

*Attachment F*

AGENDA ITEM VI

## ENFORCEMENT REPORT

December 1987

PLAINTIFF'S EXHIBIT

SH-2707

### Introduction

In accordance with the amended Texas Clean Air Act (Act), this report has been prepared and describes the status of enforcement actions initiated by the agency. Recommendations for Board Orders with administrative penalties are included on the agenda and are reflected in this report.

### Enforcement Summary

Since September 1, 1987, Notices of Violation were issued to 215 companies, individuals or governmental agencies. Of these violations, 92 have been resolved. From September 1, 1985, effective date of the amended Act, a total of 96 violation situations currently remain unresolved for more than 30 days and will require formal enforcement action. Specific details for each of the unresolved situations are contained in the attached Tables. Table 4 contains a listing of 9 companies in violation which constructed small facilities without a Board permit or exemption and for which Board Orders without administrative penalties are being developed or recommended. The cases for which Board Orders were approved at the November Board meeting have been removed from the report.

The following summarizes administrative penalty actions by the Board since September 1, 1987.

Agreed Administrative Board Orders Entered: 46  
Total of Administrative Penalties Assessed: \$278,125.00

The following summarizes legal actions resolved through court orders entered since September 1, 1987.

Cases Settled by Attorney General: 5  
Total Civil Penalties Assessed: \$243,750.00

### Administrative Penalty Orders

Pursuant to Sections 3.20 and 4.041 of the Act and in accordance with the Guidelines for Assessing Administrative Penalties, the staff will be presenting the Board Orders that have been finalized with the companies for consideration and action by the Board. Although Table 2 includes brief reference to those situations for which penalties are being recommended, these cases will be considered separately during the Board meeting.

LAM 011755

DPMC-08132

Table 1  
VIOLATIONS  
From the September Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                              | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|----------------------------------------------------|--------------------------------|----------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Blacks Millwork<br>Houston/Harris County           | Millwork Hotel<br>Interiors    | 05/25/87             | No Permit                                  | The company constructed the millwork facility without a Board permit. A Board Order without an administrative penalty was proposed to the company; however, the owner has indicated that the company is no longer in business. The matter is considered resolved.                                                                                                                                                                                                                                |
| 7              | W. R. Grace and Company<br>Deer Park/Harris County | Petrochemical<br>Manufacturing | 06/30/87             | Permit Conditions                          | Stack sampling results indicate that the company's formaldehyde emissions exceed the permit allowable. The company has retested the process and the results indicate the unit is in compliance. The Regional Director considers the matter resolved.                                                                                                                                                                                                                                             |
| 8              | Dext Company<br>Dallas/Dallas County               | Waste Food Processing          | 03/10/87             | Permit Representations<br>Opacity          | The company was cited for increasing the hours of operation in violation of permit representations. It appears this situation can be resolved through permit amendment which was submitted on March 31, 1987. The opacity violation was issued on May 7, 1987. Opacity levels have been reduced as indicated by an inspection on May 27, 1987. Since the opacity problem was corrected within thirty days and only a clerical issue remains, this matter is considered resolved for this report. |
| 11             | Carpenter Motors<br>El Paso/El Paso County         | Used Car Sales                 | 08/08/87             | Regulation IV<br>(Motor Vehicle Tampering) | The company was originally cited for offering for sale, vehicles with inoperative emission control devices. The vehicles were repaired immediately. However, it was later determined that the vehicles, while on the sales lot, were not actually intended for sale. The Regional Director is recommending that the matter be resolved.                                                                                                                                                          |

LAM 011756

DPMC-08133

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                 | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|-----------------------------------------------------------------------|------------------------------|----------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Crown Cork and Seal<br>Company, Incorporated<br>Abilene/Taylor County | Fabricated Metal<br>Products | 09/21/87             | Board Order (87-06)<br>MSPS* | The company failed to submit the MSPS reports required by Board Order 87-06. A Board Order with an agreed administrative penalty of \$7,800.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                         |
| 2              | American Demolition,<br>Incorporated<br>Borger/Hutchinson County      | Asbestos Contractor          | 12/16/86             | NESHAP** (Asbestos)          | The company was cited for improper removal of asbestos at the Phillips Chemical Company facility at Borger. A formal enforcement conference was held on April 22, 1987. A Board Order with an administrative penalty has been proposed to the company. The company has submitted additional information regarding the actual dates of violation which is being reviewed by the Legal Division. |
| 2              | Texaco U.S.A.<br>Kingsmill Plant<br>Gray County                       | Gas Processing               | 06/22/87             | NESHAP (Asbestos)            | The company had loose asbestos on the ground in an area where asbestos demolition had occurred. A formal enforcement conference was held on September 2, 1987. The Regional Director has recommended a Board Order with an administrative penalty; however, an additional analysis of the asbestos samples is being conducted prior to proceeding with development of a Board Order.           |

\*New Source Performance Standards

\*\*National Emission Standards for Hazardous Air Pollutants

LAM 011757

DPMC-08134

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                           | TYPE OF FACILITY                         | NOTIFICATION<br>DATE     | TYPE OF VIOLATION                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|---------------------------------------------------------------------------------|------------------------------------------|--------------------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Classic Marble Company<br>Austin/Travis County                                  | Cultured Marble                          | 07/18/87                 | No Permit                                  | The company constructed a cultured marble facility without a Board permit. Because the company had prior knowledge of the permit requirements, the Regional Director has recommended a Board Order with an administrative penalty, which has been proposed to the company. The company has submitted additional information and requested that the penalty amount be reconsidered.                                       |
| 3              | Highland Mall Joint Venture<br>and<br>Falcon Associates<br>Austin/Travis County | Shopping Mall<br><br>Asbestos Contractor | 09/01/87<br><br>09/01/87 | NESHAP (Asbestos)<br><br>NESHAP (Asbestos) | The mall management was cited for improper removal of asbestos-containing material during a renovation project. A formal enforcement conference was held on September 17, 1987. Board Orders with an agreed administrative penalty of \$4,000.00 each for the mall and the asbestos contractor will be presented to the Board for adoption if the Order is finalized with the companies prior to the Board meeting date. |
| 3              | Pharaoh and Associates,<br>Incorporated<br>Burton/Washington County             | Oil and Gas<br>Production                | 06/15/87                 | Nuisance (Odor)<br>No Permit               | The company was cited for nuisance odors from the unauthorized venting at a gas well. A formal enforcement conference was held on July 20, 1987. A Board Order with an administrative penalty has been proposed to the company; however, the company has not agreed to the penalty and a review of the matter is continuing. Additional enforcement action will be recommended if an agreement cannot be reached.        |

LAM 011758

DPMC-08135

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                   | TYPE OF FACILITY              | NOTIFICATION<br>DATE | TYPE OF VIOLATION                   | COMMENT                                                                                                                                                                                                                                                                                                                           |
|----------------|-----------------------------------------------------------------------------------------|-------------------------------|----------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Plas Clad, Incorporated<br>Temple/Bell County                                           | Wood Products                 | 08/13/87             | Nuisance (Sawdust)                  | The company was cited for nuisance sawdust condition created by defective air pollution control equipment (cyclone). A formal enforcement conference was held on September 24, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                               |
| 3              | Structural Metals,<br>Incorporated<br>dba Southern Post Company<br>Austin/Travis County | Painting Metal Fence<br>Posts | 07/14/87             | No Permit                           | The company constructed a fence painting facility without a Board permit. A formal enforcement conference was held on September 23, 1987. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 4              | Anglo Iron and Metal<br>Company, Incorporated<br>Harlingen/Cameron County               | Scrap Metal Shredding         | 08/26/87             | Outdoor Burning<br>Nuisance (Smoke) | The company was conducting outdoor burning of debris and created a nuisance smoke condition. A formal enforcement conference was held on October 9, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                            |

LAM 011759

DPMC-08136

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                           | TYPE OF FACILITY                    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|---------------------------------------------------------------------------------|-------------------------------------|----------------------|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5              | American Chrome and<br>Chemicals, Incorporated<br>Corpus Christi/Mueces County  | Chromium Chemicals<br>Manufacturing | 07/11/87             | Opacity                                                  | The company was cited for excessive opacity from the chrome hearth stack. A formal enforcement conference was held on August 3, 1987. The company submitted a proposal to install a baghouse to reduce emissions from the hearth. The Regional Director has recommended a Board Order with an administrative penalty. Subsequently, the company requested additional time to further evaluate its abatement plan to insure adequacy. A Board Order with an administrative penalty has been proposed to the company. |
| 5              | Coastal Refining and<br>Marketing, Incorporated<br>Corpus Christi/Mueces County | Petroleum Refining                  | 10/10/87             | MSPS (Monitoring and<br>Hydrogen Sulfide Gas<br>Content) | The company was cited for nine instances of excess hydrogen sulfide in the refinery fuel gas system. A formal enforcement conference was held on November 4, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                                     |
| 5              | Kaspar Wire Works,<br>Incorporated<br>Shiner/Lavaca County                      | Fabricated Metal<br>Products        | 08/04/87             | Permit Conditions<br>No Permit                           | The company was cited for an increase in production without obtaining a permit amendment. A formal enforcement conference was held on September 10, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                                                                                                                            |

LAM 011760

DPMC-08137

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|---------------------------------------------------------------------------|---------------------------------|----------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Champion Chemicals,<br>Incorporated<br>Odessa/Ector County                | General Chemicals               | 03/04/87             | Nuisance (Odors)<br>Board Order | The company was cited for nuisance odors and non-compliance with Board Order No. 86-114(d). The company had refused to accept the Board Order and administrative penalty which was proposed. However, the company has employed a consultant to develop an effective compliance plan. During a conference held on October 7, 1987, the company proposed the modeling of four substances handled by the plant for downwind nuisance potential. On November 12, 1987, the company confirmed that additional housekeeping measures had been implemented to reduce the potential for nuisance odors. A settlement is being negotiated. |
| 6              | Dynagen, Incorporated<br>A General Tire Subsidiary<br>Odessa/Ector County | Synthetic Rubber<br>Manufacture | 09/30/87             | Nuisance (Odor)                 | The company was cited for nuisance styrene odors which are attributed primarily to the crumb rubber dryer vents. The company has applied for a permit to replace the dryers and to install stacks to improve emission dispersion. A formal enforcement conference was held on October 20, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                      |

LAM 011761

DPMC-08138

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                  | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|--------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Leigh Brothers Coatings<br>Odessa/Ector County         | Oilfield Equipment<br>Coatings | 08/05/87             | No Permit<br>Permit Conditions<br>Permit Representations | The company was cited for conducting sandblasting outdoors instead of in a building as required by the special permit. A formal enforcement conference was held on August 13, 1987. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                |
| 6              | Meleh Gas Systems<br>McCamey/Crockett County           | Gas Processing                 | 09/05/87             | No Permit<br>Permit Conditions                           | The company was cited for a modification of its production process that resulted in a significant increase in emissions of sulfur dioxide. A formal enforcement conference was held on October 7, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                         |
| 7              | Amoco Chemicals Company<br>Texas City/Galveston County | Petrochemical<br>Manufacturing | 04/14/86             | Permit Conditions<br>NESHAP (Benzene)                    | The company reported that 2,400 pounds of benzene were released through a defective relief valve. The company claimed its process was not subject to the NESHAP benzene regulation. The matter was referred to the EPA. A recent determination from the EPA indicates the release is regulated under the benzene NESHAP standards. A Board Order with an agreed administrative penalty of \$9,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011762

DPMC-08139

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                              | TYPE OF FACILITY   | NOTIFICATION<br>DATE | TYPE OF VIOLATION                               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|----------------------------------------------------|--------------------|----------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Amoco Oil Company<br>Texas City/Galveston County   | Petroleum Refining | 08/17/87             | NSPS (Performance Testing)<br>Permit Conditions | The company was found operating in violation of the NSPS monitoring requirements for carbon monoxide with regard to the operation of the fluid catalytic cracking unit. A formal enforcement conference was held on September 10, 1987. The Regional Director has recommended a Board Order with an administrative penalty. Additional violations are being considered for inclusion in the Board Order. |
| 7              | ARCO Chemical Company<br>Channelview/Harris County | Chemical Plant     | 08/08/87             | NESHAP (Benzene)                                | The company was found in violation of several NESHAP benzene fugitive emission control provisions. A formal enforcement conference was held on September 14, 1987. The company failed to install and maintain a flame sensing device on the plant flare in benzene service as required by the NESHAP benzene regulations. A Board Order with an administrative penalty has been proposed to the company. |
| 7              | Al Cleaners<br>Webster/Harris County               | Dry Cleaning       | 09/20/87             | Regulation V (VOC***)                           | The dry cleaning company was operating the clothes drying machines without the solvent recovery system operating properly. A formal enforcement conference was held on November 12, 1987. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                 |

\*\*\*Volatile Organic Compounds

LAM 011763

DPMC-08140

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|---------------------------------------------------------------------------|------------------------------|----------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Al Dry Cleaners<br>Houston/Harris County                                  | Dry Cleaners                 | 09/19/87             | Regulation V (VOC) | The dry cleaning company was operating the clothes drying machines without the solvent recovery system operating properly. A formal enforcement conference was held on November 10, 1987. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                |
| 7              | Crown Cork and Seal<br>Company, Incorporated<br>Galena Park/Harris County | Fabricated Metal<br>Products | 02/26/87             | No Permit<br>NSPS  | The company increased production and added additional capacity to its beverage can manufacturing facility without a Board permit and in violation of the Federal NSPS. The Legal Division completed a review of the matter for viability. The facility is currently shut down. The Board Order with an administrative penalty is being revised to reflect an accelerated compliance date. An additional legal review of the NSPS issues is in progress. |
| 7              | Custom Cleaners<br>Humble/Harris County                                   | Dry Cleaners                 | 10/14/87             | Regulation V (VOC) | The dry cleaning company was operating the clothes drying machines without the solvent recovery system operating properly. A formal enforcement conference was held on November 12, 1987. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                |

LAM 011764

DPMC-08141

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                               | TYPE OF FACILITY                             | NOTIFICATION<br>DATE | TYPE OF VIOLATION                     | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|-----------------------------------------------------|----------------------------------------------|----------------------|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | D and R Metal Finishing<br>Houston/Harris County    | Sandblasting,<br>Painting and Plating        | 04/01/87             | No Permit                             | The company constructed and continues to operate a metal finishing facility without a Board permit. Three attempts were made to deliver the violation letter before it was accepted. A formal enforcement conference was held on July 30, 1987. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                         |
| 7              | Denka Chemical Corporation<br>Houston/Harris County | Neoprene and Maleic<br>Anhydride Manufacture | 10/04/87             | Regulation V (VOC)<br>NPS<br>Nuisance | The company was cited for violations of the Texas Clean Air Act after ambient monitoring in neighboring communities revealed elevated levels of chloroprene. Follow-up investigations showed additional violations of Board Rules and Regulations. A formal enforcement conference was held on October 7, 1987. The Regional Director has recommended formal enforcement action. The Director of Enforcement is reviewing the matter to determine the appropriate type of action. |

LAM 011765

DPMC-08142

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                                | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|----------------------------------------------------------------------|--------------------------------|----------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Doty Landfill<br>Houston/Harris County                               | Landfill                       | 03/16/87             | Nuisance (Odors)  | The company operates a landfill which has been the subject of numerous citizen complaints. A Board Order with an administrative penalty has been proposed to the company. The company responded with additional information indicating that a consulting engineer has been hired to prepare a comprehensive compliance plan by December 11, 1987 which may be used to reconsider the penalty amount.                         |
| 7              | Exxon Chemical Americas<br>Baytown/Harris County                     | Petrochemical<br>Manufacturing | 08/29/87             | MESHAP (Benzene)  | The company failed to install and maintain flame sensing devices on the plant flares in benzene service as required by the MESHAP-Benzene regulations. A formal enforcement conference was held on September 21, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                        |
| 7              | Fifty Four O One Dashwood,<br>Incorporated<br>Bellaire/Harris County | Office Complex                 | 07/27/87             | MESHAP (Asbestos) | The company operated the building complex and was responsible for a renovation project in which asbestos was improperly removed. A Board Order with an administrative penalty has been proposed to the company; however, an additional analysis of the asbestos samples is being conducted. Since the sample results were disputed by the company, the Legal Division is reviewing the matter before the Order is finalized. |

LAM 011766

DPMC-08143

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                   | TYPE OF FACILITY                    | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                 |
|----------------|-------------------------------------------------------------------------|-------------------------------------|----------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Fusion, Inc.<br>Houston/Harris County                                   | Chrome Plating                      | 08/26/87             | No Permit         | The company constructed and continues to operate a chrome plating facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 7              | Gulf States Asphalt<br>Company, Incorporated<br>Deer Park/Harris County | Asphalt Products<br>(With Asbestos) | 07/26/87             | NESHAP (Asbestos) | The company was cited for visible emissions emanating from a process where asphalt containing asbestos is manufactured. The matter is under review in the Legal Division to determine NESHAP applicability.                                                                                                                                             |
| 7              | Microdot, Incorporated<br>Houston/Harris County                         | Gaskets and Seals<br>of Rubber      | 10/24/87             | No Permit         | The company constructed and continues to operate a rubber seal and gasket manufacturing facility without a Board permit. A formal enforcement conference was held on November 5, 1987. The Regional Director is preparing a recommendation for appropriate enforcement action.                                                                          |
| 7              | Monsanto Company<br>Alvin/Brazoria County                               | Petrochemical<br>Manufacturing      | 08/10/87             | NESHAP (Benzene)  | The company was found in violation of the NESHAP-Benzene regulation regarding leak testing and calibration of the leak test equipment. A formal enforcement conference was held on September 28, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                     |

LAM 011767

DPMC-08144

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY  | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|--------------------------------------------------------------|-------------------|----------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Occidental Chemical<br>Corporation<br>Pasadena/Harris County | PVC Manufacturing | 03/04/87             | NESHAP (Vinyl Chloride)<br>Permit Conditions                       | The company reported a vinyl chloride release in violation of the NESHAP regulations. A Board Order with an agreed administrative penalty was to be presented to the Board for adoption; however, additional violations have been cited and will be included in a revised Board Order. The Legal Division is reviewing the applicability of the NESHAP regulation with regard to the additional violations.                                                     |
| 7              | Bishan Demolition<br>Houston/Harris County                   | Landfill          | 03/16/87             | Nuisance (Odors)                                                   | The company operates a landfill which has been the subject of numerous odor complaints. The file has been under review by the Deputy Executive Director. A Board Order with an agreed administrative penalty of \$21,750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                             |
| 7              | Paktank Corporation<br>Deer Park/Harris County               | Storage Terminal  | 07/15/87             | NESHAP (Benzene)<br>Board Order No. 86-114(1)<br>Permit Conditions | The company's terminal and storage facility were found to be in violation of permit conditions and NESHAP (Benzene) monitoring and recordkeeping requirements regarding pumps in benzene service. The company was also cited for violating a Board Order which requires compliance with NESHAP regulations. A formal enforcement conference was held on August 3, 1987. The Director of Enforcement is reviewing the matter for appropriate enforcement action. |

LAM 011768

DPMC-08145

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                               | TYPE OF FACILITY            | NOTIFICATION<br>DATE | TYPE OF VIOLATION                              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|-------------------------------------------------------------------------------------|-----------------------------|----------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Rigs R Us<br>Houston/Harris County                                                  | Drilling Structures         | 03/30/87             | No Permit                                      | The company constructed and continues to operate a sandblasting and painting facility without a Board permit. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                  |
| 7              | Texas Tx Tx Marine<br>Transportation,<br>Incorporated<br>Houston/Harris County      | Petroleum Coke<br>Terminal  | 01/28/87             | Permit Representations<br>Permit Conditions    | The company was operating a coke storage and loading facility in a manner not authorized by the Board permit. Additional violations have been issued to the company and will be incorporated into a revised Board Order with an administrative penalty.                                                                                                                                                                  |
| 7              | United States Postal<br>Service<br>Bellaire/Harris County                           | U. S. Post Office           | 07/27/87             | NESHAP (Asbestos)                              | The Postal Service owns an office complex which was the site of an improper asbestos renovation project. An additional analysis of the asbestos samples was conducted. A Board Order with an administrative penalty was proposed to the Postal Service; however, additional information is under review by the Legal Division and the EPA to determine the appropriate enforcement action in this matter.                |
| 7              | Wood Material<br>aka Barbee Enterprise,<br>Incorporated<br>Conroe/Montgomery County | Asphaltic Concrete<br>Plant | 05/14/86             | Opacity<br>Permit Conditions<br>NSPS (Opacity) | The company was found in violation of NSPS, opacity and permit conditions at the asphaltic concrete plant. Additional odor complaints have been received and a meeting was held with the company. A Board Order with an administrative penalty was proposed to the company; however, the company did not agree to the Board Order. The file is being prepared for referral to the Attorney General's Office for lawsuit. |

LAM 011769

DPMC-08146

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                        | TYPE OF FACILITY                               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                    | COMMENT                                                                                                                                                                                                                                                                                      |
|----------------|------------------------------------------------------------------------------|------------------------------------------------|----------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Boney Construction<br>Company, Incorporated<br>Sachse/Dallas County          | Readymix Concrete<br>Plant                     | 09/30/87             | Permit Conditions<br>Upset Reporting | The company was cited for violation of the condition of the Standard Exemption under which it operates to excessive dust emissions from an inoperative central dust collector. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                |
| 8              | City Wide Fuels<br>Distributors,<br>Incorporated<br>Southlake/Tarrant County | Gasoline Bulk<br>Terminal Blending<br>Facility | 09/19/87             | No Permit                            | The company constructed and continues to operate a gasoline terminal and blending facility without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 8              | DMS Refining, Incorporated<br>Dallas/Dallas County                           | Silver Recovery                                | 07/21/87             | No Permit                            | The company relocated its silver reclamation facility without a Board permit. A permit application has been submitted and is under review. The Director of Enforcement is reviewing the matter for appropriate enforcement action.                                                           |

LAM 011770

DPMC-08147

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                 | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-------------------------------------------------------|------------------------------|----------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Flexible Foam Products<br>Terrell/Kaufman County      | Foam Rubber<br>Manufacturing | 05/05/87             | No Permit         | The company constructed and continues to operate a foam and carpet pad manufacturing facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$5,250.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                              |
| 8              | Ingram Enterprises<br>Somervell County                | Ready-mix Concrete<br>Plant  | 10/03/87             | Permit Conditions | The company continues to operate the facility in violation of the permit conditions due to an inoperable central dust collector. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                                                                                                                           |
| 8              | Larry Jones, Incorporated<br>Arlington/Tarrant County | Cabinet Shop                 | 12/12/85             | No Permit         | The company constructed a custom wooden cabinet manufacturing facility without a Board permit. A public hearing was held on May 26, 1987; however, no opposition attended. The Board Order on the contested case hearing was entered at the July 17, 1987 Board meeting and a permit was issued to the company. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011771

DPMC-08148

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| IACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|--------------------------------------------------------------|---------------------------------|----------------------|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Lattimore Materials Company<br>Greenville/Hunt County        | Wet Batch Concrete<br>Plant     | 07/06/87             | Permit Conditions              | The company was cited for several provisions of its permit including heavy dust emissions and inadequate abatement equipment. A Board Order with an agreed administrative penalty of \$2,900.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                                                                                       |
| 8              | North Texas Aggregates,<br>Incorporated<br>Chico/Wise County | Portable Rock<br>Crushing Plant | 08/17/87             | Permit Exemption<br>Conditions | The company was cited for violation of the conditions of the exemptions which included the failure to keep in-plant roads watered and inadequate water sprays. The company initiated repairs on the water spray system and the violation was thought to be resolved. Subsequent investigation revealed that the water sprays were still inadequate. A Board Order with an agreed administrative penalty of \$1,600.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 8              | Overwraps, Incorporated<br>Dallas/Dallas County              | Flexographic Printing           | 05/25/87             | No Permit                      | The company constructed and continues to operate a printing facility without a Board permit. A consultant has been hired to identify appropriate controls and prepare a permit application. The company has proposed changes to control the emissions from the printing process and in addition has requested that the proposed administrative penalty be reconsidered.                                                                                                                                                                       |

LAM 011772

DPMC-08149

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                     | TYPE OF FACILITY                  | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|-----------------------------------------------------------|-----------------------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Pamarch, Incorporated<br>Dallas/Dallas County             | Printing Press<br>Repair          | 06/14/87             | No Permit                    | The company constructed and continues to operate a printing press roller refurbishing facility without Board permit. The company has submitted a permit application. Initial review indicates that the facility does not qualify as a small source. A Board Order with an administrative penalty is being developed.                                                                                                                                                           |
| 8              | Rushing Paving Company,<br>Inc.<br>Sherman/Grayson County | Asphaltic Concrete<br>Batch Plant | 08/30/87             | Opacity<br>Permit Conditions | The facility has a history of violations of opacity limits and permit conditions. It was again found to be in violation for excess opacity from the scrubber stack and dust emissions from in-plant traffic. The company has shut down the facility until corrections are completed. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 8              | Southwest Heat Exchanger<br>Fort Worth/Tarrant County     | Air Conditioning<br>Condensers    | 08/17/87             | No Permit                    | The company constructed and continues to operate a vapor degreaser without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                           |

LAM 011773

DPMC-08150

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY  | NOTIFICATION<br>DATE | TYPE OF VIOLATION             | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------|------------------------------------------------------------------|-------------------|----------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Tarrant County Hospital<br>District<br>Fort Worth/Tarrant County | Incinerator       | 10/05/87             | No Permit                     | The Hospital District was cited for operating the incinerator without a permit or exemption since the unit had not been registered under a standard exemption. The Regional Director is reviewing the matter to determine if the incinerator qualifies for Standard Exemption No. 90 and to determine the appropriate enforcement action.                                                                                                                                                                                                  |
| 9              | The Paks Corporation<br>Junction/Kimble County                   | General Chemicals | 06/01/87             | Nuisance (Sawdust)<br>Opacity | The company was cited for excessive opacity from their air pollution control equipment (cyclone) and for nuisance conditions created by burning sawdust. There is not a continuing nuisance condition created by the plant's operation. The company has determined that the scrubber proposed in their compliance plan is prohibitively expensive to operate and has hired consultant to evaluate other less costly controls. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

LAM 011774

DPMC-08151

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                             | TYPE OF FACILITY           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|---------------------------------------------------|----------------------------|----------------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9              | Powerwall, Incorporated<br>Poteet/Atascosa County | Fiber Reinforced<br>Stucco | 06/29/87             | No Permit                                                | The company constructed and continues to operate the facility without a Board permit. A formal enforcement conference was held on July 14, 1987. The development of a Board Order with an administrative penalty was delayed due to the company owner being in the hospital and unable to submit the additional information on capital costs needed to complete the review. The company has hired a consultant to prepare the appropriate permit or exemption application. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 9              | Texarome, Incorporated<br>Leakey/Real County      | Cedar Oil Mill             | 04/11/87             | Permit Representations<br>Excessive Visible<br>Emissions | The company was cited for not constructing the plant as represented in the permit application and for excessive visible emissions. A formal enforcement conference was held on April 28, 1987. On November 17, 1987, a meeting was held in Austin to hear the company's objection to the proposed enforcement action. After reviewing the information presented by the company, a revised Board Order with an administrative penalty was proposed to the company.                                                                                                                       |

LAM 011775

DPMC-08152

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                  | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|------------------------------------------------------------------------|------------------------------|----------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | American Petrofina<br>Pipeline Company<br>Port Arthur/Jefferson County | Bulk Hydrocarbon<br>Terminal | 07/17/87             | Nuisance (Odors)  | The company was cited for creating nuisance (odor) conditions when a gasoline storage tank overfilled and 1,600 barrels of gasoline were spilled. Adverse health effects were confirmed. A satisfactory compliance plan has been submitted to prevent further incidents. Additional elements of a long term compliance plan are being negotiated with the company. A Board Order with an agreed administrative penalty of \$6,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.           |
| 10             | Bright Coop, Incorporated<br>Macogdoches/Macogdoches<br>County         | Wood Pallet<br>Manufacturing | 07/21/86             | No Permit         | The company has increased its production rate and added manufacturing equipment over the past several years without permit authorization. A request for a permit amendment has been submitted and is under review. The regional office staff has conducted sampling to evaluate emissions from the source and assist in the development of a control plan. Sampling conducted by the regional office staff indicates that emission levels are acceptable. The permit amendment is being processed and a Board Order with an administrative penalty is being developed. |

LAM 011776

DPMC-08153

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                           | TYPE OF FACILITY                   | NOTIFICATION<br>DATE | TYPE OF VIOLATION                               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-----------------------------------------------------------------|------------------------------------|----------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | Chevron U.S.A.,<br>Incorporated<br>Port Arthur/Jefferson County | Petroleum Refining                 | 09/01/87             | Nuisance (Odors)<br>Adverse Health Impact       | Process upsets at the Chevron refinery caused excess emissions of uncombusted hydrocarbons and hydrogen sulfide which resulted in an air pollution episode, including nuisance conditions and adverse health impacts. Corrections were made at the time of the incident and an acceptable plan to prevent future occurrences of this nature has been submitted. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                            |
| 10             | Chevron U.S.A.,<br>Incorporated<br>Beaumont/Jefferson County    | Petroleum Refining                 | 07/15/87             | Permit Conditions<br>Regulation V (VOC)<br>NSPS | The company was cited for failure to conduct the annual inspections of secondary seals on the storage tanks and other violations of state and federal rules regarding secondary seals on petroleum storage tanks. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                                                                                                                                                                          |
| 10             | Modern Equipment<br>Manufacturers<br>Lumberton/Hardin County    | Industrial Dumpster<br>Manufacture | 09/27/87             | No Permit<br>Nuisance (Dust)                    | The regional office has received numerous complaints of odors and dust emissions from the facility's sandblasting and spray painting operations. Initial investigations did not confirm nuisance level emissions, but the company was cited for operating without a Board permit. A compliance plan to control the emissions and obtain a permit was submitted. Recently, additional complaint investigations have confirmed that uncontrolled sandblasting emissions were creating a nuisance for the area. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

