



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

March 16, 2016

CERTIFIED MAIL-RETURN RECEIPT REQUESTED: 7015 1520 0003 3989 5138

Coy Reece
Environmental Manager
Texas Couplings
1835 Old Holzwarth Road
Spring, Texas 77388

RE: Potential RCRA Violations and Opportunity for Settlement

Dear Mr. Reece,

The United States Environmental Protection Agency, Region 6 ("EPA"), through its investigation and records review, has reason to believe that Texas Couplings, located at 1835 Old Holzwarth Road, Spring, TX 77388, has violated the Resource Conservation and Recovery Act ("RCRA"), and the regulations promulgated thereunder.

Current Areas of Concern

As a generator of hazardous waste, Texas Couplings is subject to Subtitle C of RCRA – Hazardous Waste Management, 42 U.S.C. §§ 6920 *et seq.* and the regulations set forth in 30 TEX. ADMIN. CODE Subchapters C and/or F, which implement regulations from 40 C.F.R. Parts 262 and/or 270. Upon further investigation, EPA may also determine that Texas Couplings is also subject to other RCRA regulations.

Based on EPA's current investigation and records review, Texas Couplings has been generating hazardous waste and offering its hazardous waste for transportation and/or directly for treatment from at least 2011 through 2013. Further, EPA has determined that the amount of Texas Coupling's hazardous waste generation likely triggers the large quantity generator requirements of RCRA. At a minimum, EPA has identified the following preliminary violations of RCRA by Texas Coupling:

- i. Failure to comply with RCRA notification requirements, in violation of Section 3010(a) of RCRA, 42 U.S.C. § 6930(a).

EPA is prepared to meet and discuss this and other potential violations with Texas Couplings, with the aim of resolving this matter through an expedited settlement process.

An Option for Resolution

If Texas Coupling is interested in resolving this matter through an expedited settlement process, please call, write, or email the attorney assigned to this matter, Matthew Trawick, by **March 31, 2016**. Thereafter, Mr. Trawick will make arrangements to meet with Texas Coupling via conference call. During this initial meeting, EPA will request documents related to hazardous waste management and generation. Texas Couplings will then have the opportunity to address any potential violations and present any evidence that contravenes EPA's findings. After our initial conference and information exchange, EPA will provide Texas Coupling with a draft Consent Agreement and Final Order ("CAFO"), which sets forth the nature and facts supporting any violations. The primary goal of this expedited settlement is to bring Texas Coupling into timely compliance with applicable environmental laws and regulations, and not to maximize penalty.

Timetable for Resolution

EPA estimates that if Texas Coupling avails itself of the settlement process that EPA is now offering, the parties could have an agreed CAFO by July 2016. However, it should be noted that if Texas Coupling decides not to accept this expedited settlement process, the EPA will exercise its other options for ensuring Texas Coupling's timely compliance.

Please direct your response to Mr. Matthew Trawick of the Office of Regional Counsel at (214) 665-8142. You may also contact Mr. Trawick at his email address, trawick.matthew@epa.gov. Thank you for your attention to this matter.

Sincerely,



Mark Potts
Branch Chief
Hazardous Waste Enforcement Branch

Enclosure

cc: James Gradney
Texas Commission on Environmental Quality
James.Gradney@tceq.texas.gov

Frank Burleson
Texas Commission on Environmental Quality
Frank.Burleson@tceq.texas.gov



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair
ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing
www.chemalliance.org

Construction
www.cicacenter.org or 1-734-995-4911

Education
www.campuserc.org

Food Processing
www.fpeac.org

Healthcare
www.hercenter.org

Local Government
www.lgean.org

Metal Finishing
www.nmfrc.org

Paints and Coatings
www.paintcenter.org

Printing
www.pneac.org

Ports
www.portcompliance.org

Transportation
www.tercenter.org

U.S. Border Compliance and Import/Export Issues
www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses
www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line
www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center
www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline
www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center
www.npic.orst.edu/ or 1-800-858-7378

National Response Center Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) - www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline - www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsc hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.