

0000-0000-0043-1732

Document Control Sheet

Sheet Title:	AIR CP - SE
Box ID:	12694
Control Sheet ID:	0000-0000-0043-1732
Record Series Name:	OCE / Air Compliance
Record Series:	AIR CP
Primary ID:	110114022
Secondary ID:	
Doc Type:	Compliance
Security:	Public
Date:	1/10/2019 12:00AM
Title:	Investigation
Tertiary ID	1551524

AIR CP_110114022_CP_20190110_INVESTIGATION_1551524
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 # 1551524

Incident Numbers

304164

Investigator: ALAN ADAMS

Site Classification

Conducted: 12/20/2018 -- 01/10/2019

SIC Code: 5093

NAIC Code: 56211

SIC Code: 4953

Program(s): AIR QUALITY NON PERMITTED

Investigation Type: Compliance Investigation

Location:

Additional ID(s):

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

Local Unit: CITY OF DALLAS LOCAL PROGRAM

Activity Type(s): AIRCOMPL - AIR CMPL - AIR
COMPLAINT INV

Principal(s):

Role

Name

RESPONDENT

BLUE STAR RECYCLING LLC

Contact(s):

Role

Title

Name

Phone

REGULATED
ENTITY MAIL
CONTACT

SENIOR VP

Kano Galindo

Work (214) 308-1288

Other Staff Member(s):

Role

Name

Supervisor

MARILYN FITZNER

Investigator

JOSE ALVAREZ

Supervisor

BRIAN CUNNINGHAM

Investigator

DAVID MORRIS

Investigator

JESUS RODRIGUEZ

RECEIVED

FEB 14 2020

TCEQ
CENTRAL FILE ROOM

Associated Check List

Checklist Name

Unit Name

AIR COMPLAINT INVESTIGATION

Blue Star

Investigation Comments:

INTRODUCTION:

On 12/20/2018 Alan Adams, David Morris, Brian Cunningham, Marilyn Fitzner, Jesus Rodriguez and Jose

BLUE STAR RECYCLING - DALLAS

12/20/2018 to 1/10/2019 Inv. # - 1551524

Page 2 of 5

Alvarez Environmental Investigators with the City of Dallas (COD) Air Quality Compliance Program conducted a site visit for a Complaint Investigation (AIR-CMPL) at Blue Star Recycling owned by Chris Ganter and located at 9527 S. Central Expressway Dallas, TX. 75241. Mr. Kano Galindo, the Senior VP will be the Regulated Entity (RE) mail contact, contact on site and participated in the investigation. Two follow-up visits were conducted on 01/03/2019 and 01/10/2019 by Mr. Adams. Mr. Adams is the lead investigator for this investigation.

The purpose of this investigation was to respond to a complaint by phone filed via (COD) 311 Service Request on 12/12/2018. The complainant alleged that the shingles recycler is grinding shingles and dust is flying into the air. The complainant was contacted on the initial day of the surveillance, and a message was left on voicemail.

This was an announced investigation because it was set by the city attorney's office. The complaint investigation was assigned initially to the investigator on 12/13/2018, but the investigator was asked not to investigate the site immediately because the City of Dallas was initiating legal procedures against the facility. The City of Dallas served the facility a cease and desist letter and the facility did not operate the week of December 16-22, 2018. The City of Dallas sought this due to regulatory issues with a wet weather creek on the property. The purpose of this investigation was to conduct a site survey to assess any nuisance conditions.

Daily Narrative:

The following is information regarding a description of the complaint:

COMPLAINANT NAME/ADDRESS:

This information is being handled as confidential and is included in the regional confidential file. Refer to Incident # 304164 for more information.

TIME, DATE, FREQUENCY, DURATION OF THE ODOR:

The complaint alleged that on 12/12/2018 at approximately 08:00 that Blue Star Recycling was grinding shingles and dust particles were flying into the air and landing on the road. The complainant alleges that shingle particles were being blown into the air causing a dust nuisance condition. The hours of operation for the facility are Monday-Saturday 5am-6pm.

DESCRIBE ACTIVITY/OPERATIONS AT THE TIME OF THE COMPLAINT:

At the time of the first site visit, the facility was not operating. There were 2 grinders and at least two front end loaders on site. Shingles from venders are brought on site and stockpiled. The shingles are then grinded twice. The remains of the grinding process are stockpiled. During subsequent operations, the equipment was operating.

DISCRIPTION OF ALLEGED EFFECTS:

At the time of the on-site visits, the grinded shingle dust particles were not observed leaving the property to cause a dust nuisance condition off site.

INVESTIGATION INFORMATION:

METEOROLOGICAL DATA AT THE TIME OF INVESTIGATION:

12/20/2018: 13:00-14:00; clear, 57°F, 36% RH, 25-35 mph NW wind.