LAM 011777

DPMC-08154

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                       | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION      | COMMENT                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|-------------------------------------------------------------|--------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | Temple Eastex, Incorporated<br>Pineland/Sabine County       | Pine Plywood                   | 04/20/87             | Permit Representations | The company exceeded the plywood production rate specified in permit provisions. The Regional Director has recommended a Board Order with an administrative penalty. The Director of Enforcement is reviewing the matter to determine the appropriate enforcement action.                                                                                                                   |
| 10             | The Texas Pipe Line Company<br>Port Arthur/Jefferson County | Storage Terminal               | 09/28/87             | Nuisance (Odors)       | The company was cited for creating a nuisance due to odors from a leaking gasoline storage tank. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                               |
| 10             | Walters Property<br>Jefferson County                        | Metal Salvage                  | 10/07/87             | Outdoor Burning        | The Walters' have received several violations for unauthorized outdoor burning of rubber tires to salvage the metal rims. Previous enforcement situations were initially considered resolved based on commitments to cease the outdoor burning. Recent complaint investigations confirm the outdoor burning is continuing. A Board Order with an administrative penalty is being developed. |
| 11             | Baltimore Spice Company<br>Westway/E1 Paso County           | Processing/Packaging<br>Spices | 06/03/87             | No Permit              | The company was cited for construction and operation of an ethylene oxide sterilization unit without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                 |

LAM 011778

DPMC-03155

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                            |
|----------------|-------------------------------------------------------------------|------------------------|----------------------|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Chaparral Motors,<br>Incorporated<br>El Paso/El Paso County       | Used Car Sales         | 08/22/87             | Regulation IV<br>(Motor Vehicle Tampering) | The company was cited for offering for sale, vehicle with inoperative emission control devices. A formal enforcement conference was held on October 7, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                        |
| 11             | Department of Defense,<br>U. S. Army<br>Fort Bliss/El Paso County | Building Renovation    | 07/18/87             | NESHAP (Asbestos)                          | The Department of Defense was cited for improper removal of asbestos at the Fort Bliss facility. This matter was referred to the Attorney General's Office on November 9, 1987 for inclusion in an existing lawsuit.                                                                                                                                                               |
| 11             | Elcor Corporation<br>Van Horn/Culberson County                    | Abandoned Sulfur Plant | 04/19/87             | NESHAP (Asbestos)                          | The company was cited for improper removal of asbestos during the dismantling of buildings and equipment at a closed sulfur production facility. A formal enforcement conference was held on June 2, 1987. A Board Order without an administrative penalty will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 11             | El Paso Refining Company,<br>Ltd.<br>El Paso/El Paso County       | Petroleum Refining     | 06/30/87             | Opacity                                    | The company was cited on two occasions for excessive visible emissions. A formal enforcement conference was held on August 18, 1987. Corrective actions have been completed and the company is operating in compliance. A Board Order with an administrative penalty has been proposed to the company.                                                                             |

LAM 011779

DPMC-08156

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                       | TYPE OF FACILITY      | NOTIFICATION<br>DATE | TYPE OF VIOLATION                      | COMMENT                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------|-----------------------|----------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Pabco Insulation<br>Tucker/Anderson County                  | Fiberglass Insulation | 03/30/87             | Permit Conditions<br>MSPS (Monitoring) | The company was cited for excessive stack emissions above permit allowables on particulates, phenol and aldehydes. Corrective measures have been completed. A formal enforcement conference was held on August 25, 1987. The Regional Director has recommended the matter be referred to the Attorney General's Office for lawsuit. The matter is under review in the Legal Division for viability. |
| 12             | Pregler Iron & Metals<br>Company<br>Athens/Henderson County | Metal Salvage         | 09/04/87             | Outdoor Burning                        | The company conducted outdoor burning of wire insulation, plastic pipe and debris. A formal enforcement conference was held on September 11, 1987. A Board Order with an agreed administrative penalty of \$1,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                        |

LAM 011780

DPMC-08157

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                          | TYPE OF FACILITY                                 | NOTIFICATION<br>DATE | TYPE OF VIOLATION                       | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|----------------------------------------------------------------|--------------------------------------------------|----------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Bean Hog Farm<br>Brownwood/Brown County                        | Confined Animal<br>Feedlot                       | 11/21/85             | Nuisance (Odors)<br>Board Order (85-12) | The file on this company was referred to the Attorney General's Office on May 21, 1986. The company violated a Board Order issued in October, 1985 which required a reduction in the number of animals in the feedlot and prohibited the creation of any further nuisance conditions. It is projected that this lawsuit can be resolved within 1 month through agreed action.                                                                  |
| 3              | Pool Production Services<br>Company<br>Kerrin/Freestone County | Oil Separation and<br>Injection Well<br>Facility | 03/23/87             | Permit Conditions                       | The file on this company was referred to the Attorney General's Office on October 29, 1985 for violations which occurred prior to September 1, 1985. Additional violations were forwarded on April 14, 1987 for inclusion in the lawsuit. This lawsuit is not expected to reach agreed settlement. Trial on the merits has been continued until the first week of March. Depositions of company employees are scheduled for December 16, 1987. |
| 3              | Gerald Company,<br>Incorporated<br>Hamilton County             | Grain Handling                                   | 04/17/87             | Nuisance (Odor)                         | The file on this company was referred to the Attorney General's Office on September 3, 1987. The company operates a feed mill which has been the subject of several odor complaints and has failed to initiate corrective actions. It is not projected that this suit can be resolved through an agreed settlement.                                                                                                                            |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011781

DPMC-08158

Table 3  
 VIOLATIONS  
 Since September 1, 1985  
 (Approved for Referral to Attorney General's Office)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                    | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|--------------------------------------------------------------|----------------------------------------|----------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5              | Oceanside Asphalt,<br>Incorporated<br>Robstown/Mcnees County | Portable Asphalt<br>Plant              | 06/26/86             | Permit Conditions<br>Nuisance (Dust) | The company was cited for failure to water the stockpiles and roads as required in the Board permit and for creating a nuisance dust condition. The file on this company was referred to the Attorney General's Office on May 28, 1987. It is projected that this lawsuit can be resolved within 9 months if an agreed settlement is reached.                                                                                                                                    |
| 6              | Bryson Tank Company<br>Odessa/Ector County                   | Tank Manufacturing<br>(Spray Painting) | 10/08/85             | Nuisance (Paint Overspray)           | The company is continuing to operate without the needed controls and the nuisance problem remains. The file on this company was referred to the Attorney General's Office on January 31, 1986. The petition was filed on August 13, 1986. Cause was dismissed because of inability to serve the defendant. The case may be refiled.                                                                                                                                              |
| 6              | C & M Enterprises<br>Midland/Midland County                  | Sandblasting                           | 10/24/85             | Nuisance (Dust)<br>No Permit         | The company has a history of violations which include nuisance (dust) conditions. The file on this company was referred to the Attorney General's Office on January 31, 1986. The Attorney General's Office filed suit against the wrong company. The lawsuit was refiled on September 24, 1987. The deposition of the owner of the company was taken on November 11, 1987. It is projected that the lawsuit can be resolved within 2 months if an agreed settlement is reached. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011782

DPMC-08159

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                                       | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                        | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|-----------------------------------------------------------------------------|---------------------|----------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Permian Chemical Company,<br>Incorporated<br>Odessa/Ector County            | Fertilizer Plant    | 10/22/85             | Permit Representations<br>Permit Conditions<br>Nuisance (Acid Emissions) | The file on this company was referred to the Attorney General's Office on October 22, 1985 for violations occurring prior to September 1, 1985. Additional violations were forwarded on January 29, 1987 for inclusion in the lawsuit. The lawsuit is not expected to reach agreed settlement. An agreed temporary injunction was signed by the company and sent to the Court on June 22, 1987. It requires compliance with Sections 3.27(a) and 4.01(a) of the Act and Rules 101.7 and 111.21. Trial on the merits was continued indefinitely and a modified temporary injunction was entered on October 13, 1987 requiring the company to cease production until further order of the court. The company has filed an appeal from the October 13 Order with the Court of Civil Appeals. |
| 7<br>and<br>5  | Cuyahoga Wrecking<br>Corporation<br>Galveston County<br>San Patricio County | Asbestos Contractor | 07/30/86             | NESHAP (Asbestos)                                                        | The file on this company was referred to the Attorney General's Office on May 8, 1987. The company conducted asbestos removal projects at Amoco Production Company (Galveston County) and Sun Exploration (San Patricio County) in violation of the NESHAP-Asbestos standards. The company has filed for bankruptcy. It is projected that the lawsuit can be resolved within 2 months if an agreed settlement is reached.                                                                                                                                                                                                                                                                                                                                                                 |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011783

DPMC-08160

Table 3  
VIOLATIONSSince September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                      | TYPE OF FACILITY                           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | La Porte Chemicals<br>Corporation,<br>Diamond Shamrock Corporation,<br>Diamond Shamrock Plastics<br>Corporation<br>Deer Park/Harris County | Vinyl Chloride<br>Monomer Production       | 01/28/86             | NESHAP (Vinyl Chloride)<br>Permit Conditions | On June 2, 1986, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. Additional violations have been periodically referred to the Attorney General's Office for inclusion in the lawsuit. On October 7, 1987, an agreed final judgment was entered assessing a penalty of \$120,000.00 and attorney's fees of \$5,000.00 against La Porte Chemicals. A settlement with Diamond Shamrock has been reached; an agreed final judgment is being prepared. |
| 7              | Tenneco Polymers,<br>Incorporated<br>Pasadena/Harris County                                                                                | Chemical Manufacturing<br>(Vinyl Chloride) | 10/24/85             | NESHAP (Vinyl Chloride)<br>Permit Conditions | On December 31, 1985, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. The company sold its vinyl chloride plant in April, 1986. Further settlement negotiations took place on July 1, 1987. A tentative settlement was reached on July 1, 1987. An agreed final judgment is being drafted.                                                                                                                                                        |
| 7              | Texas City Refining,<br>Incorporated<br>Texas City/Galveston County                                                                        | Refinery                                   | 06/26/86             | Permit Provisions<br>NPS (High Sulfur Crude) | The file on this company was referred to the Attorney General's Office on July 12, 1983. Subsequent violations have been periodically forwarded to the Attorney General's Office for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached.                                                                                                                                                                                                  |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011784

DPMC-08161

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                              | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                      | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|--------------------------------------------------------------------|------------------------|----------------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Union Carbide Corporation<br>Texas City/Galveston County           | Chemical Manufacturing | 02/16/86             | MESHAP (Vinyl Chloride<br>and Benzene) | The file on this company was referred to the Attorney General's Office on March 18, 1986. Additional violations have been periodically included in the lawsuit. The company has signed and returned the proposed final judgment with a check for civil penalties. On November 23, 1987, an agreed final judgment was entered assessing a penalty of \$38,500.00 and attorney's fees and investigative costs of \$5,000.00.                                                                                                                                                                                                                                                                        |
| 8              | Brandywilde Development<br>Corporation<br>Valley View/Cooke County | Rock Crushing Plant    | 09/18/85             | Permit Conditions                      | The company has a history of violations beginning in 1983 when it constructed without a Board permit. The file on this company was referred to the Attorney General's Office on February 4, 1986. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached. An agreed judgment was mailed to the defendant for signature in early February by certified mail but was apparently lost in the mail. Another agreed judgment was mailed to the defendant on March 16, 1987. Settlement negotiations have not achieved an agreement. Interrogatories were sent to the company and answered in June, 1987. The company is no longer operating at the site. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011785

DPMC-08162

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                  | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------------|------------------|----------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Willie Grant<br>Tarrant County                                    | Individual       | 02/21/86             | Outdoor Burning<br>Court Order                                     | A judgment was entered against this individual on May 31, 1985 prohibiting future violations of Regulation I. An additional violation of unauthorized burning has since been documented. The file was referred to the Attorney General's Office on May 15, 1986. It is projected that this contempt action cannot be resolved by agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10             | Great Lakes Carbon<br>Corporation<br>Port Arthur/Jefferson County | Carbon Plant     | 09/27/85             | Opacity<br>Excessive Particulate<br>Emissions<br>Permit Conditions | The file on this company was referred to the Attorney General's Office on September 27, 1985 for violation occurring prior to September 1, 1985. Subsequent violations were forwarded to the Attorney General for inclusion in the lawsuit. Sampling is needed before injunctive relief can be drafted. The strike at the plant has recently ended. Resampling was conducted on March 9, 1987. The resampling indicated continuing violations which were forwarded to the Attorney General on June 18, 1987. A settlement meeting was held with the company on November 5, 1987. A follow up meeting is scheduled for December 17, 1987 to discuss a possible compliance plan. It is projected that this lawsuit can be resolved within 6 months if an agreed settlement is reached. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011786

DPMC-08163

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                           | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Department of Defense,<br>U. S. Army<br>Matyear Construction Company<br>Pioneer Sheet Metal Works,<br>Incorporated<br>Fort Bliss/El Paso County | Building Renovation | 09/17/85             | MESHAP<br>(Asbestos Removal) | The file on the Army and the two companies was referred to the Attorney General's Office on April 7, 1986 for legal action because of the hazardous substance involved. On July 17, 1987, an agreed final judgment was entered by the court resolving the violations against Matyear and Pioneer. Civil penalties of \$5,000.00 were assessed and the companies were prohibitively enjoined from violating Rule 101.20(2) in the future. Notice of intent to sue the Department of Defense is being drafted. The lawsuit against the Department of Defense will be filed in Federal court. It is not projected that the suit can be resolved through an agreed settlement. An additional violation was referred to the Attorney General's Office on November 9, 1987 for inclusion in the lawsuit. |
| 12             | Dallas Demolition and<br>Excavating Company<br>Tyler/Smith County                                                                               | Building Demolition | 09/16/85             | MESHAP<br>(Asbestos Removal) | The excavating company was in the process of readying a building for implosion without proper notification and handling of asbestos. This lawsuit is not expected to reach agreed settlement. Interrogatories were sent to the company in June, 1987 and answers to interrogatories were received on June 20, 1987.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011787

DPMC-08164

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                 | TYPE OF FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION                           | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|---------------------------------------------------------------------------------------|---------------------------|----------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Poly Cycle Industries,<br>Incorporated<br>Tecula/Cherokee County                      | Battery Case<br>Recycling | 02/19/86             | Permit Conditions<br>Permit Representations | Poor maintenance and cleaning practices at the company's battery case recycling facility have resulted in high lead concentrations in the soil near the grinding process. Additional samples taken confirmed the high lead levels in the soil. The file on this company was referred to the Attorney General's Office on October 22, 1986. Settlement negotiations took place in March, 1987. Another settlement meeting was held on July 1, 1987. It is projected that this lawsuit can be resolved within 3 months if an agreed settlement is reached. A proposed closure plan has been submitted to the agency for review of clean-up plans. |
| 12<br>and<br>3 | Southwest Railroad<br>Car Parts<br>Jacksonville/Cherokee County<br>Jewett/Leon County | Railcar Salvage           | 03/18/86             | Outdoor Burning<br>Nuisance (Smoke)         | The file on this company was referred to the Attorney General's Office on July 12, 1985 for violations occurring prior to September 1, 1985 at two different sites. Subsequent violations have been forwarded to the Attorney General for inclusion in the lawsuit. Since the defendant's attorney is a state legislator, settlement may not be possible until the fall of 1987. The Attorney General has requested a settlement meeting with the company in November or December, 1987.                                                                                                                                                        |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011788

DPMC-08165

Table 3  
 VIOLATIONS  
 Since September 1, 1985  
 (Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                        | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT*                                                                                                                                                                                                                                                                                                                                                     |
|----------------|----------------------------------------------|------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Texas Basic Resources<br>Overton/Rusk County | Grain Transfer   | 04/04/86             | No Permit<br>Nuisance (Dust) | The file on this company was referred to the Attorney General's Office on March 6, 1987 for constructing and operating a grain transfer facility without a Board permit. It is projected that this lawsuit can be resolved within 9 months if an agreement is reached. The lawsuit was filed on June 17, 1987 and the defendant was served on June 29, 1987. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011789

DPMC-08166

Table 4  
VIOLATIONS

## On Small Sources With No Permit

LAM 011790

DPMC-08167

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                                                | TYPE OF FACILITY                    | NOTIFICATION<br>DATE |
|--------|----------------------------------------------------------------------|-------------------------------------|----------------------|
| 1      | Bethania Regional Health Care Center<br>Wichita Falls/Wichita County | Incinerator                         | 07/27/87             |
| 7      | Intermedics, Incorporated<br>Brazoria County                         | Medical Equipment                   | 06/24/87             |
| 7      | K I Bolt and Galvanizing<br>Katy/Harris County                       | Galvanized Bolts                    | 09/26/87             |
| 7      | Packaging Service Company, Incorporated<br>Harris County             | Repackaging Chemicals and Solvents  | 07/26/87             |
| 8      | Augat Elfab<br>Lewisville/Denton County                              | Printed Circuit Board Manufacturing | 06/23/87             |
| 8      | BASF Corporation<br>Carrollton/Dallas County                         | Urethane Blending Plant             | 07/31/87             |
| 9      | De Los Santos Ready Mix<br>Eagle Pass/Maverick County                | Ready Mix Concrete                  | 04/22/87             |

Table 4  
VIOLATIONS  
On Small Sources With No Permit

LAM 011791

DPMC-08168

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                              | TYPE OF FACILITY | NOTIFICATION<br>DATE |
|--------|----------------------------------------------------|------------------|----------------------|
| 9      | Ray Ellison Industries<br>San Antonio/Bexar County | Cultured Marble  | 06/08/87             |
| 11     | Horizon Retread Center<br>El Paso/El Paso County   | Tire Retreading  | 08/03/87             |

ADMINISTRATIVE PENALTIES AND ORDERS OF THE TEXAS AIR CONTROL BOARD

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                                   | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                              | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                         |
|------------------|-------------------------------------------------------------------------------------|---------------------|----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-11(a)         | Augat Elfab<br>1097 Yates<br>Lewisville, TX                                         | 12/18/87            |                                                    | Construction and operation of a board manufacturing facility without a permit                                                                                                             |
| 87-11(b)         | Bethania Regional Health<br>Care Center<br>1600 11th Street<br>Wichita Falls, TX    | 12/18/87            | \$325 if substantial additional controls necessary | Construction of a hospital pathological incinerator without a permit                                                                                                                      |
| 87-11(c)         | Coastal Refining and<br>Marketing, Inc.<br>1300 Cantwell Lane<br>Corpus Christi, TX | 12/18/87            |                                                    | Excessive odor emissions from a coker unit/Continued implementation of interim compliance plan, implementation of the Delayed Coker Blowdown Vapor Control Procedure, records maintenance |
| 87-11(d)         | Elcor Corporation<br>Culberson County, TX                                           | 12/18/87            |                                                    | Violation of NESHAP established for asbestos/Compliance by properly disposing of asbestos-containing materials                                                                            |
| 87-11(e)         | Falcon Associates<br>Travis County, TX                                              | 12/18/87            | \$4,000                                            | Violation of NESHAP established for asbestos                                                                                                                                              |
| 87-11(f)         | Fusion, Inc.<br>6911 Fulton<br>Houston, TX                                          | 12/18/87            | \$750                                              | Construction and operation of two chrome plating tanks without a permit                                                                                                                   |
| 87-11(g)         | Highland Mall Joint<br>Venture<br>Travis County, TX                                 | 12/18/87            | \$4,000                                            | Violation of NESHAP established for asbestos                                                                                                                                              |

MH001AK/155E01

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LAM 011792

DPMC-08169

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                 | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                   |
|------------------|------------------------------------------------------------------|---------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-11(h)         | Larry Jones, Inc.<br>7900 Valcasi<br>Arlington, TX               | 12/18/87            | \$1,500 over a<br>six-month<br>period | Construction and operation of a<br>woodworking facility without a permit                                                                                                                                                            |
| 87-11(i)         | Lattimore Materials Co.<br>3033 Spencer Street<br>Greenville, TX | 12/18/87            | \$2,900                               | Violation of special provisions of permit                                                                                                                                                                                           |
| 87-11(j)         | Leigh Brothers Coating<br>2720 West 81st<br>Odessa, TX           | 12/18/87            | \$2,000 over a<br>six-month<br>period | Outdoor sandblasting in violation of<br>special permit                                                                                                                                                                              |
| 87-11(k)         | Prengher Iron & Metals Co.<br>Henderson County, TX               | 12/18/87            | \$1,000                               | Outdoor burning of wire insulation,<br>various plastics, cable wire and debris/<br>Implementation of fire prevention<br>procedures                                                                                                  |
| 87-11(l)         | Rushing Paving Co., Inc.<br>6102 Theresa Drive<br>Sherman, TX    | 12/18/87            | \$2,000                               | Exceedance of 20% opacity limit for<br>visible emissions and failure to comply<br>with special provision of permit/<br>Cessation of operation of plant pending<br>development and implementation of<br>effective abatement measures |

MH001AK/155E01

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LAM 011793

DPMC-08170

ADMINISTRATIVE PENALTIES AND ORDERS OF THE TEXAS WATER COMMISSION

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                                       | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                          |
|------------------|-----------------------------------------------------------------------------------------|---------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10584-01         | Memorial Villages Water Authority Sewage Treatment Plant                                | 11/10/87            |                       | Outlined in 9/10/86 Agreed Order/ Collection of composite water samples during all rainfall events.                                                        |
| 12651-01         | United States Department of the Air Force- Laughlin Air Force Base Val Verde County, TX | 11/10/87            |                       | Exceedance of permitted 30-day daily average concentration of BOD <sub>5</sub> /Corrective action according to submitted plan.                             |
| 10493-02         | City of Hemphill                                                                        | 11/17/87            | Stipulated penalties  | Exceedance of permitted 30-day average concentration of TSS/Improvements to existing facility, submission of monthly reports and compliance by 1/1/88.     |
| 10374-01         | City of Texarkana                                                                       | 11/17/87            | Stipulated penalties  | Exceedance of permitted 30-day average concentrations of BOD <sub>5</sub> and TSS/Certain actions to assure compliance.                                    |
| 01406            | Pioneer Aggregates, Inc. Wise County, TX                                                | 11/17/87            | \$4,450               | Unauthorized discharge from one of two rainfall runoff catch basins/Analysis of grab samples for TSS and monitoring solids accumulation in outfall basins. |
| 10142-01         | Atascosa County Water Control and Improvement District No. 1                            | 11/18/87            |                       | Exceedance of permitted daily average concentrations of TSS and BOD <sub>5</sub> .                                                                         |
| 11169-01         | Bayridge Utility District Galveston County, TX                                          | 11/18/87            |                       | Exceedance of permitted 30-day average concentrations of BOD <sub>5</sub> and TSS.                                                                         |

MH001AL/155E01

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LAM 011794

DPMC-08171

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                            | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                   |
|------------------|--------------------------------------------------------------|---------------------|-----------------------|-------------------------------------------------------------------------------------|
| 11193-01         | Britmore Utility, Inc.<br>Harris County, TX                  | 11/18/87            |                       | Exceedance of permitted 30-day average limit for flow of 0.250 MGD.                 |
| 10022-01         | City of Buffalo                                              | 11/18/87            |                       | Exceedance of permitted daily average concentration of TSS.                         |
| 10401-08         | City of Corpus Christi-<br>Flour Bluff Laguna Madre<br>Plant | 11/18/87            |                       | Exceedance of permitted daily average flow limitation.                              |
| 10693-01         | City of Jacksonville                                         | 11/18/87            |                       | Exceedance of permitted daily average flow limitation.                              |
| 10801-002        | City of Jefferson                                            | 11/18/87            |                       | Exceedance of permitted daily average concentration of TSS.                         |
| 10695-01         | City of Kemp                                                 | 11/18/87            |                       | Exceedance of permitted daily average concentrations of BOD <sub>5</sub> and TSS.   |
| 10633-03         | City of McAllen                                              | 11/18/87            |                       | Exceedance of permitted daily average concentration for TSS.                        |
| 11212-01         | City of Roma                                                 | 11/18/87            |                       | Exceedance of permitted daily average concentrations of BOD <sub>5</sub> and TSS.   |
| 11399-01         | City of Windthorst                                           | 11/18/87            |                       | Exceedance of permitted 30-day average concentration of BOD <sub>5</sub> .          |
| 10922-001        | City of Winona                                               | 11/18/87            |                       | Exceedance of permitted daily average flow.                                         |
| 11762-01         | Domestic Utility Company<br>Harris County, TX                | 11/18/87            |                       | Exceedance of permitted 30-day average concentrations for BOD <sub>5</sub> and TSS. |

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LAM 011795

DPMC-08172

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                                      | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                    |
|------------------|----------------------------------------------------------------------------------------|---------------------|-----------------------|--------------------------------------------------------------------------------------|
| 12805-01         | Harris-Fort Bend County<br>Municipal Utility<br>District No. 1<br>Fort Bend County, TX | 11/18/87            |                       | Exceedance of permitted 30-day average<br>concentration for TSS.                     |
| 02550            | Intercontinental Motors,<br>Inc.<br>Harris County, TX                                  | 11/18/87            |                       | Exceedance of permitted 30-day average<br>concentration of BOD <sub>5</sub> .        |
| 12664-01         | Iola Independent School<br>District<br>Grimes County, TX                               | 11/18/87            |                       | Exceedance of permitted 30-day average<br>concentration of TSS.                      |
| 13059-01         | Kwik-Kopy Corp.<br>Harris County, TX                                                   | 11/18/87            |                       | Exceedance of permitted 30-day average<br>TSS concentration.                         |
| 11096-01         | Motel 11 Motor Inn<br>San Patricio County, TX                                          | 11/18/87            |                       | Exceedance of permitted daily average<br>flow.                                       |
| 10236-01         | Oakwilde Utility Co.<br>Harris County, TX                                              | 11/18/87            |                       | Exceedance of permitted 30-day average<br>concentration of BOD <sub>5</sub> .        |
| 10748-01         | Pettus Municipal Utility<br>District<br>Bee County, TX                                 | 11/18/87            |                       | Exceedance of permitted daily average<br>flow.                                       |
| 00721            | Phillips 66 Company<br>Brazoria County, TX                                             | 11/18/87            |                       | Exceedance of permitted 30-day average<br>sulfate loading.                           |
| 10610-01         | Southern Sanitary Corp.<br>Harris County, TX                                           | 11/18/87            |                       | Exceedance of permitted daily average<br>concentrations of BOD <sub>5</sub> and TSS. |
| 11205-01         | Tennessee Pipeline<br>Construction Co.<br>Nueces County, TX                            | 11/18/87            |                       | Exceedance of permitted daily average<br>flow.                                       |

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LAM 011796

DPMC-08173

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                    | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                           |
|------------------|----------------------------------------------------------------------|---------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 00993            | Texasgulf, Inc.<br>Wharton County, TX                                | 11/18/87            |                       | Exceedance of permitted daily maximum flow.                                                                                                                                 |
| 11593-01         | Trophy Club Municipal<br>Utility District No. 1<br>Denton County, TX | 11/18/87            |                       | Exceedance of permitted 30-day average concentrations of BOD <sub>5</sub> and TSS.                                                                                          |
| 10742-01         | Willie H. Wagner, Jr.<br>Victoria County, TX                         | 11/18/87            |                       | Exceedance of permitted 30-day average concentration of TSS.                                                                                                                |
| 12326-01         | A. W. Walker<br>Harris County, TX                                    | 11/18/87            |                       | Exceedance of permitted 30-day average concentration of TSS.                                                                                                                |
|                  | Angleton Asphalt Corp.<br>Brazoria County, TX                        | 11/23/87            |                       | Unauthorized discharge of oil and grease/<br>Construction of an appropriate treatment<br>system and removal of all standing<br>wastewater and oily sediment.                |
| 11375-01         | Creekside Utilities, Inc.<br>Harris County, TX                       | 11/23/87            |                       | Exceedance of permitted daily average<br>flow/Improvements to treatment system.                                                                                             |
|                  | Texas Electric Cooperatives<br>Jasper County, TX                     | 11/23/87            |                       | Management of industrial wastes in such a<br>manner as to cause a discharge or threat<br>of discharge/Completion of RI/FS.                                                  |
| 11504-01         | William A. Swinney<br>Bexar County, TX                               | 11/24/87            |                       | Failure to voluntarily cancel permit or<br>pay annual inspection fee/Revocation of<br>permit.                                                                               |
| 12149-01         | King Interests, Inc. of<br>Texas<br>Harris County, TX                | 12/01/87            |                       | Exceedance of daily average flow<br>discharge limitations/Completion of an<br>engineering study and sludge management<br>plan and upon approval, implementation of<br>plan. |

MH001AL/155E01

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LAM 011797

DPMC-08174

| <u>ORDER NO.</u>     | <u>RESPONDENT</u>                                              | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                                                                        |
|----------------------|----------------------------------------------------------------|---------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11143-01             | Splendora Independent School District<br>Montgomery County, TX | 12/01/87            | Stipulated penalties  | Exceedance of permitted 30-day average flow limit/Construction of a new wastewater treatment plant.                                                                                                                                                                                      |
|                      | Army Air Defense Center and Fort Bliss<br>El Paso County, TX   | 12/02/87            |                       | Management of industrial solid wastes in such a manner as to cause a discharge or threat of discharge, failure to comply with various reporting and record-keeping requirements/Closure of the fire fighter training area and compliance with reporting and record-keeping requirements. |
| 10219-01<br>10219-02 | City of McGregor                                               | 12/04/87            | \$7,500               | Allowance of unauthorized bypasses of partially treated and raw sewage on several occasions/Construction of a new wastewater treatment plant.                                                                                                                                            |
| 02756                | Arco Chemical Co.<br>Harris County, TX                         | 12/11/87            | Stipulated penalties  | Failure to complete construction of a stormwater management system/Modification of timetable for completion in provisions of permit.                                                                                                                                                     |
| 10126-01             | City of Bella                                                  | 12/11/87            | \$1,000               | Exceedance of permit grab sample limits for BOD and TSS concentration by allowing raw sewage to bypass the sewage treatment plant/Construction of a new treatment plant.                                                                                                                 |
|                      | Cominco American, Inc.<br>Hutchinson County, TX                | 12/11/87            |                       | Discharge of industrial solid waste from the solid waste management units to the soil, surface water and groundwater without a permit/Completion of an RI/FS addressing the ammonia leak area.                                                                                           |

MH001AL/155E01

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LAM 011798

DFMC-08175

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                               | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                           |
|------------------|-------------------------------------------------|---------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                  | Pelican Bay Joint Venture<br>Tarrant County, TX | 12/11/87            | \$3,000               | Operation and construction of a treatment plant without a permit and discharge of untreated sewage/Obtain a permit and dispose of sewage at an authorized wastewater disposal facility for treatment until permit obtained. |
|                  | Safety-Kleen<br>Wichita County, TX              | 12/11/87            | \$750                 | Storage of containers of ignitable hazardous waste within 50 feet of the facility's property line/Alteration of site to meet setback requirements or closure of site.                                                       |

MH001AL/155E01

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LAM 011799

DPMC-08176

*Attachment F*

AGENDA ITEM VI

ENFORCEMENT REPORT

December 1987

Introduction

In accordance with the amended Texas Clean Air Act (Act), this report has been prepared and describes the status of enforcement actions initiated by the agency. Recommendations for Board Orders with administrative penalties are included on the agenda and are reflected in this report.

