municipal solid waste (MSW), or the use or operation of a solid waste facility to store, process, or dispose of solid waste, or to extract materials under Texas Health and Safety Code, §361.092, in violation of the Texas Health and Safety Code, or any regulations, rules, permit, license, order of the commission, or in such a manner that causes:

- (1) The discharge or imminent threat of discharge of MSW into or adjacent to the waters in the state without obtaining specific authorization for the discharge from the commission.
- (2) The creation and maintenance of a nuisance.
- (3) The endangerment of the human health and welfare or the environment.

**VIOLATION NOTICE**

Rapid Environmental Services

October 12, 2017

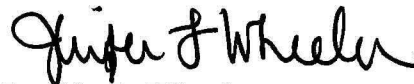
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Our investigator observed several drums that were leaking used oil. The drums contained used oil filters and were not properly labeled.

To bring this site into compliance will require that outdoor burning be discontinued. All drums must be appropriately labeled and be secured, waterproof and in good condition. All oil spilled on the property must be remediated.

Under Texas law you are subject to civil penalties of \$50 to \$25,000 per day, criminal penalties of up to \$250,000 per day or more for each violation, and possible confinement up to 10 years or more. Under the Regulations of Harris County for Storm Water Quality Management, you may be subject to civil penalties up to \$1,000 per day for each violation. A case-by-case review is conducted when each Violation Notice is issued. The ultimate disposition of each case is dependent upon factors such as the nature, magnitude and duration of this violation, steps taken to mitigate the violation, previous violations, and the contents of any response received. In the event that further enforcement action is appropriate, this office may file charges in a court of proper jurisdiction, as provided by law.

Sincerely,



Jennifer L. Wheeler  
Compliance Manager

JTM/ks

cc: Andy Goodridge, Air Section Manager  
Texas Commission on Environmental Quality  
5425 Polk Street, Suite H  
Houston, TX 77023