01/03/2019: 11:00-12:00; cloudy, 40°F, 90% RH, 7-9mph NW wind.

01/10/2019: 10:00-11:00; clear, 51°F, 43% RH, 6-8mph SE wind.

LOCATION OF THE DUST:

Blue Star Recycling Asphalt Shingles Recycling & Aggregate Co. located at 9527 S. Central Expressway is the alleged origin of the dust nuisance condition.

DESCRIPTION OF THE ALLEGED NUISANCE:

The allegation was for an investigation of non-compliance of 30 TAC 101.4 General Air Quality Rules-Nuisance. The complainant alleged that Blue Star Recycling was grinding shingles, and debris from the grinding process is flying into the air causing a dust nuisance condition and making it difficult to breathe.

12/20/2018; 13:00-14:00: At the time of the visit, the facility was not in operation and the debris from the shingle grinding process was not observed leaving the Blue Star Recycling property.

01/03/2019; 11:00-12:00: At the time of the visit, the facility was in operation and the debris from the shingle grinding process was not observed leaving the Blue Star Recycling property.

01/10/2019; 10:00-11:00: At the time of the visit, the facility was in operation and the debris from the shingle

BLUE STAR RECYCLING - DALLAS

12/20/2018 to 1/10/2019 Inv. # - 1551524

Page 3 of 5

grinding process was not observed leaving the Blue Star Recycling property.

DESCRIPTION OF THE EFFECTS ON THE INVESTIGATOR:

At the time of the visits, the debris from the shingle grinding process was not observed leaving the Blue Star Recycling property. The investigator did not experience any adverse effects originating from the investigation.

SOURCE EMISSIONS CONSISTENT WITH ALLEGED NUISANCE DUST?

At the time of the on-site visits, the complainant's description of the recycling process is accurate. Some of the dust particles were airborne after leaving the conveyor belt on the grinder. Also, most of the stock piles were over 12 ft. tall with no water sprinklers for dust suppression.

DESCRIBE ACTIVITY/OPERATIONS AT THE TIME OF THE INVESTIGATION:

At the time of the visits on 01/03/2019 and 01/10/2019 the facility was operating at what appeared to be 100% capacity with both grinders recycling shingles.

DESCRIPTION OF THE LAND USE IN THE AREA SURROUNDING WHERE THE ODOR WAS DETECTED:

The surrounding area is commercial and residential buildings.

DESCRIPTION OF THE TERRAIN FEATURES OF THE AREA:

The land in the area is mostly flat.

LOCATION OF THE SOURCE OF THE ODOR:

Blue Star Recycling Asphalt Shingles Recycling & Aggregate Co. located at 9527 S. Central Expressway Dallas, TX. is the alleged origin of the dust nuisance condition.

At the time of the three on-site visits, the debris from the shingle grinding process was not observed leaving the Blue Star Recycling property. There was no odor associated with this investigation.

SPECIFIC CAUSE OF ACTIVITY:

Blue Star Recycling Asphalt Shingles Recycling & Aggregate Co. located at 9527 S. Central Expressway Dallas, TX. is the alleged origin of the dust nuisance condition.

At the time of the investigation, the debris from the shingle grinding process was not observed leaving the Blue Star Recycling property. There was no odor associated with this investigation.

COMPLAINT LOG NECESSARY/APPROPRIATE? No, not at this time.

At the time of the visit on 12/20/2018, the facility was not operating, and no debris was observed leaving the property.

A follow-up site visit was made to the facility on 01/03/2019 and the following weather conditions were noted - 01/03/2019: 11:00-12:00; cloudy, 40°F, 90% RH, 7-9mph NW wind. The recycling was in operation, but no emissions were noted leaving the property.

A follow-up visit was made to the facility and the following weather conditions were observed - 01/10/2019: 10:00-11:00; clear, 51°F, 43% HR, 6-8mph SE wind. Again, recycling was in operation, but no emissions were noted leaving the property. The complainant was informed of the findings of the investigation on 01/10/2019. The complainant did not return messages left on voicemail.

The Investigator began the all three site visits by turning east from I 45 South then south onto S. Central Expressway to 9527. (See Attachment #1-Map). All surveillance was done on foot. Upon arrival, and contacting Mr. Galindo, the 30 TAC 101.4 General Air Quality rules were discussed. At the time of the last two site visits, the recycling operation was in progress. No excess odor or dust was observed leaving the property. No violations were written or observed. The investigator left the area by reversing the route of arrival.

EXIT INTERVIEW:

Mr. Galindo was informed onsite on 12/20/2018, that the investigation was still on going. Mr. Galindo was contacted on 01/10/2019 and notified that no violations were observed during the investigation.