Enforcement Summary

Since September 1, 1987, Notices of Violation were issued to 215 companies, individuals or governmental agencies. Of these violations, 92 have been resolved. From September 1, 1985, effective date of the amended Act, a total of 96 violation situations currently remain unresolved for more than 30 days and will require formal enforcement action. Specific details for each of the unresolved situations are contained in the attached Tables. Table 4 contains a listing of 9 companies in violation which constructed small facilities without a Board permit or exemption and for which Board Orders without administrative penalties are being developed or recommended. The cases for which Board Orders were approved at the November Board meeting have been removed from the report.

The following summarizes administrative penalty actions by the Board since September 1, 1987.

Agreed Administrative Board Orders Entered: 46  
Total of Administrative Penalties Assessed: \$278,125.00

The following summarizes legal actions resolved through court orders entered since September 1, 1987.

Cases Settled by Attorney General: 5  
Total Civil Penalties Assessed: \$243,750.00

Administrative Penalty Orders

Pursuant to Sections 3.20 and 4.041 of the Act and in accordance with the Guidelines for Assessing Administrative Penalties, the staff will be presenting the Board Orders that have been finalized with the companies for consideration and action by the Board. Although Table 2 includes brief reference to those situations for which penalties are being recommended, these cases will be considered separately during the Board meeting.

**LAM 011800**

DPMC-08177

Table 1  
VIOLATIONS  
From the September Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                              | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|----------------------------------------------------|--------------------------------|----------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Blacks Millwork<br>Houston/Harris County           | Millwork Hotel<br>Interiors    | 05/25/87             | No Permit                                  | The company constructed the millwork facility without a Board permit. A Board Order without an administrative penalty was proposed to the company; however, the owner has indicated that the company is no longer in business. The matter is considered resolved.                                                                                                                                                                                                                               |
| 7              | W. R. Grace and Company<br>Deer Park/Harris County | Petrochemical<br>Manufacturing | 06/30/87             | Permit Conditions                          | Stack sampling results indicate that the company's formaldehyde emissions exceed the permit allowable. The company has retested the process and the results indicate the unit is in compliance. The Regional Director considers the matter resolved.                                                                                                                                                                                                                                            |
| 8              | Dext Company<br>Dallas/Dallas County               | Waste Food Processing          | 03/10/87             | Permit Representations<br>Opacity          | The company was cited for increasing the hours of operation in violation of permit representations. It appears this situation can be resolved through permit amendment which was submitted on March 31, 1987. An opacity violation was issued on May 7, 1987. Opacity levels have been reduced as indicated by an inspection on May 27, 1987. Since the opacity problem was corrected within thirty days and only a clerical issue remains, this matter is considered resolved for this report. |
| 11             | Carpenter Motors<br>El Paso/El Paso County         | Used Car Sales                 | 08/08/87             | Regulation IV<br>(Motor Vehicle Tampering) | The company was originally cited for offering for sale, vehicles with inoperative emission control devices. The vehicles were repaired immediately. However, it was later determined that the vehicles, while on the sales lot, were not actually intended for sale. The Regional Director is recommending that the matter be resolved.                                                                                                                                                         |

LAM 011801

DPMC-08178

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                 | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|-----------------------------------------------------------------------|------------------------------|----------------------|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Crown Cork and Seal<br>Company, Incorporated<br>Abilene/Taylor County | Fabricated Metal<br>Products | 09/21/87             | Board Order (87-06)<br>NSPS* | The company failed to submit the NSPS reports required by Board Order 87-06. A Board Order with an agreed administrative penalty of \$7,800.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                         |
| 2              | American Demolition,<br>Incorporated<br>Borger/Hutchinson County      | Asbestos Contractor          | 12/16/86             | NESHAP** (Asbestos)          | The company was cited for improper removal of asbestos at the Phillips Chemical Company facility at Borger. A formal enforcement conference was held on April 22, 1987. A Board Order with an administrative penalty has been proposed to the company. The company has submitted additional information regarding the actual dates of violation which is being reviewed by the Legal Division. |
| 2              | Texaco U.S.A.<br>Kingsmill Plant<br>Gray County                       | Gas Processing               | 06/22/87             | NESHAP (Asbestos)            | The company had loose asbestos on the ground in an area where asbestos demolition had occurred. A formal enforcement conference was held on September 2, 1987. The Regional Director has recommended a Board Order with an administrative penalty. However, an additional analysis of the asbestos samples is being conducted prior to proceeding with development of a Board Order.           |

\*New Source Performance Standards

\*\*National Emission Standards for Hazardous Air Pollutants

LAM 011802

DPMC-08179

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                           | TYPE OF FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|---------------------------------------------------------------------------------|---------------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Classic Marble Company<br>Austin/Travis County                                  | Cultured Marble           | 07/18/87             | No Permit                    | The company constructed a cultured marble facility without a Board permit. Because the company had prior knowledge of the permit requirements, the Regional Director has recommended a Board Order with an administrative penalty, which has been proposed to the company. The company has submitted additional information and requested that the penalty amount be reconsidered.                                       |
| 3              | Highland Mall Joint Venture<br>and<br>Falcon Associates<br>Austin/Travis County | Shopping Mall             | 09/01/87             | NESHAP (Asbestos)            | The mall management was cited for improper removal of asbestos-containing material during a renovation project. A formal enforcement conference was held on September 17, 1987. Board Orders with an agreed administrative penalty of \$4,000.00 each for the mall and the asbestos contractor will be presented to the Board for adoption if the Order is finalized with the companies prior to the Board meeting date. |
|                |                                                                                 | Asbestos Contractor       | 09/01/87             | NESHAP (Asbestos)            |                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 3              | Pharaoh and Associates,<br>Incorporated<br>Burton/Washington County             | Oil and Gas<br>Production | 06/15/87             | Nuisance (Odor)<br>No Permit | The company was cited for nuisance odors from the unauthorized venting at a gas well. A formal enforcement conference was held on July 20, 1987. A Board Order with an administrative penalty has been proposed to the company; however, the company has not agreed to the penalty and a review of the matter is continuing. Additional enforcement action will be recommended if an agreement cannot be reached.        |

LAM 011803

DPMC-08180

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                   | TYPE OF FACILITY              | NOTIFICATION<br>DATE | TYPE OF VIOLATION                   | COMMENT                                                                                                                                                                                                                                                                                                                           |
|----------------|-----------------------------------------------------------------------------------------|-------------------------------|----------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Plas Clad, Incorporated<br>Temple/Hell County                                           | Wood Products                 | 08/13/87             | Nuisance (Sawdust)                  | The company was cited for nuisance sawdust condition created by defective air pollution control equipment (cyclone). A formal enforcement conference was held on September 24, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                               |
| 3              | Structural Metals,<br>Incorporated<br>dba Southern Post Company<br>Austin/Travis County | Painting Metal Fence<br>Posts | 07/14/87             | No Permit                           | The company constructed a fence painting facility without a Board permit. A formal enforcement conference was held on September 23, 1987. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 4              | Anglo Iron and Metal<br>Company, Incorporated<br>Harlingen/Cameron County               | Scrap Metal Shredding         | 08/26/87             | Outdoor Burning<br>Nuisance (Smoke) | The company was conducting outdoor burning of debris and created a nuisance smoke condition. A formal enforcement conference was held on October 9, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                            |

LAM 011804

DPMC-08181

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                           | TYPE OF FACILITY                    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|---------------------------------------------------------------------------------|-------------------------------------|----------------------|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5              | American Chrome and<br>Chemicals, Incorporated<br>Corpus Christi/Nueces County  | Chromium Chemicals<br>Manufacturing | 07/11/87             | Opacity                                                  | The company was cited for excessive opacity from the chrome hearth stack. A formal enforcement conference was held on August 3, 1987. The company submitted a proposal to install a baghouse to reduce emissions from the hearth. The Regional Director had recommended a Board Order with an administrative penalty. Subsequently, the company requested additional time to further evaluate its abatement plan to insure adequacy. A Board Order with an administrative penalty has been proposed to the company. |
| 5              | Coastal Refining and<br>Marketing, Incorporated<br>Corpus Christi/Nueces County | Petroleum Refining                  | 10/10/87             | MSPS (Monitoring and<br>Hydrogen Sulfide Gas<br>Content) | The company was cited for nine instances of excess hydrogen sulfide in the refinery fuel gas system. A formal enforcement conference was held on November 4, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                                     |
| 5              | Kaspar Wire Works,<br>Incorporated<br>Shiner/Lavaca County                      | Fabricated Metal<br>Products        | 08/04/87             | Permit Conditions<br>No Permit                           | The company was cited for an increase in production without obtaining a permit amendment. A formal enforcement conference was held on September 10, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                                                                                                                            |

LAM 011805

DPMC-08182

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|---------------------------------------------------------------------------|---------------------------------|----------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Champion Chemicals,<br>Incorporated<br>Odessa/Ector County                | General Chemicals               | 03/04/87             | Nuisance (Odors)<br>Board Order | The company was cited for nuisance odors and non-compliance with Board Order No. 86-114(d). The company had refused to accept the Board Order and administrative penalty which was proposed. However, the company has employed a consultant to develop an effective compliance plan. During a conference held on October 7, 1987, the company proposed the modeling of four substances handled by the plant for downwind nuisance potential. On November 12, 1987, the company confirmed that additional housekeeping measures had been implemented to reduce the potential for nuisance odors. A settlement is being negotiated. |
| 6              | Dynagen, Incorporated<br>A General Tire Subsidiary<br>Odessa/Ector County | Synthetic Rubber<br>Manufacture | 09/30/87             | Nuisance (Odor)                 | The company was cited for nuisance styrene odors which are attributed primarily to the crude rubber dryer vents. The company has applied for a permit to replace the dryers and to install stacks to improve emission dispersion. A formal enforcement conference was held on October 20, 1987. The Regional Director has recommended a Board Order with a administrative penalty which is being developed.                                                                                                                                                                                                                       |

LAM 011806

DPMC-08183

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                  | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|--------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Leigh Brothers Coatings<br>Odessa/Ector County         | Oilfield Equipment<br>Coatings | 08/05/87             | No Permit<br>Permit Conditions<br>Permit Representations | The company was cited for conducting sandblasting outdoors instead of in a building as required by the special permit. A formal enforcement conference was held on August 13, 1987. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                |
| 6              | Neleh Gas Systems<br>McCombs/Crockett County           | Gas Processing                 | 09/05/87             | No Permit<br>Permit Conditions                           | The company was cited for a modification of its production process that resulted in a significant increase in emissions of sulfur dioxide. A formal enforcement conference was held on October 7, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                         |
| 7              | Amoco Chemicals Company<br>Texas City/Galveston County | Petrochemical<br>Manufacturing | 04/14/86             | Permit Conditions<br>NESHAP (Benzene)                    | The company reported that 2,400 pounds of benzene were released through a defective relief valve. The company claimed its process was not subject to the NESHAP benzene regulation. The matter was referred to the EPA. A recent determination from the EPA indicates the release is regulated under the benzene NESHAP standards. A Board Order with an agreed administrative penalty of \$9,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011807

EPMC-08184

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                              | TYPE OF FACILITY   | NOTIFICATION<br>DATE | TYPE OF VIOLATION                               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|----------------------------------------------------|--------------------|----------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Amoco Oil Company<br>Texas City/Galveston County   | Petroleum Refining | 08/17/87             | NSPS (Performance Testing)<br>Permit Conditions | The company was found operating in violation of the NSPS monitoring requirements for carbon monoxide with regard to the operation of the fluid catalytic cracking unit. A formal enforcement conference was held on September 10, 1987. The Regional Director has recommended a Board Order with an administrative penalty. Additional violations are being considered for inclusion in the Board Order. |
| 7              | ARCO Chemical Company<br>Channelview/Harris County | Chemical Plant     | 08/08/87             | MESHAP (Benzene)                                | The company was found in violation of several MESHAP benzene fugitive emission control provisions. A formal enforcement conference was held on September 14, 1987. The company failed to install and maintain a flame sensing device on the plant flare in benzene service as required by the MESHAP benzene regulations. A Board Order with an administrative penalty has been proposed to the company. |
| 7              | Al Cleaners<br>Webster/Harris County               | Dry Cleaning       | 09/20/87             | Regulation V (VOC***)                           | The dry cleaning company was operating the clothes drying machines without the solvent recovery system operating properly. A formal enforcement conference was held on November 12, 1987. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                 |

\*\*\*Volatile Organic Compounds

LAM 011808

DPMC-08185

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------|---------------------------------------------------------------------------|------------------------------|----------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Al Dry Cleaners<br>Houston/Harris County                                  | Dry Cleaners                 | 09/19/87             | Regulation V (VOC) | The dry cleaning company was operating the clothes drying machines without the solvent recovery system operating properly. A formal enforcement conference was held on November 10, 1987. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                              |
| 7              | Crown Cork and Seal<br>Company, Incorporated<br>Galena Park/Harris County | Fabricated Metal<br>Products | 02/26/87             | No Permit<br>NSPS  | The company increased production and added addition capacity to its beverage can manufacturing facility without a Board permit and in violation of the Federal NSPS. The Legal Division completed a review of the matter for viability. The facility is currently shut down. The Board Order with an administrative penalty is being revised to reflect an accelerated compliance date. An additional legal review of the NSPS issues is in progress. |
| 7              | Custom Cleaners<br>Humble/Harris County                                   | Dry Cleaners                 | 10/14/87             | Regulation V (VOC) | The dry cleaning company was operating the clothes drying machines without the solvent recovery system operating properly. A formal enforcement conference was held on November 12, 1987. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                              |

LAM 011809

DPMC-08186

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                               | TYPE OF FACILITY                             | NOTIFICATION<br>DATE | TYPE OF VIOLATION                      | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|-----------------------------------------------------|----------------------------------------------|----------------------|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | D and R Metal Finishing<br>Houston/Harris County    | Sandblasting,<br>Painting and Plating        | 04/01/87             | No Permit                              | The company constructed and continues to operate a metal finishing facility without a Board permit. Three attempts were made to deliver the violation letter before it was accepted. A formal enforcement conference was held on July 30, 1987. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                         |
| 7              | Denka Chemical Corporation<br>Houston/Harris County | Neoprene and Maleic<br>Anhydride Manufacture | 10/04/87             | Regulation V (VOC)<br>HSPS<br>Nuisance | The company was cited for violations of the Texas Clean Air Act after ambient monitoring in neighboring communities revealed elevated levels of chloroprene. Follow-up investigations showed additional violations of Board Rules and Regulations. A formal enforcement conference was held on October 7, 1987. The Regional Director has recommended formal enforcement action. The Director of Enforcement is reviewing the matter to determine the appropriate type of action. |

LAM 011810

DPMC-08187

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                                | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|----------------------------------------------------------------------|--------------------------------|----------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Doty Landfill<br>Houston/Harris County                               | Landfill                       | 03/16/87             | Nuisance (Odors)  | The company operates a landfill which has been the subject of numerous citizen complaints. A Board Order with an administrative penalty has been proposed to the company. The company responded with additional information indicating that a consulting engineer has been hired to prepare a comprehensive compliance plan by December 11, 1987 which may be used to reconsider the penalty amount.                         |
| 7              | Exxon Chemical Americas<br>Baytown/Harris County                     | Petrochemical<br>Manufacturing | 08/29/87             | NESHAP (Benzene)  | The company failed to install and maintain flame sensing devices on the plant flares in benzene service as required by the NESHAP-Benzene regulations. A formal enforcement conference was held on September 21, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                        |
| 7              | Fifty Four O One Dashwood,<br>Incorporated<br>Bellaire/Harris County | Office Complex                 | 07/27/87             | NESHAP (Asbestos) | The company operated the building complex and was responsible for a renovation project in which asbestos was improperly removed. A Board Order with an administrative penalty has been proposed to the company; however, an additional analysis of the asbestos samples is being conducted. Since the sample results were disputed by the company, the Legal Division is reviewing the matter before the Order is finalized. |

LAM 011811

DPMC-08188

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                   | TYPE OF FACILITY                    | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                 |
|----------------|-------------------------------------------------------------------------|-------------------------------------|----------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Fusion, Inc.<br>Houston/Harris County                                   | Chrome Plating                      | 08/26/87             | No Permit         | The company constructed and continues to operate a chrome plating facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 7              | Gulf States Asphalt<br>Company, Incorporated<br>Deer Park/Harris County | Asphalt Products<br>(With Asbestos) | 07/26/87             | NESHAP (Asbestos) | The company was cited for visible emissions emanating from a process where asphalt containing asbestos is manufactured. The matter is under review in the Legal Division to determine NESHAP applicability.                                                                                                                                             |
| 7              | Microdot, Incorporated<br>Houston/Harris County                         | Gaskets and Seals<br>of Rubber      | 10/24/87             | No Permit         | The company constructed and continues to operate a rubber seal and gasket manufacturing facility without a Board permit. A formal enforcement conference was held on November 5, 1987. The Regional Director is preparing a recommendation for appropriate enforcement action.                                                                          |
| 7              | Monsanto Company<br>Alvin/Brazoria County                               | Petrochemical<br>Manufacturing      | 08/10/87             | NESHAP (Benzene)  | The company was found in violation of the NESHAP-Benzene regulation regarding leak testing and calibration of the leak test equipment. A formal enforcement conference was held on September 28, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                     |

LAM 011812

DPMC-08189

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY  | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|--------------------------------------------------------------|-------------------|----------------------|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Occidental Chemical<br>Corporation<br>Pasadena/Harris County | PVC Manufacturing | 03/04/87             | NESHAP (Vinyl Chloride)<br>Permit Conditions                       | The company reported a vinyl chloride release in violation of the NESHAP regulations. A Board Order with an agreed administrative penalty was to be presented to the Board for adoption; however, additional violations have been cited and will be included in a revised Board Order. The Legal Division is reviewing the applicability of the NESHAP regulation with regard to the additional violations.                                                     |
| 7              | Oishan Demolition<br>Houston/Harris County                   | Landfill          | 03/16/87             | Nuisance (Odors)                                                   | The company operates a landfill which has been the subject of numerous odor complaints. The file has been under review by the Deputy Executive Director. A Board Order with an agreed administrative penalty of \$21,750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                             |
| 7              | Paktank Corporation<br>Deer Park/Harris County               | Storage Terminal  | 07/15/87             | NESHAP (Benzene)<br>Board Order No. 86-114(t)<br>Permit Conditions | The company's terminal and storage facility were found to be in violation of permit conditions and NESHAP (Benzene) monitoring and recordkeeping requirements regarding pumps in benzene service. The company was also cited for violating a Board Order which requires compliance with NESHAP regulations. A formal enforcement conference was held on August 3, 1987. The Director of Enforcement is reviewing the matter for appropriate enforcement action. |

LAM 011813

DPMC-08190

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                               | TYPE OF FACILITY            | NOTIFICATION<br>DATE | TYPE OF VIOLATION                              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|-------------------------------------------------------------------------------------|-----------------------------|----------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Rigs R Us<br>Houston/Harris County                                                  | Drilling Structures         | 03/30/87             | No Permit                                      | The company constructed and continues to operate a sandblasting and painting facility without a Board permit. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                  |
| 7              | Texas Tx Marine<br>Transportation,<br>Incorporated<br>Houston/Harris County         | Petroleum Coke<br>Terminal  | 01/28/87             | Permit Representations<br>Permit Conditions    | The company was operating a coke storage and loading facility in a manner not authorized by the Board permit. Additional violations have been issued to the company and will be incorporated into a revised Board Order with an administrative penalty.                                                                                                                                                                  |
| 7              | United States Postal<br>Service<br>Bellaire/Harris County                           | U. S. Post Office           | 07/27/87             | NESHAP (Asbestos)                              | The Postal Service owns an office complex which was the site of an improper asbestos renovation project. An additional analysis of the asbestos samples was conducted. A Board Order with an administrative penalty was proposed to the Postal Service, however, additional information is under review by the Legal Division and the EPA to determine the appropriate enforcement action in this matter.                |
| 7              | Wood Material<br>aka Barbee Enterprise,<br>Incorporated<br>Conroe/Montgomery County | Asphaltic Concrete<br>Plant | 05/14/86             | Opacity<br>Permit Conditions<br>NSPS (Opacity) | The company was found in violation of NSPS, opacity and permit conditions at the asphaltic concrete plant. Additional odor complaints have been received and a meeting was held with the company. A Board Order with an administrative penalty was proposed to the company; however, the company did not agree to the Board Order. The file is being prepared for referral to the Attorney General's Office for lawsuit. |

LAM 011814

DPMC-08191

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                        | TYPE OF FACILITY                               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                    | COMMENT                                                                                                                                                                                                                                                                                      |
|----------------|------------------------------------------------------------------------------|------------------------------------------------|----------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Boney Construction<br>Company, Incorporated<br>Sachse/Dallas County          | Readymix Concrete<br>Plant                     | 09/30/87             | Permit Conditions<br>Upset Reporting | The company was cited for violation of the conditions of the Standard Exemption under which it operates due to excessive dust emissions from an inoperative central dust collector. The Regional Director is reviewing the matter to determine the appropriate enforcement action.           |
| 8              | City Wide Fuels<br>Distributors,<br>Incorporated<br>Southlake/Tarrant County | Gasoline Bulk<br>Terminal Blending<br>Facility | 09/19/87             | No Permit                            | The company constructed and continues to operate a gasoline terminal and blending facility without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 8              | DMS Refining, Incorporated<br>Dallas/Dallas County                           | Silver Recovery                                | 07/21/87             | No Permit                            | The company relocated its silver reclamation facility without a Board permit. A permit application has been submitted and is under review. The Director of Enforcement is reviewing the matter for appropriate enforcement action.                                                           |

LAM 011815

DPMC-08192

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                 | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-------------------------------------------------------|------------------------------|----------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Flexible Foam Products<br>Terrell/Kaufman County      | Foam Rubber<br>Manufacturing | 05/05/87             | No Permit         | The company constructed and continues to operate a foam and carpet pad manufacturing facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$5,250.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                              |
| 8              | Ingram Enterprises<br>Somervell County                | Readymix Concrete<br>Plant   | 10/03/87             | Permit Conditions | The company continues to operate the facility in violation of the permit conditions due to an inoperable central dust collector. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                                                                                                                           |
| 8              | Larry Jones, Incorporated<br>Arlington/Tarrant County | Cabinet Shop                 | 12/12/85             | No Permit         | The company constructed a custom wooden cabinet manufacturing facility without a Board permit. A public hearing was held on May 26, 1987; however, no opposition attended. The Board Order on the contested case hearing was entered at the July 17, 1987 Board meeting and a permit was issued to the company. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011816

DPMC-08193

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|--------------------------------------------------------------|---------------------------------|----------------------|--------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Lattimore Materials Company<br>Greenville/Hunt County        | Wet Batch Concrete<br>Plant     | 07/06/87             | Permit Conditions              | The company was cited for several provisions of a permit including heavy dust emissions and inadequate abatement equipment. A Board Order with an agreed administrative penalty of \$2,900.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                                                                                     |
| 8              | North Texas Aggregates,<br>Incorporated<br>Chico/Wise County | Portable Rock<br>Crushing Plant | 08/17/87             | Permit Exemption<br>Conditions | The company was cited for violation of the conditions of the exemptions which included the failure to keep in-plant roads watered and inadequate water sprays. The company initiated repairs on the water spray system and the violation was thought to be resolved. Subsequent investigation revealed that water sprays were still inadequate. A Board Order with an agreed administrative penalty of \$1,600.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 8              | Overwraps, Incorporated<br>Dallas/Dallas County              | Flexographic Printing           | 05/25/87             | No Permit                      | The company constructed and continues to operate printing facility without a Board permit. A consultant has been hired to identify appropriate controls and prepare a permit application. The company has proposed changes to control the emissions from the printing process and in addition has requested that the proposed administrative penalty be reconsidered.                                                                                                                                                                     |

LAM 011817

DPMC-08194

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                     | TYPE OF FACILITY                  | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|-----------------------------------------------------------|-----------------------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Pamarc, Incorporated<br>Dallas/Dallas County              | Printing Press<br>Repair          | 06/14/87             | No Permit                    | The company constructed and continues to operate a printing press roller refurbishing facility without a Board permit. The company has submitted a permit application. Initial review indicates that the facility does not qualify as a small source. A Board Order with an administrative penalty is being developed.                                                                                                                                                         |
| 8              | Rushing Paving Company,<br>Inc.<br>Sherman/Grayson County | Asphaltic Concrete<br>Batch Plant | 08/30/87             | Opacity<br>Permit Conditions | The facility has a history of violations of opacity limits and permit conditions. It was again found to be in violation for excess opacity from the scrubber stack and dust emissions from in-plant traffic. The company has shut down the facility until corrections are completed. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 8              | Southwest Heat Exchanger<br>Fort Worth/Tarrant County     | Air Conditioning<br>Condensers    | 08/17/87             | No Permit                    | The company constructed and continues to operate a vapor degreaser without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                           |

LAM 011818

DPMC-08195

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY  | NOTIFICATION<br>DATE | TYPE OF VIOLATION             | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|------------------------------------------------------------------|-------------------|----------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Tarrant County Hospital<br>District<br>Fort Worth/Tarrant County | Incinerator       | 10/05/87             | No Permit                     | The Hospital District was cited for operating the incinerator without a permit or exemption since the unit had not been registered under a standard exemption. The Regional Director is reviewing the matter to determine if the incinerator qualifies for Standard Exemption No. 90 and to determine the appropriate enforcement action.                                                                                                                                                                                                |
| 9              | The Paks Corporation<br>Junction/Kimble County                   | General Chemicals | 06/01/87             | Nuisance (Sawdust)<br>Opacity | The company was cited for excessive opacity from the air pollution control equipment (cyclone) and for nuisance conditions created by burning sawdust. There is not a continuing nuisance condition created by the plant's operation. The company has determined that the scrubber proposed in their compliance plan is prohibitively expensive to operate and has hired consultant to evaluate other less costly controls. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

LAM 011819

DPMC-08196

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                             | TYPE OF FACILITY           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|---------------------------------------------------|----------------------------|----------------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9              | Powerwall, Incorporated<br>Potter/Atascosa County | Fiber Reinforced<br>Stucco | 06/29/87             | No Permit                                                | The company constructed and continues to operate the facility without a Board permit. A formal enforcement conference was held on July 14, 1987. The development of a Board Order with an administrative penalty was delayed due to the company owner being in the hospital and unable to submit the additional information on capital costs needed to complete the review. The company has hired a consultant to prepare the appropriate permit or exemption application. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 9              | Texarome, Incorporated<br>Leakey/Real County      | Cedar Oil Mill             | 04/11/87             | Permit Representations<br>Excessive Visible<br>Emissions | The company was cited for not constructing the plant as represented in the permit application and for excessive visible emissions. A formal enforcement conference was held on April 28, 1987. On November 17, 1987, a meeting was held in Austin to hear the company's objection to the proposed enforcement action. After reviewing the information presented by the company, a revised Board Order with an administrative penalty was proposed to the company.                                                                                                                       |

LAM 011820

DPMC-08197

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                  | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|------------------------------------------------------------------------|------------------------------|----------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | American Petrofina<br>Pipeline Company<br>Port Arthur/Jefferson County | Bulk Hydrocarbon<br>Terminal | 07/17/87             | Nuisance (Odors)  | The company was cited for creating nuisance (odor) conditions when a gasoline storage tank overfilled and 1,600 barrels of gasoline were spilled. Adverse health effects were confirmed. A satisfactory compliance plan has been submitted to prevent further incidents. Additional elements of a long term compliance plan are being negotiated with the company. A Board Order with an agreed administrative penalty of \$6,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.           |
| 10             | Bright Coop. Incorporated<br>Nacogdoches/Nacogdoches<br>County         | Wood Pallet<br>Manufacturing | 07/21/86             | No Permit         | The company has increased its production rate and added manufacturing equipment over the past several years without permit authorization. A request for a permit amendment has been submitted and is under review. The regional office staff has conducted sampling to evaluate emissions from the source and assist in the development of a control plan. Sampling conducted by the regional office staff indicates that emission levels are acceptable. The permit amendment is being processed and a Board Order with an administrative penalty is being developed. |

LAM 011821

DPMC-08198

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                           | TYPE OF FACILITY                   | NOTIFICATION<br>DATE | TYPE OF VIOLATION                               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|-----------------------------------------------------------------|------------------------------------|----------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | Chevron U.S.A.,<br>Incorporated<br>Port Arthur/Jefferson County | Petroleum Refining                 | 09/01/87             | Nuisance (Odors)<br>Adverse Health Impact       | Process upsets at the Chevron refinery caused excess emissions of uncombusted hydrocarbons and hydrogen sulfide which resulted in an air pollution episode, including nuisance conditions and adverse health impacts. Corrections were made at the time of the incident and an acceptable plan to prevent future occurrences of this nature has been submitted. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                            |
| 10             | Chevron U.S.A.,<br>Incorporated<br>Beaumont/Jefferson County    | Petroleum Refining                 | 07/15/87             | Permit Conditions<br>Regulation V (VOC)<br>NSPS | The company was cited for failure to conduct the annual inspections of secondary seals on the storage tanks and other violations of state and federal rules regarding secondary seals on petroleum storage tanks. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                                                                                                                                                                          |
| 10             | Modern Equipment<br>Manufacturers<br>Lumberton/Hardin County    | Industrial Dumpster<br>Manufacture | 09/27/87             | No Permit<br>Nuisance (Dust)                    | The regional office has received numerous complaints of odors and dust emissions from the facility's sandblasting and spray painting operations. Initial investigations did not confirm nuisance level emissions, but the company was cited for operating without a Board permit. A compliance plan to control the emissions and obtain a permit was submitted. Recently, additional complaint investigations have confirmed that uncontrolled sandblasting emissions were creating a nuisance for the area. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

LAM 011822

DPMC-08199

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                       | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION      | COMMENT                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|-------------------------------------------------------------|--------------------------------|----------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | Temple Eastex, Incorporated<br>Pineland/Sabine County       | Pine Plywood                   | 04/20/87             | Permit Representations | The company exceeded the plywood production rate specified in permit provisions. The Regional Director has recommended a Board Order with an administrative penalty. The Director of Enforcement is reviewing the matter to determine the appropriate enforcement action.                                                                                                                   |
| 10             | The Texas Pipe Line Company<br>Port Arthur/Jefferson County | Storage Terminal               | 09/28/87             | Nuisance (Odors)       | The company was cited for creating a nuisance due to odors from a leaking gasoline storage tank. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                               |
| 10             | Walters Property<br>Jefferson County                        | Metal Salvage                  | 10/07/87             | Outdoor Burning        | The Walters' have received several violations for unauthorized outdoor burning of rubber tires to salvage the metal rims. Previous enforcement situations were initially considered resolved based on commitments to cease the outdoor burning. Recent complaint investigations confirm the outdoor burning is continuing. A Board Order with an administrative penalty is being developed. |
| 11             | Baltimore Spice Company<br>Westway/El Paso County           | Processing/Packaging<br>Spices | 06/03/87             | No Permit              | The company was cited for construction and operation of an ethylene oxide sterilization unit without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                 |

LAM 011823

DPMC-08200

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                            |
|----------------|-------------------------------------------------------------------|------------------------|----------------------|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Chaparral Motors,<br>Incorporated<br>El Paso/El Paso County       | Used Car Sales         | 08/22/87             | Regulation IV<br>(Motor Vehicle Tampering) | The company was cited for offering for sale, vehicle with inoperative emission control devices. A formal enforcement conference was held on October 7, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                        |
| 11             | Department of Defense,<br>U. S. Army<br>Fort Bliss/El Paso County | Building Renovation    | 07/18/87             | NESHAP (Asbestos)                          | The Department of Defense was cited for improper removal of asbestos at the Fort Bliss facility. This matter was referred to the Attorney General's Office on November 9, 1987 for inclusion in an existing lawsuit.                                                                                                                                                               |
| 11             | Elcor Corporation<br>Van Horn/Culberson County                    | Abandoned Sulfur Plant | 04/19/87             | NESHAP (Asbestos)                          | The company was cited for improper removal of asbestos during the dismantling of buildings and equipment at a closed sulfur production facility. A formal enforcement conference was held on June 2, 1987. A Board Order without an administrative penalty will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 11             | El Paso Refining Company,<br>Ltd.<br>El Paso/El Paso County       | Petroleum Refining     | 06/30/87             | Opacity                                    | The company was cited on two occasions for excessive visible emissions. A formal enforcement conference was held on August 18, 1987. Corrective actions have been completed and the company is operating in compliance. A Board Order with an administrative penalty has been proposed to the company.                                                                             |

LAM 011824

DPMC-08201

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                       | TYPE OF FACILITY      | NOTIFICATION<br>DATE | TYPE OF VIOLATION                     | COMMENT                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------|-----------------------|----------------------|---------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Pabco Insulation<br>Tucker/Anderson County                  | Fiberglass Insulation | 03/30/87             | Permit Conditions<br>NPS (Monitoring) | The company was cited for excessive stack emissions above permit allowables on particulates, phenol and aldehydes. Corrective measures have been completed. A formal enforcement conference was held on August 25, 1987. The Regional Director has recommended the matter be referred to the Attorney General's Office for lawsuit. The matter is under review in the Legal Division for viability. |
| 12             | Pregler Iron & Metals<br>Company<br>Athens/Henderson County | Metal Salvage         | 09/04/87             | Outdoor Burning                       | The company conducted outdoor burning of wire insulation, plastic pipe and debris. A formal enforcement conference was held on September 11, 1987. A Board Order with an agreed administrative penalty of \$1,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                        |

LAM 011825

DPMC-08202

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                          | TYPE OF FACILITY                                 | NOTIFICATION<br>DATE | TYPE OF VIOLATION                       | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|----------------------------------------------------------------|--------------------------------------------------|----------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Bean Hog Farm<br>Brownwood/Brown County                        | Confined Animal<br>Feedlot                       | 11/21/85             | Nuisance (Odors)<br>Board Order (85-12) | The file on this company was referred to the Attorney General's Office on May 21, 1986. The company violated a Board Order issued in October, 1985 which required a reduction in the number of animals in the feedlot and prohibited the creation of any further nuisance conditions. It is projected that this lawsuit can be resolved within 1 month through agreed action.                                                                  |
| 3              | Pool Production Services<br>Company<br>Kerrin/Freestone County | Oil Separation and<br>Injection Well<br>Facility | 03/23/87             | Permit Conditions                       | The file on this company was referred to the Attorney General's Office on October 29, 1985 for violations which occurred prior to September 1, 1985. Additional violations were forwarded on April 14, 1987 for inclusion in the lawsuit. This lawsuit is not expected to reach agreed settlement. Trial on the merits has been continued until the first week of March. Depositions of company employees are scheduled for December 16, 1987. |
| 3              | Gerald Company,<br>Incorporated<br>Hamilton County             | Grain Handling                                   | 04/17/87             | Nuisance (Odor)                         | The file on this company was referred to the Attorney General's Office on September 3, 1987. The company operates a feed mill which has been the subject of several odor complaints and has failed to initiate corrective actions. It is not projected that this suit can be resolved through an agreed settlement.                                                                                                                            |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011826

DPMC-08203

Table 3  
 VIOLATIONS  
 Since September 1, 1985  
 (Approved for Referral to Attorney General's Office)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                    | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|--------------------------------------------------------------|----------------------------------------|----------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5              | Oceanside Asphalt,<br>Incorporated<br>Robstown/Mueces County | Portable Asphalt<br>Plant              | 06/26/86             | Permit Conditions<br>Nuisance (Dust) | The company was cited for failure to water the stockpiles and roads as required in the board permit and for creating a nuisance dust condition. The file on this company was referred to the Attorney General's Office on May 28, 1987. It is projected that this lawsuit can be resolved within 9 months if an agreed settlement is reached.                                                                                                                                    |
| 6              | Bryson Tank Company<br>Odessa/Ector County                   | Tank Manufacturing<br>(Spray Painting) | 10/08/85             | Nuisance (Paint Overspray)           | The company is continuing to operate without the needed controls and the nuisance problem remains. The file on this company was referred to the Attorney General's Office on January 31, 1986. The petition was filed on August 13, 1986. Cause was dismissed because of inability to serve the defendant. The case may be refiled.                                                                                                                                              |
| 6              | C & M Enterprises<br>Midland/Midland County                  | Sandblasting                           | 10/24/85             | Nuisance (Dust)<br>No Permit         | The company has a history of violations which include nuisance (dust) conditions. The file on this company was referred to the Attorney General's Office on January 31, 1986. The Attorney General's Office filed suit against the wrong company. The lawsuit was refiled on September 24, 1987. The deposition of the owner of the company was taken on November 11, 1987. It is projected that the lawsuit can be resolved within 2 months if an agreed settlement is reached. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011827

DPMC-08204

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                                       | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                        | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|-----------------------------------------------------------------------------|---------------------|----------------------|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Permian Chemical Company,<br>Incorporated<br>Odessa/Ector County            | Fertilizer Plant    | 10/22/85             | Permit Representations<br>Permit Conditions<br>Nuisance (Acid Emissions) | The file on this company was referred to the Attorney General's Office on October 22, 1985 for violations occurring prior to September 1, 1985. Additional violations were forwarded on January 29, 1987 for inclusion in the lawsuit. The lawsuit is not expected to reach agreed settlement. An agreed temporary injunction was signed by the company and sent to the Court on June 22, 1987. It requires compliance with Sections 3.27(a) and 4.01(a) of the Act and Rules 101.7 and 111.21. Trial on the merits was continued indefinitely and a modified temporary injunction was entered on October 13, 1987 requiring the company to cease production until further order of the court. The company has filed an appeal from the October 13 Order with the Court of Civil Appeals. |
| 7<br>and<br>5  | Cuyahoga Wrecking<br>Corporation<br>Galveston County<br>San Patricio County | Asbestos Contractor | 07/30/86             | NESHAP (Asbestos)                                                        | The file on this company was referred to the Attorney General's Office on May 8, 1987. The company conducted asbestos removal projects at Amoco Production Company (Galveston County) and Sun Exploration (San Patricio County) in violation of the NESHAP-Asbestos standards. The company has filed for bankruptcy. It is projected that the lawsuit can be resolved within 2 months if an agreed settlement is reached.                                                                                                                                                                                                                                                                                                                                                                 |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011828

DPMC-08205

Table 3  
VIOLATIONSSince September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                      | TYPE OF FACILITY                           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                             | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|----------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | La Porte Chemicals<br>Corporation,<br>Diamond Shamrock Corporation,<br>Diamond Shamrock Plastics<br>Corporation<br>Deer Park/Harris County | Vinyl Chloride<br>Monomer Production       | 01/28/86             | NESHAP (Vinyl Chloride)<br>Permit Conditions  | On June 2, 1986, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. Additional violations have been periodically referred to the Attorney General's Office for inclusion in the lawsuit. On October 7, 1987, an agreed final judgment was entered assessing a penalty of \$120,000.00 and attorney's fees of \$5,000.00 against La Porte Chemicals. A settlement with Diamond Shamrock has been reached; an agreed final judgment is being prepared. |
| 7              | Tenneco Polymers,<br>Incorporated<br>Pasadena/Harris County                                                                                | Chemical Manufacturing<br>(Vinyl Chloride) | 10/24/85             | NESHAP (Vinyl Chloride)<br>Permit Conditions  | On December 31, 1985, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. The company sold its vinyl chloride plant in April, 1986. Further settlement negotiations took place on July 1, 1987. A tentative settlement was reached on July 1, 1987. An agreed final judgment is being drafted.                                                                                                                                                        |
| 7              | Texas City Refining,<br>Incorporated<br>Texas City/Galveston County                                                                        | Refinery                                   | 06/26/86             | Permit Provisions<br>NSPS (High Sulfur Crude) | The file on this company was referred to the Attorney General's Office on July 12, 1983. Subsequent violations have been periodically forwarded to the Attorney General's Office for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached.                                                                                                                                                                                                  |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011829

DPMC-08206

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                              | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                      | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|--------------------------------------------------------------------|------------------------|----------------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Union Carbide Corporation<br>Texas City/Galveston County           | Chemical Manufacturing | 02/16/86             | NESHAP (Vinyl Chloride<br>and Benzene) | The file on this company was referred to the Attorney General's Office on March 18, 1986. Additional violations have been periodically included in the lawsuit. The company has signed and returned the proposed final judgment with a check for civil penalties. On November 23, 1987, an agreed final judgment was entered assessing a penalty of \$38,500.00 and attorney's fees and investigative costs of \$5,000.00.                                                                                                                                                                                                                                                                        |
| 8              | Brandywilde Development<br>Corporation<br>Valley View/Cooke County | Rock Crushing Plant    | 09/18/85             | Permit Conditions                      | The company has a history of violations beginning in 1983 when it constructed without a Board permit. The file on this company was referred to the Attorney General's Office on February 4, 1986. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached. An agreed judgment was mailed to the defendant for signature in early February by certified mail but was apparently lost in the mail. Another agreed judgment was mailed to the defendant on March 16, 1987. Settlement negotiations have not achieved an agreement. Interrogatories were sent to the company and answered in June, 1987. The company is no longer operating at the site. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011830

DPMC-08207

Table 3  
 VIOLATIONS  
 Since September 1, 1985  
 (Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                  | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------------|------------------|----------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Willie Grant<br>Tarrant County                                    | Individual       | 02/21/86             | Outdoor Burning<br>Court Order                                     | A judgment was entered against this individual on May 31, 1985 prohibiting future violations of Regulation 1. An additional violation of unauthorized burning has since been documented. The file was referred to the Attorney General's Office on May 15, 1986. It is projected that this contempt action cannot be resolved by agreement.                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 10             | Great Lakes Carbon<br>Corporation<br>Port Arthur/Jefferson County | Carbon Plant     | 09/27/85             | Opacity<br>Excessive Particulate<br>Emissions<br>Permit Conditions | The file on this company was referred to the Attorney General's Office on September 27, 1985 for violation occurring prior to September 1, 1985. Subsequent violations were forwarded to the Attorney General for inclusion in the lawsuit. Sampling is needed before injunctive relief can be drafted. The strike at the plant has recently ended. Resampling was conducted on March 9, 1987. The resampling indicated continuing violations which were forwarded to the Attorney General on June 18, 1987. A settlement meeting was held with the company on November 5, 1987. A follow up meeting is scheduled for December 17, 1987 to discuss a possible compliance plan. It is projected that this lawsuit can be resolved within 6 months if an agreed settlement is reached. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011831

DPMC-08208

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                           | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Department of Defense,<br>U. S. Army<br>Matyear Construction Company<br>Pioneer Sheet Metal Works,<br>Incorporated<br>Fort Bliss/El Paso County | Building Renovation | 09/17/85             | NESHAP<br>(Asbestos Removal) | The file on the Army and the two companies was referred to the Attorney General's Office on April / 1986 for legal action because of the hazardous substance involved. On July 17, 1987, an agreed final judgment was entered by the court resolving the violations against Matyear and Pioneer. Civil penalties of \$5,000.00 were assessed and the companies were prohibitively enjoined from violating Rule 101.20(2) in the future. Notice of Intent to sue the Department of Defense is being drafted. The lawsuit against the Department of Defense will be filed in Federal court. It is not projected that the suit can be resolved through an agreed settlement. An additional violation was referred to the Attorney General's Office on November 9, 1987 for inclusion in the lawsuit. |
| 12             | Dallas Demolition and<br>Excavating Company<br>Tyler/Smith County                                                                               | Building Demolition | 09/16/85             | NESHAP<br>(Asbestos Removal) | The excavating company was in the process of readying a building for implosion without proper notification and handling of asbestos. This lawsuit is not expected to reach agreed settlement. Interrogatories were sent to the company in June, 1987 and answers to interrogatories were received on June 20, 1987.                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011832

DPMC-08209

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                 | TYPE OF FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION                           | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|---------------------------------------------------------------------------------------|---------------------------|----------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Poly Cycle Industries,<br>Incorporated<br>Tecula/Cherokee County                      | Battery Case<br>Recycling | 02/19/86             | Permit Conditions<br>Permit Representations | Poor maintenance and cleaning practices at the company's battery case recycling facility have resulted in high lead concentrations in the soil near the grinding process. Additional samples taken confirmed the high lead levels in the soil. The file on this company was referred to the Attorney General's Office on October 22, 1986. Settlement negotiations took place in March, 1987. Another settlement meeting was held on July 1, 1987. It is projected that this lawsuit can be resolved within 3 months if an agreed settlement is reached. A proposed closure plan has been submitted to the agency for review of clean-up plans. |
| 12<br>and<br>3 | Southwest Railroad<br>Car Parts<br>Jacksonville/Cherokee County<br>Jewett/Leon County | Railcar Salvage           | 03/18/86             | Outdoor Burning<br>Nuisance (Smoke)         | The file on this company was referred to the Attorney General's Office on July 12, 1985 for violations occurring prior to September 1, 1985 at two different sites. Subsequent violations have been forwarded to the Attorney General for inclusion in the lawsuit. Since the defendant's attorney is a state legislator, settlement may not be possible until the fall of 1987. The Attorney General has requested a settlement meeting with the company in November or December, 1987.                                                                                                                                                        |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011833

DFMC-08210

Table 3  
 VIOLATIONS  
 Since September 1, 1985  
 (Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                        | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT*                                                                                                                                                                                                                                                                                                                                                     |
|----------------|----------------------------------------------|------------------|----------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Texas Basic Resources<br>Overton/Rusk County | Grain Transfer   | 04/04/86             | No Permit<br>Nuisance (Dust) | The file on this company was referred to the Attorney General's Office on March 6, 1987 for constructing and operating a grain transfer facility without a Board permit. It is projected that this lawsuit can be resolved within 9 months if an agreement is reached. The lawsuit was filed on June 17, 1987 and the defendant was served on June 29, 1987. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011834

DPMC-08211

Table 4  
VIOLATIONS  
On Small Sources With No Permit

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                                                | TYPE OF FACILITY                    | NOTIFICATION<br>DATE |
|--------|----------------------------------------------------------------------|-------------------------------------|----------------------|
| 1      | Bethania Regional Health Care Center<br>Wichita Falls/Wichita County | Incinerator                         | 07/27/87             |
| 7      | Intermedics, Incorporated<br>Brazoria County                         | Medical Equipment                   | 06/24/87             |
| 7      | K T Bolt and Galvanizing<br>Katy/Harris County                       | Galvanized Bolts                    | 09/26/87             |
| 7      | Packaging Service Company, Incorporated<br>Harris County             | Repackaging Chemicals and Solvents  | 07/26/87             |
| 8      | Augat Elfab<br>Lewisville/Denton County                              | Printed Circuit Board Manufacturing | 06/23/87             |
| 8      | BASF Corporation<br>Carrollton/Dallas County                         | Urethane Blending Plant             | 07/31/87             |
| 9      | De Los Santos Ready Mix<br>Eagle Pass/Maverick County                | Ready Mix Concrete                  | 04/22/87             |

LAM 011835

DPMC-08212

Table 4  
VIOLATIONS  
On Small Sources With No Permit

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE                                             | TYPE OF FACILITY | NOTIFICATION |
|--------|----------------------------------------------------|------------------|--------------|
|        | CITY/COUNTY                                        |                  | DATE         |
| 9      | Ray Ellison Industries<br>San Antonio/Bexar County | Cultured Marble  | 06/08/87     |
| 11     | Horizon Retread Center<br>El Paso/El Paso County   | Tire Retreading  | 08/03/87     |

LAM 011836

DPMC-08213

## ADMINISTRATIVE PENALTIES AND ORDERS OF THE TEXAS AIR CONTROL BOARD

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                                   | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                                           | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                     |
|------------------|-------------------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-11(a)         | Augat Elfab<br>1097 Yates<br>Lewisville, TX                                         | 12/18/87            |                                                                 | Construction and operation of a board<br>manufacturing facility without a permit                                                                                                                      |
| 87-11(b)         | Bethania Regional Health<br>Care Center<br>1600 11th Street<br>Wichita Falls, TX    | 12/18/87            | \$325 if sub-<br>stantial addi-<br>tional controls<br>necessary | Construction of a hospital pathological<br>incinerator without a permit                                                                                                                               |
| 87-11(c)         | Coastal Refining and<br>Marketing, Inc.<br>1300 Cantwell Lane<br>Corpus Christi, TX | 12/18/87            |                                                                 | Excessive odor emissions from a coker<br>unit/Continued implementation of interim<br>compliance plan, implementation of the<br>Delayed Coker Blowdown Vapor Control<br>Procedure, records maintenance |
| 87-11(d)         | Elcor Corporation<br>Culberson County, TX                                           | 12/18/87            |                                                                 | Violation of NESHAP established for<br>asbestos/Compliance by properly disposing<br>of asbestos-containing materials                                                                                  |
| 87-11(e)         | Falcon Associates<br>Travis County, TX                                              | 12/18/87            | \$4,000                                                         | Violation of NESHAP established for<br>asbestos                                                                                                                                                       |
| 87-11(f)         | Fusion, Inc.<br>6911 Fulton<br>Houston, TX                                          | 12/18/87            | \$750                                                           | Construction and operation of two chrome<br>plating tanks without a permit                                                                                                                            |
| 87-11(g)         | Highland Mall Joint<br>Venture<br>Travis County, TX                                 | 12/18/87            | \$4,000                                                         | Violation of NESHAP established for<br>asbestos                                                                                                                                                       |

MH001AK/155E01

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LAM 011837

DPMC-08214

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                 | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                   |
|------------------|------------------------------------------------------------------|---------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-11(h)         | Larry Jones, Inc.<br>7900 Valcasi<br>Arlington, TX               | 12/18/87            | \$1,500 over a<br>six-month<br>period | Construction and operation of a<br>woodworking facility without a permit                                                                                                                                                            |
| 87-11(i)         | Lattimore Materials Co.<br>3033 Spencer Street<br>Greenville, TX | 12/18/87            | \$2,900                               | Violation of special provisions of permit                                                                                                                                                                                           |
| 87-11(j)         | Leigh Brothers Coating<br>2720 West 81st<br>Odessa, TX           | 12/18/87            | \$2,000 over a<br>six-month<br>period | Outdoor sandblasting in violation of<br>special permit                                                                                                                                                                              |
| 87-11(k)         | Prengher Iron & Metals Co.<br>Henderson County, TX               | 12/18/87            | \$1,000                               | Outdoor burning of wire insulation,<br>various plastics, cable wire and debris/<br>Implementation of fire prevention<br>procedures                                                                                                  |
| 87-11(l)         | Rushing Paving Co., Inc.<br>6102 Theresa Drive<br>Sherman, TX    | 12/18/87            | \$2,000                               | Exceedance of 20% opacity limit for<br>visible emissions and failure to comply<br>with special provision of permit/<br>Cessation of operation of plant pending<br>development and implementation of<br>effective abatement measures |

MH001AK/155E01

-2-

LAM 011838

DPMC-08215

AGENDA ITEM VI

ENFORCEMENT REPORT

November 1987

Introduction

In accordance with the amended Texas Clean Air Act (Act), this report has been prepared and describes the status of enforcement actions initiated by the agency. Recommendations for Board Orders with administrative penalties are included on the agenda and are reflected in this report.

Enforcement Summary

From September 1, 1985 effective date of the amended Act, through August 31, 1986, Notices of Violation were issued to 1,304 companies, individuals or governmental agencies. From September 1, 1986 through August 31, 1987, Notices of Violation were issued to 1,193 companies, individuals or governmental agencies. Of these violations, 2,184 have been resolved. A total of 117 violation situations currently remain unresolved for more than 30 days and will require formal enforcement action. Specific details for each of the unresolved situations are contained in the attached Tables. Table 4 contains a listing of 14 companies in violation which constructed small facilities without a Board permit or exemption and for which Board Orders without administrative penalties are being developed or recommended. The cases for which Board Orders were approved at the September Board meeting have been removed from the report.

The following summarizes administrative penalty actions by the Board since September 1, 1987.

Agreed Administrative Board Orders Entered: 17  
Total of Administrative Penalties Assessed: \$29,400.00

The following summarizes legal actions resolved through court orders entered since September 1, 1987.

Cases Settled by Attorney General: 2  
Total Civil Penalties Assessed: \$85,000.00

Administrative Penalty Orders

Pursuant to Sections 3.20 and 4.041 of the Act and in accordance with the Guidelines for Assessing Administrative Penalties, the staff will be presenting the Board Orders that have been finalized with the companies for consideration and action by the Board. Although Table 2 includes brief reference to those situations for which penalties are being recommended, these cases will be considered separately during the Board meeting.