GENERAL COMPLIANCE AND PROCESS INFORMATION:

Process description:

Blue Star Recycling Asphalt Shingles Recycling & Aggregate Co. recycles roofing shingles. It has been determined after speaking with TCEQ Air Permits Division that the facility almost certainly does not require an air permit, but needs to do a Permit by Rule (PBR) registration for the TCEQ under 30 TAC Chapter 106.261, .262. The material

BLUE STAR RECYCLING - DALLAS

12/20/2018 to 1/10/2019 Inv. # - 1551524

Page 4 of 5

emitted that has an impact on air quality is cellulose fiber and requires registration only at less than 6 lbs/hr. The facility has until the end of March to complete the registration. The facility began operating in April of 2018.

BACKGROUND:

Compliance History:

RE Name: Blue Star Recycling RN: 110114022

Classification: Unclassified- o Rating

Customer Name: Blue Star Recycling LLC: CN605347897

Classification: High - o Rating

Agreed Orders, Court Orders, and Other Compliance Agreements:

No violations were issued during this investigation.

Prior Enforcement Issues:

No violations were issued during this investigation.

Complaints:

Complaint for dust (Inv. 1537501)

Trend Analysis of Current and Past Complaints and Investigation Observations.

There have been no complaints with this RN number within the last 5 years; however, there was a dust complaint conducted on 11/27/2018 at a company with the same name, but different RN number and address. The RN was RN109734384; the address was 9440 S Central Expy. The complainants were different, but only one gave a location of nuisance impact.

ADDITIONAL INFORMATION:

Conclusions, Recommendations, and Current Enforcement Actions:

During this investigation, no violations were observed. A compliance letter will be sent to Mr. Galindo.

Additional Issues:

No additional issues were noted during this investigation. Investigation of the facility continues due to a lawsuit that has been filed against the facility by the City of Dallas. The lawsuit originally concerned issues dealt with by Dallas Water Utilities, but has now expanded to include air compliance issues. This has delayed the approval of this investigation. Currently, the City has just revoked the Certificate of Occupancy for the facility.

ATTACHMENTS:

Attachment 1 - Map

No Violations Associated to this Investigation

Signed



Environmental Investigator

Date

3-8-19

Signed



Supervisor

Date

3/25/19

BLUE STAR RECYCLING - DALLAS

12/20/2018 to 1/10/2019 Inv. # - 1551524

Page 5 of 5

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)
☒ Letter to Facility (specify type) : GCZ
Investigation Report
☐ Sample Analysis Results
☐ Manifests
☐ Notice of Registration

☐ Maps, Plans, Sketches
☐ Photographs
☐ Correspondence from the facility
☐ Other (specify) :

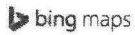
Attachment 1

RN 110114022 CN 605347897

Blue Star Recycling, LLC.

Conducted 12/20/2018 – 01/10/2019

Pages 1



9527 S Central Expy, Dallas, TX 75241

Location: 32.680675, -96.73356167

Blue Star Recycling LLC.



- ☆ 12-20-2018 13:00-14:00 Clear 57°F 36% RH 25-35mph NW wind
No dust observed leaving the property.
- ☆ A 1-3-2019 11:00-11:30 Cloudy 40°F 90% RH 7-9 mph NW wind
- ☆ B 1-3-2019 11:30-12:00 No dust observed leaving the property.
- ☆ 1-10-2019 10:00-11:00 Clear 57°F 43% RH 6-8 mph SE wind
No dust observed leaving the property.

TCEQ Complaint Report

03/08/2019
10:17:20AM

Incident No: 304164

Media Type: AIR

Start Date: 12/20/2018 **Start Time:** 1:00:00PM

Received Date: 12/13/2018

Method :

Staff Member: ALADAMS

Status: Closed

Status Date: 03/08/2019

Priority: Within 30 Calendar Days

Regulated Entity: BLUE STAR RECYCLING

RN110114022

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

Physical Location:

Responsible Party: BLUE STAR RECYCLING LLC

Address: 10015 REARWIN LN, MCKINNEY, TX 75071

PHONE

Title:

Number Complaining: 1

Frequency: INTERMITTENT

Alleged Source: BLUE STAR RECYCLING

Program Group: AIR QUALITY -
HIGH LEVEL

Nature: DUST

Effect: ENVIRONMENTAL

Initial Problem

The complainant alleged that a recycling facility that grinds shingles was causing dust to be blown into the air and shingle particles to land on the road by the property.

Action Taken

This complaint has been assigned and will be further investigated by an Environmental Investigator.

Closure Comments

More information will be available upon approval of the investigation.

Investigation Number: 1551524