LAM 011839

DPMC-08216

Table 1  
VIOLATIONS  
From the September Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                 | TYPE OF FACILITY            | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                          | COMMENT                                                                                                                                                                                                                                                                                                                |
|----------------|-----------------------------------------------------------------------|-----------------------------|----------------------|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2              | Mix Electric Company<br>Lubbock/Lubbock County                        | Transformer Repair          | 04/17/87             | Nuisance (Odor)                                            | The transformer repair facility was cited for nuisance odors from the burnout oven and the painting operation. A formal enforcement conference was held on July 7, 1987. Since no additional violations have been confirmed and the company appears to be operating in compliance, this matter is considered resolved. |
| 7              | Acme Brick Company<br>Sealy/Austin County                             | Brick Manufacturing         | 07/12/87             | Permit Conditions<br>Regulation III<br>(Hydrogen Fluoride) | Stack sampling results indicated that hydrogen fluoride emissions exceeded the permit allowable. A formal enforcement conference was held on August 10, 1987. The violation was resolved with a permit amendment on September 14, 1987 and no additional control equipment was required.                               |
| 7              | Ash Lake Sand and Gravel,<br>Incorporated<br>Spring/Montgomery County | Soil Stabilization<br>Plant | 05/24/87             | Exemption Conditions                                       | The company constructed and continued to operate a soil stabilization facility without a Board permit. The matter was initially considered for a Board Order; however, an additional review by the Legal Division concluded a Standard Exemption was applicable, and the matter is resolved.                           |
| 7              | Asphalt for Roofing<br>Dayton/Liberty County                          | Roofing Asphalt             | 07/06/87             | Permit Conditions<br>Permit Representations<br>NSPS*       | The company was found in violation of NSPS and permit provisions at the asphalt blowing facility. A formal enforcement conference was held on July 13, 1987. Additional sampling conducted indicated the facility was operating in compliance. The Regional Director considers the matter resolved.                    |

\*New Source Performance Standards

LAM 011840

DPMC-08217

Table 1  
VIOLATIONS  
From the September Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|------------------------------------------------------------------|--------------------------------|----------------------|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Intercontinental Terminals<br>Company<br>Deer Park/Harris County | Storage Terminal               | 07/22/87             | NESHAP **(Benzene) | The company was using an unauthorized gas for calibrating its leak detection instruments. The substitution is not allowed under the NESHAP-Benzene regulation. The company has requested authorization from EPA to use the gas. This matter is considered clerical and resolved for this report.                                                                                                  |
| 7              | Simpson Paper Company<br>Pasadena/Harris County                  | Paper Manufacture              | 06/14/87             | Court Order        | The paper mill was operating in violation of the Court Order with regard to total reduced sulfur emissions. A formal enforcement conference was held on July 21, 1987. Since the Court Order cited was issued to the prior owner, a legal viability was requested in this matter. The Legal Division determined that it is inappropriate to enforce the Court Order issued to the previous owner. |
| 8              | Burnus Foods<br>Sanger/Denton County                             | Grocery Store<br>(Incinerator) | 07/06/87             | Permit Conditions  | The company was observed operating its incinerator without the afterburner in service in violation of the conditions of the permit exemption. The facility was reinspected and found in compliance. The Regional Director considers the matter resolved.                                                                                                                                          |
| 8              | Hardcast, Incorporated<br>Wylie/Collin County                    | Adhesives and Sealants         | 05/12/87             | No Permit          | The company constructed and operated the facility without a Board permit. The facility has been sold to the Carbide Corporation and shut down. The Regional Director considers the matter resolved with regard to Hardcast, Incorporated. An inspection is scheduled to confirm the compliance status of the owner.                                                                               |

\*\*National Emission Standards for Hazardous Air Pollutants

LAM 011841

DPMC-08218

Table 1  
VIOLATIONS  
From the September Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                  | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|------------------------------------------------------------------------|--------------------------------|----------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Research Polymers<br>International<br>Grand Prairie/<br>Tarrant County | Plastics Material<br>Compounds | 06/14/87             | Permit Provisions | The company added manufacturing processes to the facility without amending its permit. Since additional controls are not required and a permit amendment is under review, the matter is considered resolved.                                                                                                                                                                                                                                                                      |
| 8              | Source Lumber Systems<br>International<br>Joshua/Johnson County        | Woodworking                    | 06/28/87             | No Permit         | The company relocated its facility without permit authorization. The operation has ceased and the Regional Director considers the matter resolved.                                                                                                                                                                                                                                                                                                                                |
| 8              | USA 1<br>Dallas/Dallas County                                          | Fiberglass Products            | 07/12/87             | Permit Conditions | The company constructed the fiberglass products manufacturing facility without a permit. A reinspection found the facility had been sold and was shut down. The Regional Director considers the matter resolved.                                                                                                                                                                                                                                                                  |
| 9              | Westex Aromatics,<br>Incorporated<br>Leakey/Real County                | Cedarwood Distillery           | 04/04/87             | Opacity           | The company was cited for excessive opacity from the boiler stack. Firebox changes were made in an attempt to improve combustion but this was unsuccessful. On July 27, 1987, the company notified us of change in management and committed to providing a compliance plan with specific remedies in the near future. A recent fire has caused the plant to cease operation for the interim. The matter is considered resolved providing the facility is restarted in compliance. |

LAM 011842

DPMC-08219

Table 1  
VIOLATIONS  
From the September Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                          | TYPE OF FACILITY                                                           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                       | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9              | U S Brick, Incorporated<br>Elmendorf/Bexar County                              | Brick Manufacturing                                                        | 04/06/87             | Permit Conditions<br>Fluoride Emissions | The company was cited for exceeding the permit allowable for emissions of fluorides. The company contended the violation was invalid which delayed the submittal of an acceptable compliance plan. A formal enforcement conference was held on July 21, 1987. The Legal Division is evaluating the company's position as outlined in its August 10, 1987 letter. Since this matter is expected to be resolved with a permit amendment requiring no additional control equipment, the issues are considered clerical and resolved for this report. |
| 10             | Texaco Refining and<br>Marketing, Incorporated<br>Port Arthur/Jefferson County | Petroleum Refining                                                         | 07/01/87             | Permit Conditions<br>NSPS               | The company was cited for failure to conduct performance tests on two process units as required by the NSPS rules and permit conditions. A company request for waiver of the requirement for performance testing has been evaluated and a recommendation will be forwarded to EPA asking that a waiver be granted. If the initial review indicates a waiver can be granted, this matter will be resolved for this report.                                                                                                                         |
| 12             | Trinity Industries<br>Longview/Gregg County                                    | Steel Fabrication<br>(Hopper Cars)<br>(Sandblasting and<br>Spray Painting) | 10/28/86             | No Permit                               | The company started construction on a spray painting facility without a Board permit. A permit and a permit amendment have since been issued to the company and the matter is considered resolved.                                                                                                                                                                                                                                                                                                                                                |

LAM 011843

DPMC-08220

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|------------------------------------------------------------------|---------------------|----------------------|----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | K G Gas Processors, Ltd.<br>Winters/Runnels County               | Gas Processing      | 07/05/87             | Permit Conditions<br>NSPS                                                  | The company failed to submit the emission reports required by NSPS on gas processing facilities. A Board Order with an agreed administrative penalty of \$500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                                     |
| 2              | Amarillo By-Products<br>Amarillo/Potter County                   | Rendering Plant     | 09/08/86             | Nuisance (Odor)<br>Permit Conditions<br>No Permit<br>Maintenance Reporting | The company installed a larger capacity cooker without a Board permit. Odors from unprocessed material stored outdoors while the cooker was being replaced created nuisance conditions for the area. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$13,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 2              | American Demolition,<br>Incorporated<br>Borger/Hutchinson County | Asbestos Contractor | 12/16/86             | NESHAP (Asbestos)                                                          | The company was cited for improper removal of asbestos at the Phillips Chemical Company facility at Borger. A formal enforcement conference was held on April 22, 1987. A Board Order with an administrative penalty has been proposed to the company. The company has submitted additional information regarding the actual dates of violation which is being reviewed by the Legal Division.                                                               |

LAM 011844

DPMC-08221

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                               | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|-----------------------------------------------------|------------------------|----------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2              | Perryton Equity Exchange<br>Claude/Armstrong County | Grain Storage          | 05/07/87             | No Permit         | The company constructed and continues to operate a grain elevator without a Board permit. A Board Order with an agreed administrative penalty of \$3,175.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2              | Phillips 66 Company<br>Borger/Hutchinson County     | Chemical Manufacturing | 12/16/86             | NESHAP (Asbestos) | The company was cited for improper removal of asbestos during the dismantling of buildings and equipment at the chemical manufacturing facility. The job was contracted to American Demolition, Incorporated. Additional samples were taken from a second location on the property and tested positive for asbestos. The Regional Director has recommended that the violations at both sites on the Borger facility be addressed with a single Board Order with an administrative penalty. A Board Order with an agreed administrative penalty of \$175,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 2              | Texaco U.S.A.<br>Kingsmill Plant<br>Gray County     | Gas Processing         | 06/22/87             | NESHAP (Asbestos) | The company had loose asbestos on the ground in an area where asbestos demolition had occurred. A formal enforcement conference was held on September 2, 1987. The Regional Director has recommended a Board Order with an administrative penalty; however, an additional analysis of the asbestos samples is being conducted prior to proceeding with development of a Board Order.                                                                                                                                                                                                                                                                                                   |

LAM 011845

DPMC-08222

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                               | TYPE OF FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------|---------------------------------------------------------------------|---------------------------|----------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Classic Marble Company<br>Austin/Travis County                      | Cultured Marble           | 07/18/87             | No Permit                    | The company constructed a cultured marble facility without a Board permit. Because the company had prior knowledge of the permit requirements, the Regional Director has recommended a Board Order with an administrative penalty. A Board Order with an agreed administrative penalty of \$800.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 3              | Henry Whited<br>Austin/Travis County                                | Copper Wire Recycling     | 07/01/87             | Outdoor Burning              | The individual was cited for unauthorized outdoor burning of insulation from copper wire. A Board Order with an agreed administrative penalty of \$250.00 will be presented to the Board for adoption if the Order is finalized with the individual prior to the Board meeting date.                                                                                                                                       |
| 3              | Pharaoh and Associates,<br>Incorporated<br>Burton/Washington County | Oil and Gas<br>Production | 06/15/87             | Nuisance (Odor)<br>No Permit | The company was cited for nuisance odors from the unauthorized venting at a gas well. A formal enforcement conference was held on July 20, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                                            |

LAM 011846

DPMC-08223

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                      | TYPE OF FACILITY              | NOTIFICATION<br>DATE | TYPE OF VIOLATION                               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|------------------------------------------------------------|-------------------------------|----------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Pias Clad, Incorporated<br>Temple/Bell County              | Wood Products                 | 08/13/87             | Nuisance (Sawdust)                              | The company was cited for nuisance sawdust condition created by defective air pollution control equipment (cyclone). A formal enforcement conference was held on September 24, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                                                                                                 |
| 3              | Southwest Railroad Car<br>Parts<br>Jewett/Leon County      | Metal and Wood<br>Salvage     | 05/03/87             | Permit Conditions<br>Opacity<br>Outdoor Burning | The company was cited for outdoor burning, excessive visible emissions and for failure to comply with the Board permit exemption conditions at its railcar incineration operation. A formal enforcement conference was held on August 20, 1987. Process changes and modifications were developed and implemented to bring the facility into compliance on the opacity and the permit conditions. A follow-up investigation is scheduled to confirm the compliance status. The outdoor burning violation is being forwarded to the Attorney General's Office for inclusion in an existing lawsuit. |
| 3              | Structural Metals,<br>Incorporated<br>Austin/Travis County | Painting Metal Fence<br>Posts | 07/14/87             | No Permit                                       | The company constructed a fence painting facility without a Board permit. A formal enforcement conference was held on September 23, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                                                                                                                                                                                                                                          |

LAM 011847

DPMC-08224

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                          | TYPE OF FACILITY                    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                   | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|--------------------------------------------------------------------------------|-------------------------------------|----------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4              | Anglo Iron and Metal<br>Company, Incorporated<br>Harlingen/Cameron County      | Scrap Metal Shredding               | 08/26/87             | Outdoor Burning<br>Nuisance (Smoke) | The company was conducting outdoor burning of debris and created a nuisance smoke condition. A formal enforcement conference was held on October 9, 1987. The Regional Director will complete a review of the company's compliance plan prior to submitting a recommendation for appropriate enforcement action.                                                                                                                                                                    |
| 5              | Amerada Hess Corporation<br>Corpus Christi/Nueces County                       | Oil Refinery<br>(Closed)            | 06/23/87             | NESHAP (Asbestos)                   | The company was cited for improper removal of asbestos insulation during demolition of the oil refinery. A formal enforcement conference was held on June 30, 1987. A Board Order with an agreed administrative penalty of \$7,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                       |
| 5              | American Chrome and<br>Chemicals, Incorporated<br>Corpus Christi/Nueces County | Chromium Chemicals<br>Manufacturing | 07/11/87             | Opacity                             | The company was cited for excessive opacity from the chrome hearth stack. A formal enforcement conference was held on August 3, 1987. The company submitted a proposal to install a baghouse to reduce emissions from the hearth. The Regional Director had recommended a Board Order with an administrative penalty. Subsequently, the company requested additional time to further evaluate its abatement plan to insure adequacy. A proposed Board Order is now being finalized. |

LAM 011848

144C-08225

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                                                               | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|-----------------------------------------------------------------------------------------------------|------------------------------|----------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5              | Formosa Plastics<br>Corporation Texas<br>Point Comfort/Calhoun County                               | Plastics Manufacture         | 06/14/87             | NESHAP (Vinyl Chloride)        | The company was cited for a relief valve release of vinyl chloride. A formal enforcement conference was held on July 7, 1987. At the company's request, the violation circumstances were reevaluated. A Board Order with an agreed administrative penalty of \$2,700.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                              |
| 5              | Kaspar Wire Works,<br>Incorporated<br>Shiner/Lavaca County                                          | Fabricated Metal<br>Products | 08/04/87             | Permit Conditions<br>No Permit | The company was cited for an increase in production without obtaining a permit amendment. A formal enforcement conference was held on September 10, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                       |
| 5              | Universal Tubular Services<br>Incorporated<br>aka ICO, Incorporated<br>Corpus Christi/Nueces County | Pipe Facility                | 03/11/87             | No Permit                      | The company was cited for increasing production without a Board permit. A formal enforcement conference was held on March 20, 1987. The company will provide additional information on the proposed abatement equipment and has requested that the penalty amount be reconsidered. A Board Order with an agreed administrative penalty of \$3,800.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011849

DPMC-08226

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                         | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|-------------------------------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Champion Chemicals,<br>Incorporated<br>Odessa/Ector County                    | General Chemicals              | 03/04/87             | Nuisance (Odors)<br>Board Order                          | The company was cited for nuisance odors and non-compliance with Board Order No. 86-114(d). The company had refused to accept the Board Order and administrative penalty which was proposed. However, the company has employed a consultant to develop an effective compliance plan. During a conference held on October 7, 1987, the company proposed the modeling of four substances handled by the plant for downwind nuisance potential. A settlement will be negotiated after the plan has been submitted and approved. |
| 6              | Farmland Industries,<br>Incorporated<br>Irion County and<br>Schleicher County | Natural Gas Processing         | 07/27/87             | No Permit                                                | The company was cited for adding and modifying equipment at each of three plant sites without obtaining a permit or permit amendments. The violations were self-reported. A formal enforcement conference was held on August 11, 1987. A Board Order with an agreed administrative penalty of \$4,250.00 will be presented to the Board for adoption. If the Order is finalized with the company prior to the Board meeting date.                                                                                            |
| 6              | Leigh Brothers Coatings<br>Odessa/Ector County                                | Oilfield Equipment<br>Coatings | 08/05/87             | No Permit<br>Permit Conditions<br>Permit Representations | The company was cited for conducting sandblasting outdoors instead of in a building as required by the special permit. A formal enforcement conference was held on August 13, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                             |

LAM 011850

DPMC-08227

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                  | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                     | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|--------------------------------------------------------|--------------------------------|----------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Neleh Gas Systems<br>McCombs/Crockett County           | Gas Processing                 | 09/05/87             | No Permit<br>Permit Conditions        | The company was cited for a modification of its production process that resulted in a significant increase in emissions of sulfur dioxide. A formal enforcement conference was held on October 7, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                         |
| 7              | Alonzo's Concrete Company<br>Pasadena/Harris County    | Concrete Batch Plant           | 05/31/87             | No Permit                             | The company constructed and continues to operate a concrete batch facility without a Board permit. A Board Order with an agreed administrative penalty of \$500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                                                                                                   |
| 7              | Amoco Chemicals Company<br>Texas City/Galveston County | Petrochemical<br>Manufacturing | 04/14/86             | Permit Conditions<br>NESHAP (Benzene) | The company reported that 2,400 pounds of benzene were released through a defective relief valve. The company claimed its process was not subject to the NESHAP Benzene regulation. The matter was referred to the EPA. A recent determination from the EPA indicates the release is regulated under the benzene NESHAP standards. A Board Order with an agreed administrative penalty of \$9,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011851

DPMC-08228

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                              | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                               | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|----------------------------------------------------|--------------------------------|----------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Amoco Oil Company<br>Texas City/Galveston County   | Petroleum Refining             | 08/17/87             | NSPS (Performance Testing)<br>Permit Conditions | The company was found operating in violation of the NSPS monitoring requirements for carbon monoxide with regard to the operation of the fluid catalytic cracking unit. A formal enforcement conference was held on September 10, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                   |
| 7              | ARCO Chemical Company<br>Channelview/Harris County | Chemical Plant                 | 08/08/87             | MESHAP (Benzene)                                | The company was found in violation of several MESHAP benzene fugitive emission control provisions. A formal enforcement conference was held on September 14, 1987. The company failed to install and maintain a flame sensing device on the plant flare in benzene service as required by the MESHAP benzene regulations. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 7              | Ashland Chemical Company<br>Houston/Harris County  | Petrochemical<br>Manufacturing | 05/17/87             | Permit Conditions                               | The company was operating a bulk chemical storage facility without the required emission controls. A formal enforcement conference was held on June 9, 1987. A Board Order with an agreed administrative penalty of \$4,200.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                 |

LAM 011852

DPMC-08229

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY                      | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------|---------------------------------------------------------------------------|---------------------------------------|----------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Crown Cork and Seal<br>Company, Incorporated<br>Galena Park/Harris County | Fabricated Metal<br>Products          | 02/26/87             | No Permit<br>NSPS | The company increased production and added additional capacity to its beverage can manufacturing facility without a Board permit and in violation of the Federal NSPS. The Legal Division completed a review of the matter for viability. The facility is currently shut down. The Board Order with an administrative penalty is being revised to reflect an accelerated compliance date.                                                             |
| 7              | D and R Metal Finishing<br>Houston/Harris County                          | Sandblasting,<br>Painting and Plating | 04/01/87             | No Permit         | The company constructed and continues to operate a metal finishing facility without a Board permit. Three attempts were made to deliver the violation letter before it was accepted. A formal enforcement conference was held on July 30, 1987. A Board Order with an administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                    |
| 7              | Doty Landfill<br>Houston/Harris County                                    | Landfill                              | 03/16/87             | Nuisance (Odors)  | The company operates a landfill which has been the subject of numerous citizen complaints. The file has been under review by the Director of Enforcement to determine the appropriate enforcement action. A Board Order with an administrative penalty has been proposed to the company. The company responded with a letter dated September 18, 1987 indicating additional information will be submitted and asked that the penalty be reconsidered. |

LAM 011853

DPMC-08230

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                   | TYPE OF FACILITY                    | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------------------|-------------------------------------|----------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Exxon Chemical Americas<br>Baytown/Harris County                        | Petrochemical<br>Manufacturing      | 08/29/87             | NESHAP (Benzene)  | The company failed to install and maintain flame sensing devices on the plant flares in benzene service as required by the NESHAP-Benzene regulations. A formal enforcement conference was held on September 21, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 7              | Fifty Four O One Oashwood,<br>Incorporated<br>Bellaire/Harris County    | Office Complex                      | 07/27/87             | NESHAP (Asbestos) | The company operated the building complex and was responsible for a renovation project in which asbestos was improperly removed. A Board Order with an administrative penalty has been proposed to the company; however, an additional analysis of the asbestos samples is being conducted before the Order is finalized.           |
| 7              | Fusion, Incorporated<br>Houston/Harris County                           | Chrome Plating                      | 08/26/87             | No Permit         | The company constructed and continues to operate a chrome plating facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an administrative penalty has been proposed to the company.                                                                                      |
| 7              | Gulf States Asphalt<br>Company, Incorporated<br>Deer Park/Harris County | Asphalt Products<br>(With Asbestos) | 07/26/87             | NESHAP (Asbestos) | The company was cited for visible emissions emanating from a process where asphalt containing asbestos is manufactured. The matter is under review in the Legal Division to determine the NESHAP applicability.                                                                                                                     |

LAM 011854

DPMC-08231

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|--------------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Monsanto Company<br>Alvin/Brazoria County                    | Petrochemical<br>Manufacturing | 08/10/87             | NESHAP (Benzene)                             | The company was found in violation of the NESHAP-<br>Benzene regulation regarding leak testing and cali-<br>bration of the leak test equipment. A formal enforce-<br>ment conference was held on September 28, 1987. The<br>Regional Director is reviewing the matter and will<br>submit a recommendation for appropriate enforcement<br>action.                                                                                                             |
| 7              | Occidental Chemical<br>Corporation<br>Pasadena/Harris County | PVC Manufacturing              | 03/04/87             | NESHAP (Vinyl Chloride)<br>Permit Conditions | The company reported a vinyl chloride release in<br>violation of the NESHAP regulations. A Board Order<br>with an agreed administrative penalty was to be<br>presented to the Board for adoption; however,<br>additional violations have been cited and will be<br>included in a revised Board Order.                                                                                                                                                        |
| 7              | Oishan Demolition<br>Houston/Harris County                   | Landfill                       | 03/16/87             | Nuisance (Odors)                             | The company operates a landfill which has been the<br>subject of numerous odor complaints. The file has<br>been under review by the Deputy Executive Director.<br>A Board Order with an administrative penalty has been<br>proposed to the company; however, the company has not<br>agreed to the penalty and negotiations are continu-<br>ing. Additional formal enforcement action will be<br>recommended if an agreed Board Order cannot be<br>developed. |

LAM 011855

DPMC-08232

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                   | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|-------------------------------------------------------------------------|---------------------|----------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Paktank Corporation<br>Deer Park/Harris County                          | Storage Terminal    | 07/15/87             | NESHAP (Benzene)<br>Board Order No. 86-114(1)<br>Permit Conditions | The company's terminal and storage facility were found to be in violation of permit conditions and NESHAP (Benzene) monitoring and recordkeeping requirements regarding pumps in benzene service. The company was also cited for violating a Board Order which requires compliance with NESHAP regulations. A formal enforcement conference was held on August 3, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 7              | Rigs R Us<br>Houston/Harris County                                      | Drilling Structures | 03/30/87             | No Permit                                                          | The company constructed and continues to operate a sandblasting and painting facility without a Board permit. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                                              |
| 7              | Shell Oil Company/<br>Shell Chemical Company<br>Deer Park/Harris County | Organic Chemicals   | 04/19/87             | NESHAP (Vinyl Chloride)                                            | The company reported vinyl chloride releases in violation of the NESHAP regulations. A formal enforcement conference was held on May 12, 1987. A Board Order with an agreed administrative penalty of \$6,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                             |

LAM 011856

DPMC-08233

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                       | TYPE OF FACILITY           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT                                                                                                                                                                                                                                                                                                                                                          |
|----------------|-----------------------------------------------------------------------------|----------------------------|----------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Shintech, Incorporated<br>Freeport/Brazoria County                          | Chemicals<br>Manufacturing | 07/08/87             | MESHAP (Vinyl Chloride)<br>Permit Conditions | The company reported a vinyl chloride release in violation of the MESHAP standard. A Board Order with an agreed administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                     |
| 7              | Texas Tx Marine<br>Transportation,<br>Incorporated<br>Houston/Harris County | Petroleum Coke<br>Terminal | 01/28/87             | Permit Representations<br>Permit Conditions  | The company was operating a coke storage and loading facility in a manner not authorized by the Board permit. Additional violations have been issued to the company and will be incorporated into a revised Board Order with an administrative penalty.                                                                                                          |
| 7              | Troy Pipe Supply,<br>Incorporated<br>Willis/Montgomery County               | Pipe Recycling             | 03/16/87             | No Permit                                    | The company constructed and continues to operate an oilfield pipe coating facility without a Board permit. A permit application has been received and is under review. A Board Order with an agreed administrative penalty of \$4,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 7              | United States Postal<br>Service<br>Bellair/Harris County                    | U. S. Post Office          | 07/27/87             | MESHAP (Asbestos)                            | The Postal Service owns an office complex which was the site of an improper asbestos renovation project. A Board Order with an administrative penalty has been proposed to the Postal Service; however an additional analysis of the asbestos samples is being conducted before the Order is finalized.                                                          |

LAM 011857

DPMC-08234

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                               | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                                | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Rollins Environmental<br>Services, Incorporated<br>Deer Park/Harris County          | Hazardous Waste<br>Incinerator | 09/29/87             | Upset Reporting<br>Permit Conditions<br>NSPS (Storage Tanks)<br>NESHAP (Benzene) | The company failed to properly report major upset conditions which resulted in fugitive emissions in violation of the conditions of the permit. In addition, there were violations of the NSPS regulation with regard to volatile organic compound storage facilities and of the NESHAP-Benzene leak detection and reporting requirements. A formal enforcement conference was held on October 13, 1987. A Board Order with an agreed administrative penalty of \$13,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 7              | W. R. Grace and Company<br>Deer Park/Harris County                                  | Petrochemical<br>Manufacturing | 06/30/87             | Permit Conditions                                                                | Stack sampling results indicate that the company's formaldehyde emissions exceed the permit allowable. The company has retested the process. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                                                                                                                                           |
| 7              | Wood Material<br>aka Barbee Enterprise,<br>Incorporated<br>Conroe/Montgomery County | Asphaltic Concrete<br>Plant    | 05/14/86             | Opacity<br>Permit Conditions<br>NSPS (Opacity)                                   | The company was found in violation of NSPS, opacity and permit conditions at the asphaltic concrete plant. Additional odor complaints have been received and a meeting was held with the company. A Board Order with an administrative penalty was proposed to the company; however, the company did not agree to the Board Order. The file is being prepared for referral to the Attorney General's Office for lawsuit.                                                                                                                                                                            |

LAM 011858

DPMC-08235

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY                          | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                               |
|----------------|------------------------------------------------------------------|-------------------------------------------|----------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Acme Bag Manufacturing,<br>Incorporated<br>Dallas/Dallas County  | Flexographic Printing                     | 04/29/87             | No Permit         | The company installed a printing press without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$1,925.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                 |
| 8              | Alcon Laboratories,<br>Incorporated<br>Fort Worth/Tarrant County | Pharmaceuticals/<br>Ophthalmic Medication | 05/13/87             | No Permit         | The company constructed and continues to operate five ethylene oxide sterilization units without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$475.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 8              | AMF Ben Hogan Company<br>Fort Worth/Tarrant County               | Golf Clubs and Balls<br>Manufacturing     | 05/04/87             | No Permit         | The company constructed and continues to operate a controlled pyrolysis furnace without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.          |

LAM 011859

DPMC-08236

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                        | TYPE OF FACILITY                               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                 | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------|------------------------------------------------------------------------------|------------------------------------------------|----------------------|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | City Wide Fuels<br>Distributors,<br>Incorporated<br>Southlake/Tarrant County | Gasoline Bulk<br>Terminal Blending<br>Facility | 09/19/87             | No Permit                         | The company constructed and continues to operate a gasoline terminal and blending facility without a Board permit. A permit application has been submitted and is under review. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                                                                                                                                                                        |
| 8              | Dext Company<br>Dallas/Dallas County                                         | Waste Food Processing                          | 03/10/87             | Permit Representations<br>Opacity | The company was cited for increasing the hours of operation in violation of permit representations. It appears however that this situation may be resolved through permit amendment which was submitted on March 31, 1987. A subsequent investigation on April 30, 1987 revealed excessive opacity from the dryer stack. Opacity levels have now been reduced as confirmed by inspection on July 29, 1987. The company hired a consultant to develop a compliance plan which has been submitted. The Director of Enforcement is reviewing the matter to determine the appropriate enforcement action. |
| 8              | DMS Refining, Incorporated<br>Dallas/Dallas County                           | Silver Recovery                                | 07/21/87             | No Permit                         | The company relocated its silver reclamation facility without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                                                                                                                                               |

LAM 011860

DPMC-08237

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                 | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION    | COMMENT                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|-------------------------------------------------------|------------------------------|----------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Farris Concrete Company<br>Melissa/Collin County      | Ready Mix Concrete<br>Plant  | 04/05/87             | Exemption Conditions | The company was cited for failure to install water sprinklers on aggregate stockpiles as required by the Standard Exemption. A Board Order with an agreed administrative penalty of \$500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                           |
| 8              | Flexible Foam Products<br>Terrell/Kaufman County      | Foam Rubber<br>Manufacturing | 05/05/87             | No Permit            | The company constructed and continues to operate a foam and carpet pad manufacturing facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$5,250.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                   |
| 8              | Larry Jones, Incorporated<br>Arlington/Tarrant County | Cabinet Shop                 | 12/12/85             | No Permit            | The company constructed a custom wooden cabinet manufacturing facility without a Board permit. A public hearing was held on May 26, 1987; however, no opposition attended. The Board Order on the contested case hearing was entered at the July 17, 1987 Board meeting and a permit was issued to the company. A Board Order with an administrative penalty has been proposed to the company. |

LAM 011861

DPMC-08238

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|--------------------------------------------------------------|---------------------------------|----------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Lattimore Materials Company<br>Greenville/Hunt County        | Wet Batch Concrete<br>Plant     | 07/06/87             | Permit Conditions              | The company was cited for several provisions of its permit including heavy dust emissions and inadequate abatement equipment. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                                                                                       |
| 8              | North Texas Aggregates,<br>Incorporated<br>Chico/Wise County | Portable Rock<br>Crushing Plant | 08/17/87             | Permit Exemption<br>Conditions | The company was cited for violation of the conditions of the exemptions which included the failure to keep in-plant roads watered and inadequate water sprays. The company initiated repairs on the water spray system and the violation was thought to be resolved. Subsequent investigation revealed that the water sprays were still inadequate. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 8              | Overwraps, Incorporated<br>Dallas/Dallas County              | Flexographic Printing           | 05/25/87             | No Permit                      | The company constructed and continues to operate a printing facility without a Board permit. A consultant has been hired to identify appropriate controls and prepare a permit application. A Board Order with an agreed administrative penalty of \$5,900.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                            |

LAM 011862

DPMC-08239

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY                  | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------|-------------------------------------------------------------------|-----------------------------------|----------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Pamarco, Incorporated<br>Dallas/Dallas County                     | Printing Press<br>Repair          | 06/14/87             | No Permit                    | The company constructed and continues to operate a printing press roller refurbishing facility without Board permit. The company has agreed to submit a permit application. Additional information has been requested from the company and will be reviewed to determine if the company qualifies as a small source.                                                                              |
| 8              | Presbyterian Hospital<br>Kaufman/Kaufman County                   | Pathological<br>Incinerator       | 04/11/87             | Exemption Conditions         | The hospital was cited for visible emissions from the incinerator in violation of the conditions of the Standard Exemption. A Board Order with an agreed administrative penalty of \$2,700.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                             |
| 8              | Rushing Paving Company,<br>Incorporated<br>Sherman/Grayson County | Asphaltic Concrete<br>Batch Plant | 08/30/87             | Opacity<br>Permit Conditions | The facility has a history of violations of opacity limits and permit conditions. It was again found to be in violation for excess opacity from the scrubber stack and dust emissions from in-plant traffic. The company has shut down the facility until corrections are completed. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

LAM 011863

DPMC-08240

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                 | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|-------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Southwest Meat Exchanger<br>Fort Worth/Tarrant County | Air Conditioning<br>Condensers | 08/17/87             | No Permit                                                | The company constructed and continues to operate a vapor degreaser without a Board permit. A permit application has been submitted and is under review. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                           |
| 9              | The Paks Corporation<br>Junction/Kimble County        | General Chemicals              | 06/01/87             | Nuisance (Sawdust)<br>Opacity                            | The company was cited for excessive opacity from the air pollution control equipment (cyclone) and for nuisance conditions created by burning sawdust. After a review of the company's compliance plan, the Regional Director will complete the recommendation for a Board Order with an administrative penalty.                                                                 |
| 9              | Powerwall, Incorporated<br>Poteet/Atascosa County     | Fiber Reinforced<br>Stucco     | 06/29/87             | No Permit                                                | The company constructed and continues to operate the facility without a Board permit. A formal enforcement conference was held on July 14, 1987. The development of a Board Order with an administrative penalty has been delayed due to the company owner being in the hospital and unable to submit the additional information on capital costs needed to complete the review. |
| 9              | Texarome, Incorporated<br>Leakey/Real County          | Cedar Oil Mill                 | 04/11/87             | Permit Representations<br>Excessive Visible<br>Emissions | The company was cited for not constructing the plant as represented in the permit application and for excessive visible emissions. A formal enforcement conference was held on April 28, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                    |

LAM 011864

DPMC-08241

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| IACB<br>REGION | SOURCE<br>CITY/COUNTY                                                  | TYPE OF FACILITY                      | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------------------------------------------------------------------|---------------------------------------|----------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9              | USG Industries,<br>Incorporated<br>New Braunfels/Comal County          | Limestone Quarry and<br>Lime Products | 06/25/87             | Permit Conditions | The company was cited for dust emissions from the<br>limestone unloading area. A formal enforcement con-<br>ference was held on June 30, 1987. A Board Order<br>presented to the Board for adoption if the Order<br>finalized with the company prior to the Board meeting<br>date.                                                                                                                                                                                                                          |
| 10             | American Petrofina<br>Pipeline Company<br>Port Arthur/Jefferson County | Bulk Hydrocarbon<br>Terminal          | 07/17/87             | Nuisance (Odors)  | The company was cited for creating nuisance (oil<br>conditions when a gasoline storage tank overfilled<br>and 1,600 barrels of gasoline were spilled. Air<br>health effects were confirmed. A satisfactory<br>compliance plan has been submitted to prevent future<br>incidents. A Board Order with an agreed admini-<br>strative penalty of \$6,000.00 will be presented to<br>the Board for adoption if the Order is finalized with<br>the company prior to the Board meeting date.                       |
| 10             | Bright Coop, Incorporated<br>Nacogdoches/Nacogdoches<br>County         | Wood Pallet<br>Manufacturing          | 07/21/86             | No Permit         | The company has increased its production rate and<br>added manufacturing equipment over the past sev-<br>eral years without permit authorization. A request<br>for permit amendment has been submitted and is under<br>review. The regional office staff has conducted<br>sampling to evaluate emissions from the source and<br>assist in the development of a control plan. A<br>Board Order with specific control requirements will be<br>developed when agreement is reached on the permit<br>amendment. |

LAM 011865

DPMC-08242

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                           | TYPE OF FACILITY   | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                  | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|-----------------------------------------------------------------|--------------------|----------------------|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10             | Chevron U.S.A.,<br>Incorporated<br>Port Arthur/Jefferson County | Petroleum Refining | 09/01/87             | Nuisance (Odors)<br>Adverse Health Impact          | Process upsets at the Chevron refinery caused excess emissions of uncombusted hydrocarbons and hydrogen sulfide which resulted in an air pollution episode, including nuisance conditions and adverse health impacts. Corrections were made at the time of the incident and an acceptable plan to prevent future occurrences of this nature has been submitted. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 10             | Chevron U.S.A.,<br>Incorporated<br>Beaumont/Jefferson County    | Petroleum Refining | 07/15/87             | Permit Conditions<br>Regulation V (VOC***)<br>NSPS | The company was cited for failure to conduct the annual inspections of secondary seals on the storage tanks and other violations of state and federal rule regarding secondary seals on petroleum storage tanks. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                |
| 10             | Temple Eastex, Incorporated<br>Pineland/Saline County           | Pine Plywood       | 04/20/87             | Permit Representations                             | The company exceeded the plywood production rate specified in permit provisions. The Regional Director has recommended a Board Order with an administrative penalty. The Director of Enforcement is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                                                    |

\*\*\*Volatile Organic Compounds

LAM 011866

DPMC-08243

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                       | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                          | COMMENT                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|-------------------------------------------------------------|--------------------------------|----------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Baltimore Spice Company<br>Westway/EI Paso County           | Processing/Packaging<br>Spices | 06/03/87             | No Permit                                  | The company was cited for construction and operation of an ethylene oxide sterilization unit without a Board permit. A permit application has been submitted and is under review. A Board Order with an administrative penalty has been proposed to the company. If the initial review indicates a waiver can be granted, this matter will be resolved for this report. |
| 11             | Carpenter Motors<br>EI Paso/EI Paso County                  | Used Car Sales                 | 08/08/87             | Regulation IV<br>(Motor Vehicle Tampering) | The company was cited for offering for sale, vehicles with inoperative emission control devices. A formal enforcement conference was held on September 23, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                           |
| 11             | Chaparral Motors,<br>Incorporated<br>EI Paso/EI Paso County | Used Car Sales                 | 08/22/87             | Regulation IV<br>(Motor Vehicle Tampering) | The company was cited for offering for sale, vehicles with inoperative emission control devices. A formal enforcement conference was held on October 7, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                              |

LAM 011867

DPMC-08244

Table 2  
 VIOLATIONS  
 Since September 1, 1985  
 (That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                         |
|----------------|-------------------------------------------------------------------|------------------------|----------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Department of Defense,<br>U. S. Army<br>Fort Bliss/El Paso County | Building Renovation    | 07/18/87             | NESHAP (Asbestos) | The Department of Defense was cited for improper removal of asbestos at the Fort Bliss facility. A formal enforcement conference is being scheduled. The Regional Director has recommended a Board Order with an administrative penalty which is being reviewed by the Legal Division and the Director of Enforcement.                                          |
| 11             | Elcor Corporation<br>Van Horn/Culberson County                    | Abandoned Sulfur Plant | 04/19/87             | NESHAP (Asbestos) | The company was cited for improper removal of asbestos during the dismantling of buildings and equipment at a closed sulfur production facility. formal enforcement conference was held on June 2, 1987. The compliance plan has been reviewed by the Texas Water Commission. A Board Order without an administrative penalty has been proposed to the company. |
| 11             | El Paso Refining Company,<br>Ltd.<br>El Paso/El Paso County       | Petroleum Refining     | 06/30/87             | Opacity           | The company was cited on two occasions for excessive visible emissions. A formal enforcement conference was held on August 18, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                               |

LAM 011868

DPMC-08245

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                    | TYPE OF FACILITY                        | NOTIFICATION<br>DATE | TYPE OF VIOLATION                      | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|----------------------------------------------------------|-----------------------------------------|----------------------|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Horizon Retread Center<br>El Paso/El Paso County         | Tire Retreading                         | 08/03/87             | No Permit                              | The company was cited for construction and operation of a tire retreading facility without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                         |
| 12             | Pabco Insulation<br>Tucker/Anderson County               | Fiberglass Insulation                   | 03/30/87             | Permit Conditions<br>NSPS (Monitoring) | The company was cited for excessive stack emissions above permit allowables on particulates, phenol and aldehydes. Corrective measures have been completed. A formal enforcement conference was held on August 25, 1987. The Regional Director is preparing a recommendation for formal enforcement action.                                                                                                  |
| 12             | Pilgrim's Pride Corporation<br>Mt. Pleasant/Titus County | Chicken Manure<br>Fertilizing Operation | 07/15/87             | Nuisance (Odors)                       | The company was cited for two instances of nuisance conditions (odors) from the spreading of chicken manure on a 120 acre tract near the community of Ripley. A formal enforcement conference was held on August 4, 1987. A Board Order with an administrative penalty of \$2,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011869

DPMC-08246

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| JACB<br>REGION | SOURCE<br>CITY/COUNTY                             | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                         |
|----------------|---------------------------------------------------|------------------|----------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Pregler Iron and Metal<br>Athens/Henderson County | Metal Salvage    | 09/04/87             | Outdoor Burning   | The company conducted outdoor burning of wire insulation, plastic pipe and debris. A formal enforcement conference was held on September 11, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

LAM 011870

DPMC-08247

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                          | TYPE OF FACILITY                                 | NOTIFICATION<br>DATE | TYPE OF VIOLATION                        | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|----------------------------------------------------------------|--------------------------------------------------|----------------------|------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Bean Hog Farm<br>Brownwood/Brown County                        | Confined Animal<br>Feedlot                       | 11/21/85             | Nuisance (Odors)<br>Board Order (85-12)  | The file on this company was referred to the Attorney General's Office on May 21, 1986. The company violated a Board Order issued in October, 1985 which required a reduction in the number of animals in the feedlot and prohibited the creation of any further nuisance conditions. It is projected that this lawsuit can be resolved within 2 months through agreed action.                                                                   |
| 2              | Texland Petroleum<br>Lubbock/Lubbock County                    | Petroleum Storage                                | 09/23/85             | No Permit<br>Nuisance (Odors)<br>Opacity | The file on this company was referred to the Attorney General's Office on December 17, 1985 for violation which occurred prior to September 1, 1985. Additional violations have been periodically referred to the Attorney General's Office for inclusion in the lawsuit. On September 14, 1987, an agreed final judgment was entered assessing a penalty of \$65,000.00, attorney's fees of \$15,000.00 and investigative costs of \$10,000.00. |
| 3              | Pool Production Services<br>Company<br>Kerwin/Freestone County | Oil Separation and<br>Injection Well<br>Facility | 03/23/87             | Permit Conditions                        | The file on this company was referred to the Attorney General's Office on October 29, 1985 for violations which occurred prior to September 1, 1985. Additional violations were forwarded on April 14, 1987 for inclusion in the lawsuit. This lawsuit is not expected to reach agreed settlement. Trial on the merits is scheduled for December 7, 1987.                                                                                        |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011871

DPMC-08248

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                    | COMMENT*                                                                                                                                                                                                                                                                                                                                     |
|----------------|--------------------------------------------------------------|----------------------------------------|----------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3              | Gerald Company,<br>Incorporated<br>Hamilton County           | Grain Handling                         | 04/17/87             | Nuisance (Odor)                      | The file on this company was referred to the Attorney General's Office on September 3, 1987. The company operates a feed mill which has been the subject of several odor complaints and has failed to initiate corrective actions. It is not projected that this suit can be resolved through an agreed settlement.                          |
| 5              | Oceanside Asphalt,<br>Incorporated<br>Robstown/Nueces County | Portable Asphalt<br>Plant              | 06/26/86             | Permit Conditions<br>Nuisance (Dust) | The company was cited for failure to water the stockpiles and roads as required in the Road permit and for creating a nuisance dust condition. The file on this company was referred to the Attorney General's Office on May 28, 1987. It is projected that this lawsuit can be resolved within 9 months if an agreed settlement is reached. |
| 6              | Bryson Tank Company<br>Odessa/Ector County                   | Tank Manufacturing<br>(Spray Painting) | 10/08/85             | Nuisance (Paint Overspray)           | The company is continuing to operate without the needed controls and the nuisance problem remains. The file on this company was referred to the Attorney General's Office on January 31, 1986. The petition was filed on August 13, 1986. Cause was dismissed because of inability to serve the defendant. The case may be refiled.          |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011872

DPMC-08249

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                        | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|------------------------------------------------------------------|------------------------------|----------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | C & M Enterprises<br>Midland/Midland County                      | Sandblasting                 | 10/24/85             | Nuisance (Dust)<br>No Permit                                             | The company has a history of violations which include nuisance (dust) conditions. The file on this company was referred to the Attorney General's Office on January 31, 1986. The Attorney General's Office filed suit against the wrong company. The lawsuit was refiled on September 24, 1987. It is projected that the lawsuit can be resolved within 6 months if an agreed settlement is reached.                                                                                                                                                                                                                                                                                          |
| 6              | Permian Chemical Company,<br>Incorporated<br>Odessa/Ector County | Fertilizer Plant             | 10/22/85             | Permit Representations<br>Permit Conditions<br>Nuisance (Acid Emissions) | The file on this company was referred to the Attorney General's Office on October 22, 1985 for violations occurring prior to September 1, 1985. Additional violations were forwarded on January 29, 1987 for inclusion in the lawsuit. The lawsuit is not expected to reach agreed settlement. An agreed temporary injunction was signed by the company and sent to the Court on June 22, 1987. It requires compliance with Sections 3.27(a) and 4.01(a) of the Act and Rules 101.7 and 111.21. Trial on the merits was continued indefinitely and a modified temporary injunction was entered on October 13, 1987 requiring the company to cease production until further order of the court. |
| 7              | Keeshan and Bost<br>Chemical Company<br>Manvel/Brazoria County   | Waste Chemical<br>Processing | 02/26/86             | Nuisance (Odors)<br>Court Order                                          | A judgment was entered against this company on July 12, 1985 prohibiting future odor nuisances. Additional violations have since been documented. The file was referred to the Attorney General's Office on May 15, 1986. On October 19, 1987, a First Amended Agreed Final Judgment was mailed to the court assessing a contempt fine of \$1,250.00.                                                                                                                                                                                                                                                                                                                                          |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011873

DPMC-08250

Table 3  
VIOLATIONSSince September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                      | TYPE OF FACILITY                     | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7<br>and<br>5  | Cuyahoga Wrecking<br>Corporation<br>Galveston County<br>San Patricio County                                                                | Asbestos Contractor                  | 07/30/86             | NESHAP (Asbestos)                            | The file on this company was referred to the Attorney General's Office on May 8, 1987. The company conducted asbestos removal projects at Amoco Production Company (Galveston County) and Sun Exploration (San Patricio County) in violation of the NESHAP-Asbestos standards. The company has filed for bankruptcy. It is projected that the lawsuit can be resolved within 3 months if an agreed settlement is reached.                                                                             |
| 7              | La Porte Chemicals<br>Corporation,<br>Diamond Shamrock Corporation,<br>Diamond Shamrock Plastics<br>Corporation<br>Deer Park/Harris County | Vinyl Chloride<br>Monomer Production | 01/28/86             | NESHAP (Vinyl Chloride)<br>Permit Conditions | On June 2, 1986, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. Additional violations have been periodically referred to the Attorney General's Office for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 3 months if an agreed settlement is reached. A settlement with La Porte Chemicals has been reached. Settlement negotiations with Diamond Shamrock (now Max Energy) are continuing. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011874

DPMC-08251

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                               | TYPE OF FACILITY                           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                             | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|---------------------------------------------------------------------|--------------------------------------------|----------------------|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Root Company<br>Shenandoah/Montgomery County                        | Trench Burner<br>Operation                 | 10/09/85             | No Permit<br>Outdoor Burning                  | The company was cited on six occasions for operating without a permit and conducting outdoor burning. The file on this company was referred to the Attorney General's Office on January 29, 1986. An agreed final judgment was entered on September 8, 1987 assessing a \$20,000.00 penalty with injunctive relief requiring defendants to apply a final cover on the Root Landfill and enjoining defendants from operating the landfill and conducting outdoor burning. The penalty will be abated if defendants meet the deadlines for applying a final cover on the Root Landfill. |
| 7              | Tenneco Polymers,<br>Incorporated<br>Pasadena/Harris County         | Chemical Manufacturing<br>(Vinyl Chloride) | 10/24/85             | NESHAP (Vinyl Chloride)<br>Permit Conditions  | On December 31, 1985, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. The company sold its vinyl chloride plant in April, 1986. Further settlement negotiations took place on July 1, 1987. A tentative settlement was reached on July 1, 1987. An agreed final judgment is being drafted.                                                                                                                                                                                                                        |
| 7              | Texas City Refining,<br>Incorporated<br>Texas City/Galveston County | Refinery                                   | 06/26/86             | Permit Provisions<br>NSPS (High Sulfur Crude) | The file on this company was referred to the Attorney General's Office on July 12, 1983. Subsequent violations have been periodically forwarded to the Attorney General's Office for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached.                                                                                                                                                                                                                                                                  |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011875

DPMC-08252

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                              | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                      | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|--------------------------------------------------------------------|------------------------|----------------------|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Union Carbide Corporation<br>Texas City/Galveston County           | Chemical Manufacturing | 02/16/86             | MESHAP (Vinyl Chloride<br>and Benzene) | The file on this company was referred to the Attorney General's Office on March 18, 1986. Additional violations have been periodically included in the lawsuit. The parties have agreed to settle this matter. A proposed agreed final judgment is being drafted. It is projected that a judgment can be entered within 1 month. The company has signed and returned the proposed final judgment with a check for civil penalties. The judgment is to be filed.                                                                                                                                                                                                                                   |
| 8              | Brandywilde Development<br>Corporation<br>Valley View/Cooke County | Rock Crushing Plant    | 09/18/85             | Permit Conditions                      | The company has a history of violations beginning in 1983 when it constructed without a Board permit. The file on this company was referred to the Attorney General's Office on February 4, 1986. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached. An agreed judgment was mailed to the defendant for signature in early February by certified mail but was apparently lost in the mail. Another agreed judgment was mailed to the defendant on March 16, 1987. Settlement negotiations have not achieved an agreement. Interrogatories were sent to the company and answered in June, 1987. The company is no longer operating at the site. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011876

DPMC-08253

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                             | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                  | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------|-------------------------------------------------------------------|------------------|----------------------|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Willie Grant<br>Tarrant County                                    | Individual       | 02/21/86             | Outdoor Burning<br>Court Order                                     | A judgment was entered against this individual on May 31, 1985 prohibiting future violations of Regulation I. An additional violation of unauthorized burning has since been documented. The file was referred to the Attorney General's Office on May 15, 1986. It is projected that this contempt action cannot be resolved by agreement.                                                                                                                                                                                                                                                                         |
| 10             | Great Lakes Carbon<br>Corporation<br>Port Arthur/Jefferson County | Carbon Plant     | 09/27/85             | Opacity<br>Excessive Particulate<br>Emissions<br>Permit Conditions | The file on this company was referred to the Attorney General's Office on September 27, 1985 for violations occurring prior to September 1, 1985. Subsequent violations were forwarded to the Attorney General for inclusion in the lawsuit. Sampling is needed before injunctive relief can be drafted. The strike at the plant has recently ended. Resampling was conducted on March 9, 1987. The resampling indicated continuing violations which were forwarded to the Attorney General on June 18, 1987. It is projected that this lawsuit can be resolved within 7 months if an agreed settlement is reached. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011877

DPMC-08254

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                           | TYPE OF FACILITY    | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Department of Defense,<br>U. S. Army<br>Matyear Construction Company<br>Pioneer Sheet Metal Works,<br>Incorporated<br>Fort Bliss/El Paso County | Building Renovation | 09/17/85             | MESHAP<br>(Asbestos Removal) | The file on the Army and the two companies was referred to the Attorney General's Office on April 7 1986 for legal action because of the hazardous substance involved. On July 17, 1987, an agreed final judgment was entered by the court resolving the violations against Matyear and Pioneer. Civil penalties of \$5,000.00 were assessed and the companies were prohibitively enjoined from violating Rule 101.20(2) in the future. Notice of intent to sue the Department of Defense is being drafted. The lawsuit against the Department of Defense will be filed in Federal court. It is not projected that the suit can be resolved through an agreed settlement. |
| 12             | Dallas Demolition and<br>Excavating Company<br>Tyler/Smith County                                                                               | Building Demolition | 09/16/85             | MESHAP<br>(Asbestos Removal) | The excavating company was in the process of readying a building for implosion without proper notification and handling of asbestos. This lawsuit is not expected to reach agreed settlement. Interrogatories were sent to the company in June, 1987 and answers to interrogatories were received on June 20, 1987.                                                                                                                                                                                                                                                                                                                                                       |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011878

DPMC-08255

Table 3  
 VIOLATIONS  
 Since September 1, 1985  
 (Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION                           | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|------------------------------------------------------------------|---------------------------|----------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Poly Cycle Industries,<br>Incorporated<br>Tecula/Cherokee County | Battery Case<br>Recycling | 02/19/86             | Permit Conditions<br>Permit Representations | Poor maintenance and cleaning practices at the company's battery case recycling facility have resulted in high lead concentrations in the soil near the grinding process. Additional samples taken confirm the high lead levels in the soil. The file on this company was referred to the Attorney General's Office on October 22, 1986. Settlement negotiations took place in March, 1987. Another settlement meeting was held on July 1, 1987. It is projected that this lawsuit can be resolved within 3 months if an agreed settlement is reached. A proposed closure plan has been submitted to the agency for review of clean-up plans. |
| 12             | Southwest Railroad<br>Car Parts<br>Jacksonville/Cherokee County  | Railcar Salvage           | 03/18/86             | Outdoor Burning<br>Nuisance (Smoke)         | The file on this company was referred to the Attorney General's Office on July 12, 1985 for violations occurring prior to September 1, 1985 at two different sites. Subsequent violations have been forwarded to the Attorney General for inclusion in the lawsuit. Since the defendant's attorney is a state legislator, settlement may not be possible until the fall of 1987. The Attorney General has requested a settlement meeting with the company in November, 1987.                                                                                                                                                                  |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011879

DPMC-08256

Table 3  
VIOLATIONS  
Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                        | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT*                                                                                                                                                                                                                                                                                                                                                             |
|----------------|----------------------------------------------|------------------|----------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Texas Basic Resources<br>Overton/Rusk County | Grain Transfer   | 04/04/86             | No Permit<br>Nuisance (Dust) | The file on this company was referred to the Attorney General's Office on March 6, 1987 for constructing and operating a grain transfer facility without a Board permit. It is projected that this lawsuit can be resolved within 9 months if an agreed settlement is reached. The lawsuit was filed on June 17, 1987 and the defendant was served on June 29, 1987. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011880

DPMC-08257

Table 4  
VIOLATIONS  
On Small Sources With No Permit

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                                                      | TYPE OF FACILITY                  | NOTIFICATION<br>DATE |
|--------|----------------------------------------------------------------------------|-----------------------------------|----------------------|
| 1      | Bethania Hospital<br>Wichita Falls/Wichita County                          | Incinerator                       | 07/27/87             |
| 2      | Kast Marble<br>Amarillo/Potter County                                      | Cultured Marble                   | 09/03/86             |
| 7      | Blacks Millwork<br>Houston/Harris County                                   | Millwork Hotel Interiors          | 05/25/87             |
| 7      | Houston Steel Products, Incorporated<br>Houston/Harris County              | Oil Field Equipment Manufacturing | 06/16/87             |
| 7      | Hydrotex Dynamics, Incorporated<br>Harris County                           | Pump Rebuilding                   | 06/16/87             |
| 7      | Intermedics, Incorporated<br>Brazoria County                               | Medical Equipment                 | 06/24/87             |
| 7      | Modern Machining and Hydraulics,<br>Incorporated<br>Pasadena/Harris County | Remanufactured Cylinder Valves    | 05/10/87             |

LAM 011881

DPMC-08258

Table 4  
VIOLATIONS  
On Small Sources With No Permit

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE                                                | TYPE OF FACILITY                    | NOTIFICATION |
|--------|-------------------------------------------------------|-------------------------------------|--------------|
|        | CITY/COUNTY                                           |                                     | DATE         |
| 7      | Western Packing Company<br>Bellville/Austin County    | Dog Food Manufacturing              | 07/26/87     |
| 8      | Augat Elfab<br>Lewisville/Denton County               | Printed Circuit Board Manufacturing | 06/23/87     |
| 8      | BASF Corporation<br>Carrollton/Dallas County          | Urethane Blending Plant             | 07/31/87     |
| 9      | De Los Santos Ready Mix<br>Eagle Pass/Maverick County | Ready Mix Concrete                  | 04/22/87     |
| 9      | Ray Ellison Industries<br>San Antonio/Bexar County    | Cultured Marble                     | 06/08/87     |
| 12     | Mid State Tile Company<br>Mt. Vernon/Franklin County  | Tile Manufacturing                  | 07/11/87     |
| 12     | Wells Marble Company<br>Smith County                  | Cultured Marble                     | 08/12/86     |

LAM 011882

DPMC-08259

Attachment D

ADMINISTRATIVE PENALTIES AND ORDERS OF THE TEXAS AIR CONTROL BOARD

| <u>PERMIT NO.</u> | <u>RESPONDENT</u>                                              | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                                                   |
|-------------------|----------------------------------------------------------------|---------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-10(a)          | Acme Bag Manufacturing, Inc.<br>9141 Premier Row<br>Dallas, TX | 11/13/87            | \$1,925               | Failure to obtain a permit for the construction and operation of a flexographic printing press and an adhesive laminator.                                                                                                                                           |
| 87-10(b)          | Alcon Laboratories, Inc.<br>6201 S. Freeway<br>Fort Worth, TX  | 11/13/87            | \$475                 | Failure to obtain a permit for the construction and operation of four ethylene oxide sterilizers.                                                                                                                                                                   |
| 87-10(c)          | Alonzo's Concrete Co.<br>2540 Jana Lane<br>Pasadena, TX        | 11/13/87            | \$500                 | Failure to obtain a permit for the construction and operation of a concrete batch plant.                                                                                                                                                                            |
| 87-10(d)          | Amarillo By-Products<br>8415 East 1st Avenue<br>Amarillo, TX   | 11/13/87            | \$13,000              | Violated a permit by stockpiling 2,000,000 pounds of rendering raw material outdoors on the ground; caused emission of odors in violation of the Texas Clean Air Act; failed to obtain a permit to modify its rendering plant by installing a new cooker and press. |
| 87-10(e)          | Amerada Hess Corp.<br>1802 Poth Lane<br>Corpus Christi, TX     | 11/13/87            | \$7,000               | Violation of National Emission Standards for hazardous air pollutants (asbestos): Failure to timely provide written notification, to utilize required procedures, and to utilize required procedures for the handling of asbestos-containing waste material.        |

MH001AJ/155E01

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LAM 011883

DPMC-08260

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                      | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                                          | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                               |
|------------------|------------------------------------------------------------------------|---------------------|----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| 87-10(f)         | AMF Ben Hogan Co.<br>2912 West Pafford<br>Fort Worth, TX               | 11/13/87            | \$750                                                          | Failure to obtain a permit for the construction and operation of a paint burn off oven.                                         |
| 87-10(g)         | Ashland Chemical Co.<br>8900 Galveston Road<br>Houston, TX             | 11/13/87            | \$4,200                                                        | Operation of volatile organic compound storage tanks without abatement equipment.                                               |
| 87-10(h)         | Farmland Industries, Inc.<br>Irion & Schleicher County,<br>TX          | 11/13/87            | \$4,250                                                        | Failure to obtain a permit for the construction and operation of two natural gas compressor stations and one natural gas plant. |
| 87-10(i)         | Farris Concrete Co.<br>Melissa<br>Collin County, TX                    | 11/13/87            | \$500                                                          | Failure to install and use water sprinklers to control emissions in a concrete batch plant.                                     |
| 87-10(j)         | Formosa Plastics Corp.<br>Texas<br>Point Comfort<br>Calhoun County, TX | 11/13/87            | \$2,700                                                        | Accidental discharge of 565 pounds of vinyl chloride into the atmosphere.                                                       |
| 87-10(k)         | Houston Steel Products,<br>Inc.<br>6100 Remona Blvd.<br>Houston, TX    | 11/13/87            | \$0                                                            | Failure to obtain a permit for the construction and operation of a sandblasting and painting facility.                          |
| 87-10(l)         | Hydrotex Dynamics, Inc.<br>6320 Cunningham Road<br>Houston, TX         | 11/13/87            | If substantial<br>additional<br>controls<br>necessary<br>\$500 | Failure to obtain a permit for the construction and operation of a sandblasting facility.                                       |

MH001AJ/155E01

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LAM 011884

DPMC-08261

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                          | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                                          | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                                                                                                                                              |
|------------------|----------------------------------------------------------------------------|---------------------|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-10(m)         | Ico, Inc.<br>401 Saratoga Road<br>Corpus Christi, TX                       | 11/13/87            | \$3,800                                                        | Failure to obtain a permit for the construction and operation of pipe coating facilities.                                                                                                                                                                                                                                                                      |
| 87-10(n)         | Intermedics, Inc.<br>240 Tarpon Inn Village<br>Freeport, TX                | 11/13/87            | \$1,150                                                        | Failure to obtain a permit for the construction and operation of three ethylene oxide sterilization chambers.                                                                                                                                                                                                                                                  |
| 87-10(o)         | Kast Marble<br>3012 Amarillo Blvd.<br>Potter County, TX                    | 11/13/87            | \$0                                                            | Failure to obtain a permit for the construction and operation of a synthetic marble manufacturing facility.                                                                                                                                                                                                                                                    |
| 87-10(p)         | KG Gas Processors, Ltd.<br>Runnels County<br>Winters, TX                   | 11/13/87            | \$500                                                          | Texas Clean Air Act violations:<br>Processing gas containing more than 8,000 parts per million by volume of hydrogen sulfide (H <sub>2</sub> S) and failing to provide semi-annual reports on fugitive volatile organic compound leaks/Submittal of an application for an amendment of a permit; monitoring of H <sub>2</sub> S content of the inlet gas daily |
| 87-10(q)         | Mid-State Tile Co.<br>Franklin County<br>Mt. Vernon, TX                    | 11/13/87            | \$0                                                            | Failure to obtain a permit to construct and operate a tile manufacturing plant.                                                                                                                                                                                                                                                                                |
| 87-10(r)         | Modern Machining &<br>Hydraulics, Inc.<br>504 North Richey<br>Pasadena, TX | 11/13/87            | \$500 if<br>substantial<br>additional<br>controls<br>necessary | Failure to obtain a permit to construct and operate a chrome plating unit.                                                                                                                                                                                                                                                                                     |
| 87-10(s)         | Perryton Equity Exchange<br>Armstrong County, TX                           | 11/13/87            | \$3,175                                                        | Failure to obtain a permit for the construction and operation of a grain elevator.                                                                                                                                                                                                                                                                             |

MH001AJ/L55E01

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LAM 011885

DPMC-08262

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                      | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                                                                                     |
|------------------|------------------------------------------------------------------------|---------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-10(t)         | Phillips 66 Co.<br>Hutchinson County<br>Borger, TX                     | 11/13/87            | \$175,000             | Violation of National Emission Standards for a hazardous air pollutant (asbestos): Failed to utilize required procedures for the demolition and removal of friable asbestos materials, and to utilize required procedures for the handling and transportation of asbestos containing waste material.  |
| 87-10(u)         | Pilgrim's Pride Corp.<br>Titus County<br>Mount Pleasant, TX            | 11/13/87            | \$2,000               | Violation of the Texas Clean Air Act: Caused, suffered, allowed or permitted the emission of an air contaminant (odor from manure)/Disposing only broiler house manure at the site; disking all manure into the soil on the same day it is spread.                                                    |
| 87-10(v)         | Presbyterian Hospital<br>West Highway 243<br>Kaufman, TX               | 11/13/87            | \$2,700               | Failure to obtain a permit for the operation of a pathological incinerator.                                                                                                                                                                                                                           |
| 87-10(w)         | Shell Oil Co./<br>Shell Chemical Co.<br>Harris County<br>Deer Park, TX | 11/13/87            | \$6,000               | Violation of National Emission Standards for a hazardous pollutant (vinyl chloride): Discharged exhaust gases containing concentrations of vinyl chloride in excess of 10 parts per million into the atmosphere from equipment used in ethylene dichloride purification and vinyl chloride formation. |
| 87-10(x)         | Shintech, Inc.<br>5618 State Highway 332<br>Freeport, TX               | 11/13/87            | \$2,000               | Allowed a non-emergency discharge of vinyl chloride monomer (VCM) from a relief valve on equipment in vinyl chloride service at its polyvinyl chloride manufacturing plant.                                                                                                                           |

MH001AJ/155E01

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LAM 011886

DPMC-08263

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                                   | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>   | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                             |
|------------------|-------------------------------------------------------------------------------------|---------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-10(y)         | Troy Pipe Supply, Inc.<br>5080 I-45 North<br>Willis, TX                             | 11/13/87            | \$4,000                 | Failure to obtain a permit for the operation and construction of a pipe recycling facility/cessation of cleaning pipe by applying heat.                                                       |
| 87-10(z)         | USG Industries, Inc.<br>Comal County<br>New Braunfels, TX                           | 11/13/87            | \$1,000                 | Unloaded fines from an electrostatic precipitator into a storage hopper by a free-fall method instead of using the approved method (use of a collapsible loading spout vented to a baghouse). |
| 87-10(aa)        | Wells Marble Co.<br>Smith County<br>Flint, TX                                       | 11/13/87            | \$0                     | Failure to obtain a permit for the construction and operation of a synthetic marble plant.                                                                                                    |
| 87-10(bb)        | Western Packing Co.<br>470 Nelius Road<br>Austin County, TX                         | 11/13/87            | \$0                     | Failure to obtain a permit for the construction and operation of a dog food production facility.                                                                                              |
| 87-10(cc)        | Henry Whited<br>6015 Jacqueline Lane<br>Kennedy Estates<br>Subdivision<br>Manor, TX | 11/13/87            | \$250 in 6 installments | Caused, suffered, allowed, or permitted outdoor burning of wire insulation.                                                                                                                   |

MH001AJ/155E01

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LAM 011887

DPMC-08264

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                                  | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|------------------|------------------------------------------------------------------------------------|---------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-10 (dd)       | Rollins Environmental<br>Services (TX), Inc.<br>Battleground Road<br>Deer Park, TX | 11/13/87            | \$13,000              | Failed to notify the Executive of a major upset condition or may have caused excessive failed to comply with Standard Performance for New Station Sources (NSPS) for Volatile Liquid Storage Vessels; failed with NESHAPS; and failed to negative draft sufficient fugitive emissions from the afterburners of the liquid incinerator/maintenance of time and duration of each that occurs; notification whenever fugitive emissions and maintenance of a continuous monitoring, recording, and |

MH001AJ/155E01

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LAM 011888

DPMC-08265

ENFORCEMENT REPORT

July 1987

Introduction

In accordance with the amended Texas Clean Air Act (Act), this report has been prepared and describes the status of enforcement actions initiated by the agency. Recommendations for Board Orders with administrative penalties are included on the agenda and are reflected in this report.

Enforcement Summary

Since the September 1, 1985 effective date of the amended Act, Notices of Violation have been issued to 2,204 companies, individuals or governmental agencies. Of these violations, 1,906 have been resolved. A total of 124 violation situations currently remain unresolved for more than 30 days and will require formal enforcement action. Specific details for each of the unresolved situations are contained in the attached Tables. Table 4 contains a listing of 18 companies in violation which constructed small facilities without a Board permit or exemption and for which Board Orders without administrative penalties are being developed or recommended. The cases for which Board Orders were approved at the May Board meeting have been removed from the report.

The following summarizes administrative penalty actions by the Board from September 1, 1986.

Agreed Administrative Board Orders Entered: 148  
Total of Administrative Penalties Assessed: \$577,150.00

The following summarizes legal actions resolved through court orders entered after September 1, 1986.

Cases Settled by Attorney General: 12  
Total Civil Penalties Assessed: \$611,844.00

Administrative Penalty Orders

Pursuant to Sections 3.20 and 4.041 of the Act and in accordance with the Guidelines for Assessing Administrative Penalties, the staff will be presenting 25 cases for consideration and action by the Board. Although Table 2 includes brief reference to those situations for which penalties are being recommended, these cases will be considered separately during the Board meeting.

LAM 011909

Table 1  
VIOLATIONS  
From the May Enforcement Report  
(That Have Been Corrected)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|-----------------------|------------------|----------------------|-------------------|
|----------------|-----------------------|------------------|----------------------|-------------------|

|   |                                                         |                        |          |                                             |
|---|---------------------------------------------------------|------------------------|----------|---------------------------------------------|
| 3 | American Rockwool Corporation<br>Nolanville/Bell County | Rockwool Manufacturing | 02/04/87 | Permit Conditions<br>Permit Representations |
|---|---------------------------------------------------------|------------------------|----------|---------------------------------------------|

|   |                                                                  |                     |          |                    |
|---|------------------------------------------------------------------|---------------------|----------|--------------------|
| 7 | Burly Construction Corporation<br>Ellington Field /Harris County | Asbestos Contractor | 03/24/87 | NESHAP (Asbestos)* |
|---|------------------------------------------------------------------|---------------------|----------|--------------------|

|   |                                           |              |          |                      |
|---|-------------------------------------------|--------------|----------|----------------------|
| 7 | Pilgrim Cleaners<br>Houston/Harris County | Dry Cleaning | 03/03/87 | Regulation V (VOC)** |
|---|-------------------------------------------|--------------|----------|----------------------|

|   |                                            |                 |          |           |
|---|--------------------------------------------|-----------------|----------|-----------|
| 7 | Texas Manufactured Marble<br>Harris County | Cultured Marble | 03/29/87 | No Permit |
|---|--------------------------------------------|-----------------|----------|-----------|

\*National Emission Standards for Hazardous Air Pollutants  
\*\*Volatile Organic Compounds

LAM 011910

## COMMENT

The company was cited for exceeding the permit limits on carbon monoxide and sulfur dioxide. A permit amendment is under review; however, no additional controls are indicated. Since this is a clerical matter it is being resolved for this report.

The company failed to provide proper notification with regard to the removal of asbestos from buildings at Ellington Field. The company corrected the matter by providing the proper written notifications. The Regional Director considers this matter resolved.

The company failed to properly operate the filtration systems at two dry cleaning facilities in accordance with Board Regulation V requirements. The company committed to operate the filtration systems as required by the Regulation. Since the emission violation was corrected within 30 days, the Regional Director considers the violation resolved.

The company constructed and operated a cultured marble manufacturing facility without a Board permit. It was determined that the company meets Standard Exemption 113 and the matter is considered resolved.

DPMC-08286

Table 1  
VIOLATIONSFrom the May Enforcement Report  
(That Have Been Corrected)

LAM 011911

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                       |
|----------------|--------------------------------------------------------------|------------------|----------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Advanced Marble,<br>Incorporated<br>Arlington/Tarrant County | Cultured Marble  | 07/25/87             | No Permit         | The company constructed and operated a cultured marble manufacturing facility without a permit. The company has since ceased operation and the Regional Director considers the matter resolved.                                                                                                               |
| 9              | City of San Antonio<br>San Antonio/Bexar County              | Refuse Systems   | 01/09/87             | No Permit         | The City constructed and operated a brush shredder without a Board permit. After reviewing additional information received from the City on June 11, 1987, it was determined that the shredder could meet the conditions in Standard Exemption No. 106. The Regional Director considers this matter resolved. |

Table 2  
VIOLATIONS(Since September 1, 1985  
That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|-----------------------|------------------|----------------------|-------------------|
|----------------|-----------------------|------------------|----------------------|-------------------|

1 Crown Cork and Seal  
Company, Incorporated  
Arlene/Taylor County

Fabricated Metal  
Products

11/12/86

No Permit  
Permit Conditions  
NSPS\*\*\*

1 Farmers Oil and Gas  
Exploration  
Sweetwater/Molan County

Oil and Gas  
Production

01/30/87

No Permit  
Nuisance (Odors)  
Board Order (86-113)

1 Kohler Company  
Brownwood/Brown County

Ceramic Kiln

05/17/87

No Permit

## COMMENT

The company increased its production rate and added additional assembly lines to the beverage can manufacturing facility without permit authorization. A Board Order with an agreed administrative penalty of \$21,700.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

The company constructed and continues to operate a crude oil tank battery without a Board permit. Nuisance conditions (odors) were documented at a second location which was in violation of Board Order No. 86-113. A meeting was held on May 5, 1987 to discuss a resolution of this matter. A Board Order with an administrative penalty is being proposed to the company.

The company constructed and continues to operate a ceramic kiln without a Board permit. The Regional Director is recommending a Board Order with an administrative penalty which is being developed.

\*\*\*New Source Performance Standards

LAM 011912

DPMC-08288

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011913

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|-----------------------|------------------|----------------------|-------------------|
|----------------|-----------------------|------------------|----------------------|-------------------|

COMMENT

|   |                                                                  |                     |          |                                                                            |
|---|------------------------------------------------------------------|---------------------|----------|----------------------------------------------------------------------------|
| 2 | Amarillo By-Products<br>Amarillo/Potter County                   | Rendering Plant     | 09/08/86 | Nuisance (Odor)<br>Permit Conditions<br>No Permit<br>Maintenance Reporting |
| 2 | American Demolition,<br>Incorporated<br>Borger/Hutchinson County | Asbestos Contractor | 12/16/86 | NESHAP (Asbestos)                                                          |
| 2 | Nix Electric Company<br>Lubbock/Lubbock County                   | Transformer Repair  | 04/17/87 | Nuisance (Odor)                                                            |

The company installed a larger capacity cooker without a Board permit. Odors from unprocessed materials stored outdoors while the cooker was being replaced created nuisance conditions for the area. A permit application has been submitted and is under review. A Board Order with an administrative penalty of \$13,000.00 will be presented to the Board for adoption if the Order is finalized prior to the Board meeting date.

The company was cited for improper removal of asbestos at the Phillips Chemical Company facility at Borger. A formal enforcement conference was held on April 22, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.

The transformer repair facility was cited for nuisance odors from the burnout oven and the painting operation. A formal enforcement conference is scheduled for July 7, 1987, after which the Regional Director will submit a recommendation for enforcement action.

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011914

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                 | TYPE OF FACILITY       | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------|-------------------------------------------------------|------------------------|----------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2              | Perryton Equity Exchange<br>Claude/Armstrong County   | Grain Storage          | 05/07/87             | No Permit         | The company constructed and continues to operate a grain elevator without a Board permit. A formal enforcement conference is being scheduled, after which the Regional Director will submit a recommendation for enforcement action.                                                                                                                                                                                                                                                       |
| 2              | Phillips Chemical Company<br>Borger/Hutchinson County | Chemical Manufacturing | 12/16/86             | NESHAP (Asbestos) | The company was cited for improper removal of asbestos during the dismantling of buildings and equipment at the chemical manufacturing facility. The job was contracted to American Demolition, Incorporated. Additional samples were taken from a second location on the property and tested positive for asbestos. The Regional Director has recommended that the violations at both sites on the Borger facility be addressed with a single Board Order with an administrative penalty. |
| 3              | Gerald Company,<br>Incorporated<br>Hamilton County    | Grain Handling         | 04/17/87             | Nuisance (Odor)   | The company operates a feedmill which has been the subject of several odor complaints. A formal enforcement conference was scheduled for June 8, 1987; however, the company representatives did not attend. The Regional Director is reviewing the matter and will submit a recommendation for appropriate enforcement action.                                                                                                                                                             |

Table 2  
VIOLATIONS(That Will Continue More Than 30 Days)  
Since September 1, 1985

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                   |
|----------------|---------------------------------------------------------------------------|---------------------------------|----------------------|-----------------------------------------------------|
| 3              | Southwest Railroad Car<br>Parts<br>Jewett/Leon County                     | Metal and Wood<br>Salvage       | 05/03/87             | Permit Conditions<br>Opacity                        |
| 3              | Texas Lehigh Cement<br>Company<br>Luda/Hays County                        | Portland Cement                 | 02/13/87             | Permit Conditions<br>Excessive Visible<br>Emissions |
| 4              | Anzon-America,<br>Incorporated<br>Laredo/Webb County                      | Antimony Oxide<br>Manufacturing | 01/27/87             | No Permit                                           |
| 4              | Chem Proof Door<br>Company,<br>Incorporated<br>Brownsville/Cameron County | Fiberglass Door and<br>Frames   | 04/30/87             | No Permit                                           |

LAM 011915

## COMMENT

The company was cited for excessive visible emissions and for failure to comply with the Board permit exemption conditions at its railcar incineration operation. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.

The company was cited on February 13 and March 10, 1987 for excessive visible emissions. A Board Order with an agreed administrative penalty of \$4,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

The company constructed and continues to operate a new blast furnace without a Board permit. A permit application has been received and is under review. A formal enforcement conference was held on April 23, 1987. A Board Order with an agreed administrative penalty of \$4,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

The company constructed and continues to operate a fiberglass products facility without a Board permit. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.

DPMC-08291

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                      | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                             | COMMENT                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|------------------------------------------------------------|--------------------------------|----------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5              | Universal Tubular Service<br>Corpus Christi/Nueces County  | Pipe Facility                  | 03/11/87             | No Permit                                     | The company was cited for increasing production without a Board permit. A formal enforcement conference was held on March 20, 1987. Additional information on capital costs was requested prior to the Regional Director being able to complete the recommendation for a Board Order with an administrative penalty. The information has been received and a Board Order is being developed. |
| 5              | Valero Hydrocarbons Company<br>Yoakum/Dewitt County        | Natural Gas<br>Processing      | 01/21/87             | Permit Conditions<br>NSPS (Required Sampling) | The company was cited for not performing gas sampling as specified in the Federal Standards of Performance for Stationary Gas Turbines. A formal enforcement conference was conducted on April 6, 1987. A Board Order with an administrative penalty has been proposed to the company.                                                                                                       |
| 6              | Champion Chemicals,<br>Incorporated<br>Odessa/Ector County | General Chemicals              | 03/04/87             | Nuisance (Odors)<br>Board Order               | The company was cited for nuisance odors and non-compliance with Board Order No. 86-114(d). The company has refused to accept the Board Order and administrative penalty which was proposed. The file has been referred to the Legal Division for the scheduling of a contested case hearing.                                                                                                |
| 6              | E1 Paso Products Company<br>Odessa/Ector County            | Petrochemical<br>Manufacturing | 01/30/87             | NESHAP (Benzene)                              | The company was cited for not monitoring its flare operations as required by the NESHAP-Benzene standards. A Board Order with an agreed administrative penalty of \$3,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                         |

LAM 011916

DPMC-08292

Table 2  
VIOLATIONS

Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011917

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                   | TYPE OF FACILITY               | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT                                                                                                                                                                                                                                                                                                                                 |
|----------------|-------------------------------------------------------------------------|--------------------------------|----------------------|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Ardeo Industries,<br>Incorporated<br>Houston/Harris County              | Sandblasting                   | 04/21/87             | Exemption Conditions                         | The company constructed and continues to operate a sandblasting facility used with a truck fabrication operation without a Board permit or exemption. The conditions of a standard exemption (No. 106) were also violated. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |
| 7              | Ashland Chemical Company<br>Houston/Harris County                       | Petrochemical<br>Manufacturing | 05/17/87             | Permit Conditions                            | The company was operating a bulk chemical storage facility without the required emission controls. A formal enforcement conference was held on June 9, 1987, and the Regional Director is preparing a recommendation for appropriate enforcement action.                                                                                |
| 7              | Celanese Chemical Company,<br>Incorporated<br>Bay City/Matagorda County | Petrochemical<br>Manufacturing | 05/12/87             | Permit Representations<br>Regulation V (VOC) | The company was operating its Catalyst Regeneration Unit other than represented in its permit application. The VOC emissions exceeded the Regulation V and permit allowables. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.     |
| 7              | Coastal Paint and Blast<br>Pleak/Fort Bend                              | Sandblasting and<br>Painting   | 04/07/87             | No Permit                                    | The company constructed and continues to operate a sandblasting and spray painting facility without a Board permit. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                        |

DPMC-08293

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT |
|----------------|-----------------------|------------------|----------------------|-------------------|---------|
|----------------|-----------------------|------------------|----------------------|-------------------|---------|

|   |                                                                        |                           |          |                |  |
|---|------------------------------------------------------------------------|---------------------------|----------|----------------|--|
| 7 | Crown Cork and Seal Company, Incorporated<br>Galena Park/Harris County | Fabricated Metal Products | 02/26/87 | No Permit NSPS |  |
|---|------------------------------------------------------------------------|---------------------------|----------|----------------|--|

The company increased production and added additional capacity to its beverage can manufacturing facility without a Board permit and in violation of the Federal NSPS. Additional information has been received and is under review. The Director of Enforcement is reviewing the matter to determine the appropriate enforcement action.

|   |                                                  |                                    |          |           |  |
|---|--------------------------------------------------|------------------------------------|----------|-----------|--|
| 7 | D and R Metal Finishing<br>Houston/Harris County | Sandblasting, Painting and Plating | 04/01/87 | No Permit |  |
|---|--------------------------------------------------|------------------------------------|----------|-----------|--|

The company constructed and continues to operate a metal finishing facility without a Board permit. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.

|   |                                                  |                            |          |                                               |  |
|---|--------------------------------------------------|----------------------------|----------|-----------------------------------------------|--|
| 7 | Dal Tile Corporation<br>Conroe/Montgomery County | Ceramic Tile Manufacturing | 05/18/87 | Exemption Representations Change in Ownership |  |
|---|--------------------------------------------------|----------------------------|----------|-----------------------------------------------|--|

The company purchased the ceramic tile manufacturing facility without notifying the agency of the change in ownership. The facility was being operated in violation of the representations made in the permit exemption application. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.

|   |                                                               |                                |          |           |  |
|---|---------------------------------------------------------------|--------------------------------|----------|-----------|--|
| 7 | Delta Engineering, Incorporated<br>Channel View/Harris County | Offshore Drilling Rig Assembly | 08/06/86 | No Permit |  |
|---|---------------------------------------------------------------|--------------------------------|----------|-----------|--|

The company constructed and continues to operate a sandblasting and painting operation without a Board permit. A permit application has been submitted and is under review. The Director of Enforcement is recommending a Board Order with an administrative penalty which is being developed.

LAM 011918

DPMC-08294

Table 2  
VIOLATIONS

Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011919

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                   | TYPE OF FACILITY                | NOTIFICATION<br>DATE | TYPE OF VIOLATION       | COMMENT                                                                                                                                                                                                                                                                                                                    |
|----------------|-------------------------------------------------------------------------|---------------------------------|----------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Doty Landfill<br>Houston/Harris County                                  | Landfill                        | 03/16/87             | Nuisance (Odors)        | The company operates a landfill which has been the subject of numerous citizen complaints. The file is under review by the Director of Enforcement to determine the appropriate enforcement action.                                                                                                                        |
| 7              | Dow Chemical Company<br>Freeport/Brazoria County                        | Vinyl Chloride                  | 03/22/87             | NESHAP (Vinyl Chloride) | The company reported a vinyl chloride release in violation of the NESHAP-Vinyl Chloride standards. A formal enforcement conference was held on April 27, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                |
| 7              | Energy Technology<br>Incorporated<br>aka ENIECH<br>Crosby/Harris County | Heat Exchange<br>Equipment      | 02/23/87             | No Permit               | The company constructed and continues to operate a waste heat boiler and economizer manufacturing facility without a Board permit. A Board Order with an agreed administrative penalty of \$500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 7              | Goodyear Bayport Chemical<br>Plant<br>Pasadena/Harris County            | Chemical<br>Manufacturing Plant | 04/15/87             | NESHAP (Benzene)        | The company failed to monitor a flare tip at its benzene production facility as required under NESHAP. A formal enforcement conference was held on April 13, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                            |

DPMC-08295

Table 2  
VIOLATIONS(That Will Continue More Than 30 Days)  
Since September 1, 1985

LAM 011920

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY                  | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT                                                                                                                                                                                                                                                                                                                                                          |
|----------------|---------------------------------------------------------------------------|-----------------------------------|----------------------|----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Jasson Industries,<br>Incorporated<br>Bellville/Austin County             | Cabinet Manufacturing             | 01/19/87             | Exemption Conditions                         | The company was cited for operating in violation of conditions of a standard exemption. The company replaced a cyclone with a bagfilter to conform with standard exemption requirements. A Board Order without an administrative penalty will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 7              | Modern Machines and<br>Hydraulics, Incorporated<br>Pasadena/Harris County | Remanufactured<br>Cylinder Valves | 05/10/87             | No Permit                                    | The company constructed and continues to operate a hydraulic cylinder, pump, valve and motor remanufacturing facility. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.                                                                                     |
| 7              | Occidental Chemical<br>Corporation<br>Pasadena/Harris County              | PVC Manufacturing                 | 03/04/87             | NESHAP (Vinyl Chloride)<br>Permit Conditions | The company reported a vinyl chloride release in violation of the NESHAP regulations. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                               |
| 7              | Olshan Demolition<br>Houston/Harris County                                | Landfill                          | 03/16/87             | Nuisance (Odors)                             | The company operates a landfill which has been the subject of numerous odor complaints. The file is under review by the Director of Enforcement to determine the appropriate enforcement action.                                                                                                                                                                 |

DPMC-08296

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011921

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                       | TYPE OF FACILITY           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                           | COMMENT                                                                                                                                                                                                                                                                                                                                      |
|----------------|-----------------------------------------------------------------------------|----------------------------|----------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Rtys K Us<br>Houston/Harris County                                          | Drilling Structures        | 03/30/87             | No Permit                                   | The company constructed and continues to operate a sandblasting and painting facility without a permit. The Regional Director is reviewing the company's application for a Standard Exemption and will submit a recommendation for appropriate enforcement action after the review.                                                          |
| 7              | Shell Chemical Company<br>Deer Park/Harris County                           | Organic Chemicals          | 04/19/87             | NESHAP (Vinyl Chloride)                     | The company reported vinyl chloride releases in violation of the NESHAP regulations. A formal enforcement conference was held on May 12, 1987. The Regional Director is preparing a recommendation for appropriate enforcement action.                                                                                                       |
| 7              | Texas Tx Marine<br>Transportation,<br>Incorporated<br>Houston/Harris County | Petroleum Coke<br>Terminal | 01/28/87             | Permit Representations<br>Permit Conditions | The company was operating a coke storage and loading facility in a manner not authorized by the Board permit. A Board Order with an agreed administrative penalty of \$12,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                     |
| 7              | Troy Pipe Supply Company<br>Willits/Montgomery County                       | Pipe Recycling             | 03/16/87             | No Permit                                   | The company constructed and continues to operate an oilfield pipe coating facility without a Board permit. A permit application has been received. A Board Order with an agreed administrative penalty of \$4,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

Table 2  
VIOLATIONS(That Will Continue More Than 30 Days)  
Since September 1, 1985

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                               | TYPE OF FACILITY                        | NOTIFICATION<br>DATE | TYPE OF VIOLATION                              | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|-------------------------------------------------------------------------------------|-----------------------------------------|----------------------|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Union Carbide Corporation<br>Texas City/Galveston County                            | Chemicals and Plastics<br>Manufacturing | 04/25/87             | NESHAP (Vinyl Chloride)                        | The company reported a vinyl chloride release in violation of the NESHAP regulations. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                                                                                                                                                                                                        |
| 7              | Universal Tubular Services,<br>Incorporated<br>Spring/Harris County                 | Pipe Coating Facility                   | 06/16/86             | No Permit                                      | The company is operating the pipe coating facility under new ownership without a Board permit. A permit application has been received and is under review. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                                                                                                                          |
| 7              | M M Dewey and Sons,<br>Incorporated<br>Houston/Harris County                        | Pipe Threads<br>Inspection/Maintenance  | 04/22/87             | No Permit                                      | The company constructed three separate pipe cleaning, coating and storage facilities without Board permits. A formal enforcement conference was held on May 21, 1987. Two of the facilities have been closed and the remaining facility is considered a small source. Therefore, The Regional Director has recommended a Board Order without an administrative penalty which is being developed.                                                                                                            |
| 7              | Wood Material<br>aka Barbee Enterprise,<br>Incorporated<br>Conroe/Montgomery County | Asphaltic Concrete<br>Plant             | 05/14/86             | Opacity<br>Permit Conditions<br>NSPS (Opacity) | The company was found in violation of NSPS, opacity and permit conditions at the asphaltic concrete plant. Additional odor complaints have been received and a meeting was held with the company. Recent additional violations have been reviewed and were considered in completing development of a Board Order. A Board Order with an agreed administrative penalty of \$5,175.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

LAM 011922

DPMC-08298

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011923

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                                                                                          | TYPE OF FACILITY                          | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                   |
|----------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------|----------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Acme Bag Manufacturing,<br>Incorporated<br>Dallas/Dallas County                                                | Flexographic Printing                     | 04/29/87             | No Permit         | The company installed a printing press without a Board permit. A permit application has not been submitted. The Regional Director is reviewing the matter to determine the appropriate enforcement action.                                                                                                                                |
| 8              | Alcon Laboratories,<br>Incorporated<br>Fort Worth/Tarrant County                                               | Pharmaceuticals/<br>Ophthalmic Medication | 05/13/87             | No Permit         | The company constructed and continues to operate five ethylene oxide sterilization units without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                |
| 8              | AMF Ben Hogan Company<br>Fort Worth/Tarrant County                                                             | Golf Clubs and Balls<br>Manufacturing     | 05/04/87             | No Permit         | The company constructed and continues to operate a controlled pyrolysis furnace without a Board permit. A permit application has been submitted and is under review. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                         |
| 8              | Arrium Door and Window<br>Corporation<br>Previously Moulding Products,<br>Incorporated<br>Dallas/Dallas County | Door and Window<br>Manufacturing          | 01/20/87             | No Permit         | The company relocated door and window manufacturing facilities to a new location without a Board permit. A permit application has been submitted and is under review. Additional information on capital costs was requested. The Regional Director has recommended a Board Order with an administrative penalty which is being developed. |

DPMC-08299

Table 2  
VIOLATIONS

Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011924

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                           | TYPE OF<br>ACTIVITY                   | NOTIFICATION<br>DATE | TYPE OF VIOLATION                 | COMMENT                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|---------------------------------------------------------------------------------|---------------------------------------|----------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Celina Ready Mix,<br>Incorporated<br>Celina/Cullin County                       | Ready Mix concrete<br>Plant           | 12/12/86             | Exemption Conditions              | The company operated in violation of conditions and representations in the exemption with regard to particulate emissions from the batch drop point. A Board Order with an administrative penalty has been proposed to the company and negotiations are continuing.                                                                                                                            |
| 8              | D and G Equipment<br>div. Big City Crushed<br>Concrete<br>Prairie/Dallas County | Crushed concrete<br>Plant (Recycling) | 12/27/86             | No Permit                         | The company constructed and operated a concrete recycling facility without a Board permit. A permit application has been submitted and is under review. Because the company committed not to operate until authorized, a Board Order without an administrative penalty will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |
| 8              | Deet Company<br>Dallas/Dallas County                                            | Waste Food Processing                 | 03/10/87             | Permit Representations<br>Opacity | The company was cited for increasing the hours of operation in violation of permit representations. A subsequent investigation revealed excessive opacity from the dryer stack. The company hired a consultant to develop a compliance plan. The Regional Director plans to meet with the company and the consultant to determine if further enforcement action is appropriate.                |
| 8              | Eagle Ready Mix Concrete,<br>Incorporated<br>Hyllie/Collin County               | Ready Mix Concrete<br>Plant           | 12/17/86             | Exemption Conditions              | The company was cited for operating in violation of the conditions of a standard exemption which requires the use of a dust control system. A Board Order with an agreed administrative penalty of \$800.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.                                                            |

Table 2  
VIOLATIONS(Since September 1, 1985  
(That Will Continue More Than 30 Days))

LAM 011925

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                            | TYPE OF FACILITY             | NOTIFICATION<br>DATE | TYPE OF VIOLATION    | COMMENT                                                                                                                                                                                                                                                                                                                                          |
|----------------|--------------------------------------------------|------------------------------|----------------------|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Farris Concrete Company<br>Helissa/Collin County | Ready Mix Concrete<br>Plant  | 04/05/87             | Exemption Conditions | The company was cited for failure to install water<br>sprinklers on aggregate stockpiles as required by the<br>standard exemption. The Regional Director has recom-<br>mended a Board Order with an administrative penalty<br>which is being developed.                                                                                          |
| 8              | Flexible Foam Products<br>Terrell/Kaufman County | Foam Rubber<br>Manufacturing | 05/05/87             | No Permit            | The company constructed and continues to operate a<br>foam and carpet pad manufacturing facility without a<br>Board permit. A permit application has been submit-<br>ted and is under review. The Regional Director has<br>recommended a Board Order with an administrative<br>penalty which is being developed.                                 |
| 8              | Harlecast, Incorporated<br>Wylie/Collin County   | Adhesives and Sealants       | 05/12/87             | No Permit            | The company constructed and continues to operate a<br>glue and tape manufacturing facility without a Board<br>permit. A permit application has been submitted and<br>is under review. The Regional Director is reviewing<br>the matter to determine the appropriate enforcement<br>action.                                                       |
| 8              | Heritage Press<br>Dallas/Dallas County           | Printing Press               | 02/04/87             | No Permit            | The company installed and continues to operate a<br>printing press without a Board permit. A permit<br>application has not been submitted. A Board Order<br>with an agreed administrative penalty of \$5,300.00<br>will be presented to the Board for adoption if the<br>Order is finalized with the company prior to the<br>Board meeting date. |

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011926

| TACH<br>REGION | SUBJECT<br>CITY/COUNTY | TYPE OF<br>INFILTRY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|------------------------|---------------------|----------------------|-------------------|
|----------------|------------------------|---------------------|----------------------|-------------------|

8 Horticultural Printers  
Mesquite/Ballias County

Offset Printing

03/10/87

No Permit

The company was cited for construction and operation of three presses at its offset printing facility without a Board permit. An application has not been submitted. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.

8 John H. Harland Company  
Irving/Ballias County

Lead Pot Furnace

02/14/87

Permit Representations

The company replaced a one ton lead pot furnace with a three ton furnace at its letter press printing plant without requesting an amendment to the permit. No enforcement action was recommended initially when the company agreed to cease operation of the new furnace until the permit was amended. Upon determination that the company is continuing to use the furnace, the Regional Director recommended a Board Order. A Board Order with an agreed administrative penalty of \$1,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

8 I. V. Easterling,  
Individual  
Monsfield/Tarrant CountyCopper Wire  
Recycling

02/17/87

Outdoor Burning

Mr. Easterling was cited for unauthorized outdoor burning of copper wire insulation in the Mansfield area of Tarrant County. A Board Order with an agreed administrative penalty of \$200.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011927

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|-----------------------|------------------|----------------------|-------------------|
|----------------|-----------------------|------------------|----------------------|-------------------|

COMMENT

8 Larry Jones, Incorporated  
Arlington/Tarrant County

Cabinet Shop

12/12/85

No Permit

The company constructed and continues to operate a custom wooden cabinet manufacturing facility without a Board permit. A permit application has been submitted and is under review. A public hearing was held on May 26, 1987; however, no opposition attended. The permit will be issued to the company. A Board Order with an administrative penalty is being developed.

8 Mustrom Body Works  
Duncanville/Dallas County

Body Shop

03/24/87

No Permit

The company was operating the auto finishing facility without air pollution control equipment. The investigation was conducted as the result of a citizen complaint. The company installed the necessary controls and has qualified for a standard exemption. A Board Order without a penalty has been proposed to the company.

8 Moody Printing Company  
Fort Worth/Tarrant CountyCommercial Printing  
Lithograph

04/05/87

No Permit

The company constructed and continues to operate a heatset printing press without a Board permit. A permit application has not been submitted. The Regional Director is reviewing the matter to determine the appropriate enforcement action.

8 Hycu Ready Mix,  
Incorporated  
Wylie/Collin CountyReady Mix Concrete  
Plant

11/21/86

Exemption Conditions

The company was cited for operating in violation of the conditions of a standard exemption which requires the use of a dust control system. A Board Order with an agreed administrative penalty of \$500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011928

| TACH<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY                   | NOTIFICATION<br>DATE | TYPE OF VIOLATION    | COMMENT                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------------------------------------------------------------|------------------------------------|----------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8              | Pillsbury Company<br>Crowley/Johnson County                      | Spent Brewer's Grain<br>Storage    | 03/10/87             | Permit Conditions    | The company was cited for violating conditions of its permit exemption regarding procedures to control odor emissions from a grain storage pit. A Board Order with an administrative penalty has been proposed to the company.                                                                                                                                                              |
| 8              | Presbyterian Hospital<br>Kaufman/Kaufman County                  | Pathological<br>Incinerator        | 04/11/87             | Exemption Conditions | The hospital was cited for visible emissions from the incinerator in violation of the conditions of the standard exemption. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                                                    |
| 8              | Scotfoam Corporation<br>Mesquite/Dallas County                   | Polyurethane Foam<br>Manufacturing | 04/18/87             | No Permit            | The company constructed and continues to operate a polyurethane foam manufacturing facility without a Board permit. A permit application has not been received. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                                |
| 8              | U. S. Brick, Incorporated<br>Mineral Wells/<br>Palo Pinto County | Brick Manufacturing                | 01/26/87             | Opacity              | The company has had chronic opacity problems from kiln stack #1. Process changes designed to correct the problem have been completed. A Board Order was prepared for the May meeting; however, subsequent investigations to confirm compliance revealed additional opacity violations. The Director of Enforcement is reviewing the matter to determine the appropriate enforcement action. |

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011929

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|-----------------------|------------------|----------------------|-------------------|
|----------------|-----------------------|------------------|----------------------|-------------------|

COMMENT

8 Weaver Spring Company  
Segevville/Dallas CountySteel Leaf Springs  
Manufacturing

12/23/86

No Permit

The company constructed and continues to operate a spring manufacturing facility without a Board permit. A permit application has not been submitted. Information presented at the April 7, 1987 formal enforcement conference was evaluated and a Board Order with an agreed administrative penalty of \$500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

8 Hindsur Plastics,  
Incorporated  
Grand Prairie/Dallas CountyInjection Molding  
and Painting

03/03/87

No Permit

The company increased production at its facility without permit authorization. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$1,725.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

8 Hymn-Kiki, Incorporated  
Fort Worth/Tarrant CountyAir Conditioning  
Condensers

03/11/87

No Permit

The company constructed and continues to operate a conveyorized degreaser at its air conditioner coil manufacturing facility without a Board permit. A permit application has been submitted and is under review. A Board Order with an agreed administrative penalty of \$750.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

9 Border Opportunity Saver  
Systems  
Del Rio/Val Verde CountyDisposable Diaper  
Business

03/18/87

No Permit

The company was cited for installing a new equipment line without a Board permit. A formal enforcement conference was held on April 16, 1987. The Director of Enforcement is reviewing the matter because of previous enforcement action involving this company to determine the appropriate enforcement action.

DPMC-08305

Table 2  
VIOLATIONS

Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011930

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                   | TYPE OF<br>FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                        | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|---------------------------------------------------------|------------------------------|----------------------|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9              | Texatome, Incorporated<br>Leakey/Real County            | Cedar Hill Mill              | 04/11/87             | Permit Representations<br>Excessive Visible<br>Emissions | The company was cited for not constructing the plant as represented in the permit application and for excessive visible emissions. A formal enforcement conference was held on April 28, 1987. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.                                                                                                  |
| 9              | U S Brick, Incorporated<br>Chimadort/Hexar County       | Brick Manufacturing          | 04/06/87             | Permit Conditions<br>Fluoride Emissions                  | The company was cited for exceeding the permit allowable for emissions of fluorides. The company contended the violation was invalid which delayed the submittal of an acceptable compliance plan. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.                                                     |
| 9              | Nestex Aromatics,<br>Incorporated<br>Leakey/Real County | Cedarwood Distillery         | 04/04/87             | Opacity                                                  | The company was cited for excessive opacity from the boiler stack. Firebox charges were made in an attempt to improve combustion but this was unsuccessful. A formal enforcement conference is being scheduled after which the Regional Director will submit a recommendation for appropriate enforcement action.                                                                                            |
| 10             | Bright Coop, Inc.<br>Nacogdoches/Nacogdoches<br>County  | Wood Pallet<br>Manufacturing | 07/21/86             | No Permit                                                | The company has increased its production rate and added manufacturing equipment over the past several years without permit authorization. A request for a permit amendment has been submitted and is under review. A Board Order with an agreed administrative penalty of \$1,150.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date. |

DPMC-08306

Table 2  
VIOLATIONS  
Since September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011931

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION |
|----------------|-----------------------|------------------|----------------------|-------------------|
|----------------|-----------------------|------------------|----------------------|-------------------|

COMMENT

|    |                                                               |                    |          |                  |
|----|---------------------------------------------------------------|--------------------|----------|------------------|
| 10 | Fina Oil and Chemical Company<br>Port Arthur/Jefferson County | Petroleum Refining | 03/22/87 | Nuisance (Odors) |
|----|---------------------------------------------------------------|--------------------|----------|------------------|

The company experienced a flame-out at its south plant flare which resulted in confined nuisance conditions in an adjacent neighborhood. A Board Order with an agreed administrative penalty of \$8,000.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

|    |                                              |                 |          |                        |
|----|----------------------------------------------|-----------------|----------|------------------------|
| 10 | Inland-Orange, Incorporated<br>Orange County | Kraft Pulp Mill | 05/22/87 | Permit Representations |
|----|----------------------------------------------|-----------------|----------|------------------------|

The multi-fuel boiler was being operated without the electrostatic precipitator (ESP) after an explosion damaged the internals of the ESP. The company will be in compliance by September 24, 1987 when a venturi scrubber will become operational. A Board Order without an administrative penalty will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

|    |                                                       |              |          |                        |
|----|-------------------------------------------------------|--------------|----------|------------------------|
| 10 | Temple Eastex, Incorporated<br>Pineland/Sabine County | Pine Plywood | 04/20/87 | Permit Representations |
|----|-------------------------------------------------------|--------------|----------|------------------------|

The company exceeded the plywood production rate specified in permit provisions. The Regional Director has recommended a Board Order with an administrative penalty which is being developed.

|    |                                                           |                           |          |           |
|----|-----------------------------------------------------------|---------------------------|----------|-----------|
| 10 | White Industrial Painters, Incorporated<br>Trinity County | Sandblasting and Painting | 09/17/86 | No Permit |
|----|-----------------------------------------------------------|---------------------------|----------|-----------|

The company was cited for nuisance paint overspray and for operating without a Board permit. The nuisance violation was corrected within 30 days; however, the company is continuing to operate without a permit. When the company proposed to relocate its facility on the property it is leasing to qualify for a standard exemption, the Regional Director and the Director of Enforcement agreed to propose a Board Order without an administrative penalty which will be presented to the Board for adoption if the Order is finalized with the company prior to the Board meeting date.

Table 2  
VIOLATIONSSince September 1, 1985  
(That Will Continue More Than 30 Days)

LAM 011932

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                      | TYPE OF FACILITY                            | NOTIFICATION<br>DATE | TYPE OF VIOLATION            | COMMENT                                                                                                                                                                                                                                                                                                                                            |
|----------------|------------------------------------------------------------|---------------------------------------------|----------------------|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Elcor Corporation<br>Van Horn/Culberson County             | Abandoned Sulfur Plant                      | 04/19/87             | NESHAP (Asbestos)            | The company was cited for improper removal of asbestos during the dismantling of buildings and equipment at a closed sulfur production facility. A formal enforcement conference was held on June 2, 1987. After a review of the company's compliance plan, the Regional Director will submit a recommendation for appropriate enforcement action. |
| 11             | Valley Gln Company<br>Tornillo/El Paso County              | Cotton gin                                  | 05/16/87             | No Permit                    | The company is continuing the construction of a cotton gin without a Board permit. A formal enforcement conference was held on June 1, 1987. The Regional Director is recommending a Board Order with an administrative penalty which is being developed.                                                                                          |
| 12             | Louisiana-Pacific<br>Corporation<br>Carthage/Panola County | Pine Lumber and Chip<br>Board Manufacturing | 01/27/87             | Opacity<br>Permit Conditions | The company was cited for excessive visible emissions from the wood-fired boiler stack. A Board Order with an agreed administrative penalty of \$1,500.00 will be presented to the Board for adoption if the Order is finalized with the company prior to the board meeting date.                                                                  |
| 12             | Pabco Insulation<br>Tucker/Anderson County                 | Fiberglass Insulation                       | 03/30/87             | Permit Conditions            | The company was cited for excessive stack emissions above permit allowances on particulates, phenol, and aldehydes. Corrective measures have been completed and resampling was conducted on June 24, 1987. After a review of the sampling results, the Regional Director will submit a recommendation for appropriate enforcement action.          |

Table 2  
VIOLATIONS(That Will Continue More Than 30 Days)  
Since September 1, 1985

| TACR<br>REGION | SOURCE<br>CITY/COUNTY                       | TYPE OF FACILITY                                                           | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|---------------------------------------------|----------------------------------------------------------------------------|----------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Trinity Industries<br>Longview/Gregg County | Steel Fabrication<br>(Hopper Cars)<br>(Sandblasting and<br>Spray Painting) | 10/28/86             | No Permit         | The company started construction on a spray painting facility without a Board permit after being advised several times that a permit was required by the Texas Clean Air Act. A permit amendment has since been issued to the company. A Board Order with an administrative penalty was proposed to the company; however, the company has indicated they will contest the penalty. The file is being prepared for referral to the Attorney General's Office for lawsuit. |

LAM 011933

DPMC-08309

Table 3  
VIOLATIONS(Approved for Referral to Attorney General's Office)  
Since September 1, 1985

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                 | TYPE OF FACILITY           | NOTIFICATION<br>DATE | TYPE OF VIOLATION                           | COMMENT*                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|-----------------------------------------------------------------------|----------------------------|----------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Bean Hog Farm<br>Brownwood/Brown County                               | Confined Animal<br>Feedlot | 11/21/85             | Nuisance (Odors)<br>Board Order (85-12)     | The file on this company was referred to the Attorney General's Office on May 21, 1986. The company violated a Board Order issued in October, 1985 which required a reduction in the number of animals in the feedlot and prohibited the creation of any further nuisance conditions. It is projected that this lawsuit can be resolved within 5 months through court action. |
| 2              | Texland Petroleum<br>Lubbock/Lubbock County                           | Petroleum Storage          | 09/23/85             | No Permit<br>Nuisance (Odors)<br>Opacity    | The file on this company was referred to the Attorney General's Office on December 17, 1985 for violations which occurred prior to September 1, 1985. Additional violations have been periodically referred to the Attorney General's Office for inclusion in the lawsuit. This lawsuit is not expected to reach agreed settlement.                                           |
| 3              | Heinemann Custom Hardwood<br>Molding<br>Round Rock/Hill/Jamson County | Wood Molding               | 10/15/85             | No Permit<br>Excessive Visible<br>Emissions | The file on this company was referred to the Attorney General's Office on December 9, 1985 for the violations which occurred prior to September 1, 1985. Additional violations were forwarded for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 3 months.                                                                                |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011934

DPMC-08310

Table 3  
VIOLATIONS(Approved for Referral to Attorney General's Office)  
Since September 1, 1985

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT* |
|----------------|-----------------------|------------------|----------------------|-------------------|----------|
|----------------|-----------------------|------------------|----------------------|-------------------|----------|

3 Pool Production Services  
Company  
Kerwin/Freestone County

Oil Separation and  
Injection Well  
Facility

03/23/87

Permit Conditions

The file on this company was referred to the Attorney General's Office on October 29, 1985, for violations which occurred prior to September 1, 1985. Additional violations were forwarded on April 14, 1987 for inclusion in the lawsuit. This lawsuit is not expected to reach agreed settlement.

3 Rockwool Industries  
Belton/Bell County

Rockwool Insulation

10/11/85

Nuisance (Odors/Flywood)

The file on this company was referred to the Attorney General's Office on December 11, 1984. Violations occurring after September 1, 1985 have been periodically forwarded to the Attorney General's Office as a supplement to the original referral. The company ceased operations. The state made a settlement offer on November 14, 1986. We believe that an agreed judgment can be entered by July 30, 1987.

5 Oceanside Asphalt,  
Incorporated  
Robstown/Nueces County

Portable Asphalt  
Plant

06/26/86

Permit Conditions  
Nuisance (Dust)

The company was cited for failure to water the stockpiles and roads as required in the Board permit and for creating a nuisance dust condition. The file on this company was referred to the Attorney General's Office on May 28, 1987. It is projected that this lawsuit can be resolved within 1 year if an agreed settlement is reached.

\* If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011935

DFMC-08311

Table 3  
VIOLATIONS

Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                            | TYPE OF FACILITY                       | NOTIFICATION<br>DATE | TYPE OF VIOLATION                                                        | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|------------------------------------------------------------------|----------------------------------------|----------------------|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6              | Bryson Tank Company<br>Odessa/Ector County                       | Tank Manufacturing<br>(Spray Painting) | 10/08/85             | Nuisance (Paint Overspray)                                               | The company is continuing to operate without the needed controls and the nuisance problem remains. The file on this company was referred to the Attorney General's Office on January 31, 1986. It is projected that this lawsuit can be resolved within 3 months, if an agreed settlement is reached.                                                                                                                                                                                            |
| 6              | C & M Enterprises<br>Midland/Midland County                      | Sandblasting                           | 10/24/85             | Nuisance (Dust)<br>No Permit                                             | The company has a history of violations which include nuisance (dust) conditions. The file on this company was referred to the Attorney General's Office on January 31, 1986. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached.                                                                                                                                                                                                              |
| 6              | Permian Chemical Company,<br>Incorporated<br>Odessa/Ector County | Fertilizer Plant                       | 10/22/85             | Permit Representations<br>Permit Conditions<br>Nuisance (Acid Emissions) | The file on this company was referred to the Attorney General's Office on October 22, 1985, for violations occurring prior to September 1, 1985. Additional violations were forwarded on January 29, 1987 for inclusion in the lawsuit. The lawsuit is not expected to reach agreed settlement. An agreed temporary injunction was signed by the company and sent to the Court on June 22, 1987. It requires compliance with Sections 3.27(a) and 4.01(a) of the Act and Rules 101.7 and 111.21. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011936

DPMC-08312

Table 3  
VIOLATIONS

Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                      | TYPE OF FACILITY                     | NOTIFICATION<br>DATE | TYPE OF VIOLATION                            | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7              | Keeshan and Bost<br>Chemical Company<br>Manvel/Brazoria County                                                                             | Waste Chemical<br>Processing         | 02/26/86             | Nuisance (Odors)<br>Court Order              | A judgment was entered against this company on July 12, 1985 prohibiting future odor nuisances. Additional violations have since been documented. The file was referred to the Attorney General's Office on May 15, 1986. It is projected that this contempt action can be resolved within 2 months.                                                                                                                      |
| 7<br>and<br>5  | Cuyahoga Wrecking<br>Corporation<br>Galveston County<br>San Patricio County                                                                | Asbestos Contractor                  | 07/30/86             | NESHAP (Asbestos)                            | The file on this company was referred to the Attorney General's Office on May 8, 1987. The company conducted asbestos removal projects at Amoco Production Company (Galveston County) and Sun Exploration (San Patricio County) in violation of the NESHAP-Asbestos standards. The company has filed for bankruptcy. It is projected that the lawsuit can be resolved within 6 months if an agreed settlement is reached. |
| 7              | La Porte Chemicals<br>Corporation,<br>Diamond Shamrock Corporation,<br>Diamond Shamrock Plastics<br>Corporation<br>Deer Park/Harris County | Vinyl Chloride<br>Monomer Production | 01/28/86             | NESHAP (Vinyl Chloride)<br>Permit Conditions | On June 2, 1986, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. Additional violations have been periodically referred to the Attorney General's Office for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 6 months if an agreed settlement is reached.                                                           |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011937

DPMC-08313

Table 3  
VIOLATIONS(Approved for Referral to Attorney General's Office)  
Since September 1, 1985

LAM 011938

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT* |
|----------------|-----------------------|------------------|----------------------|-------------------|----------|
|----------------|-----------------------|------------------|----------------------|-------------------|----------|

|   |                                              |                            |          |                              |  |
|---|----------------------------------------------|----------------------------|----------|------------------------------|--|
| 7 | Reot Company<br>Shenandoah/Montgomery County | Trench Burner<br>Operation | 10/09/85 | No Permit<br>Outdoor Burning |  |
|---|----------------------------------------------|----------------------------|----------|------------------------------|--|

The company was cited on six occasions for operating without a permit and conducting outdoor burning. The file on this company was referred to the Attorney General's Office on January 29, 1986. It is projected that this lawsuit can be resolved within 3 months if an agreed settlement is reached.

|   |                                                             |                                            |          |                                              |  |
|---|-------------------------------------------------------------|--------------------------------------------|----------|----------------------------------------------|--|
| 7 | Tenneco Polymers,<br>Incorporated<br>Pasadena/Harris County | Chemical Manufacturing<br>(Vinyl Chloride) | 10/24/85 | NESHAP (Vinyl Chloride)<br>Permit Conditions |  |
|---|-------------------------------------------------------------|--------------------------------------------|----------|----------------------------------------------|--|

On December 31, 1985, the file on this company was referred to the Attorney General's Office because of the hazardous substance involved. The company sold its vinyl chloride plant in April, 1986. Further settlement negotiations took place July 1, 1987. It is projected that this lawsuit can be resolved within 3 months if an agreed settlement is reached.

|   |                                                                     |          |          |                                               |  |
|---|---------------------------------------------------------------------|----------|----------|-----------------------------------------------|--|
| 7 | Texas City Refining,<br>Incorporated<br>Texas City/Balveston County | Refinery | 06/26/86 | Permit Provisions<br>NSPS (High Sulfur Crude) |  |
|---|---------------------------------------------------------------------|----------|----------|-----------------------------------------------|--|

The file on this company was referred to the Attorney General's Office on July 12, 1983. Subsequent violations have been periodically forwarded to the Attorney General's Office for inclusion in the lawsuit. It is projected that this lawsuit can be resolved within 4 months if an agreed settlement is reached.

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

Table 3  
VIOLATIONS

Since September 1, 1985  
(Approved for Referral to Attorney General's Office)

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT* |
|----------------|-----------------------|------------------|----------------------|-------------------|----------|
|----------------|-----------------------|------------------|----------------------|-------------------|----------|

|   |                                                          |                        |          |                                        |                                                                                                                                                                                                                                                                               |
|---|----------------------------------------------------------|------------------------|----------|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7 | Union Carbide Corporation<br>Texas City/Galveston County | Chemical Manufacturing | 02/16/86 | MESHAP (Vinyl Chloride<br>and Benzene) | The file on this company was referred to the Attorney General's Office on March 18, 1986. Additional violations have been periodically included in the lawsuit. The parties have agreed to settle this matter. It is projected that a judgment can be entered within 1 month. |
|---|----------------------------------------------------------|------------------------|----------|----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|   |                                                                   |                     |          |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---|-------------------------------------------------------------------|---------------------|----------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8 | Brandywine Development<br>Corporation<br>Valley View/Cooke County | Rock Crushing Plant | 09/18/85 | Permit Conditions | The company has a history of violations beginning in 1983 when it constructed without a B&D permit. The file on this company was referred to the Attorney General's Office on February 4, 1986. It is projected that this lawsuit can be resolved within 2 months if an agreed settlement is reached. An agreed judgment was mailed to the defendant for signature in early February by certified mail but was apparently lost in the mail. Another agreed judgment was mailed to the defendant on March 16, 1987. Settlement negotiations have not achieved an agreement. Interrogatories were sent to the company and answered in June, 1987. The company is no longer operating at the site. |
|---|-------------------------------------------------------------------|---------------------|----------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011939

DPMC-08315

Table 3  
VIOLATIONS(Approved for Referral to Attorney General's Office)  
Since September 1, 1985

LAM 011940

| TACB<br>REGION | SOURCE<br>CITY/COUNTY | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION | COMMENT* |
|----------------|-----------------------|------------------|----------------------|-------------------|----------|
|----------------|-----------------------|------------------|----------------------|-------------------|----------|

|   |                                           |                     |          |                  |  |
|---|-------------------------------------------|---------------------|----------|------------------|--|
| 8 | M. L. Williams and Sons<br>Tarrant County | Building Demolition | 02/10/86 | NEHAP (Asbestos) |  |
|---|-------------------------------------------|---------------------|----------|------------------|--|

The file on this company was referred to the Attorney General's Office on May 16, 1986. An Agreed Final Judgment was signed by the Court on June 22, 1987 assessing \$7,500.00 in penalties and costs and enjoining the company from future violations.

|   |                                |            |          |                                |  |
|---|--------------------------------|------------|----------|--------------------------------|--|
| 8 | Willie Grant<br>Tarrant County | Individual | 02/21/86 | Outdoor Burning<br>Court Order |  |
|---|--------------------------------|------------|----------|--------------------------------|--|

A judgment was entered against this individual on May 31, 1985 prohibiting future violations of Regulation 1. An additional violation of unauthorized burning has since been documented. The file was referred to the Attorney General's Office on May 15, 1986. It is projected that this contempt action cannot be resolved by agreement.

|    |                                                                   |              |          |                                                                    |  |
|----|-------------------------------------------------------------------|--------------|----------|--------------------------------------------------------------------|--|
| 10 | Great Lakes Carbon<br>Corporation<br>Port Arthur/Defterson County | Carbon Plant | 09/27/85 | Opacity<br>Excessive Particulate<br>Emissions<br>Permit Conditions |  |
|----|-------------------------------------------------------------------|--------------|----------|--------------------------------------------------------------------|--|

The file on this company was referred to the Attorney General's Office on September 27, 1985 for violations occurring prior to September 1, 1985. Subsequent violations were forwarded to the Attorney General for inclusion in the lawsuit. Sampling is needed before injunctive relief can be drafted. The strike at the plant has recently ended. Resampling was conducted on March 9, 1987. The resampling indicated continuing violations which were forwarded to the Attorney General on June 18, 1987. It is projected that this lawsuit can be resolved within 10 months if an agreed settlement is reached.

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

Table 3  
VIOLATIONS(Approved for Referral to Attorney General's Office)  
Since September 1, 1985

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                                                                                                           | TYPE OF FACILITY          | NOTIFICATION<br>DATE | TYPE OF VIOLATION                           | COMMENT*                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|----------------------|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11             | Department of Defense,<br>U. S. Army<br>Matyear Construction Company<br>Pioneer Sheet Metal Works,<br>Incorporated<br>Fort Bliss/E1 Paso County | Building Renovation       | 09/17/85             | NESHAP<br>(Asbestos Removal)                | The file on the Army and the two companies was referred to the Attorney General's Office on April 7, 1986 for legal action because of the hazardous substance involved. It is projected that this lawsuit against the two companies can be resolved within 1 month because an agreed settlement has been reached. Notice of intent to sue the Department of Defense is being drafted. It is projected that this lawsuit can be resolved within 6 months if an agreed settlement is reached.                                                              |
| 12             | Dallas Demolition and<br>Excavating Company<br>Tyler/Smith County                                                                               | Building Demolition       | 09/16/85             | NESHAP<br>(Asbestos Removal)                | The excavating company was in the process of readying a building for implosion without proper notification and handling of asbestos. This lawsuit is not expected to reach agreed settlement. Interrogatories were sent to the company in June 1987.                                                                                                                                                                                                                                                                                                     |
| 12             | Poly Cycle Industries,<br>Incorporated<br>Tecula/Cherokee County                                                                                | Battery Case<br>Recycling | 02/19/86             | Permit Conditions<br>Permit Representations | Poor maintenance and cleaning practices at the company's battery case recycling facility have resulted in high lead concentrations in the soil near the grinding process. Additional samples taken confirmed the high lead levels in the soil. The file on this company was referred to the Attorney General's Office on October 22, 1986. Settlement negotiations took place in March, 1987. Another settlement meeting was held on July 1, 1987. It is projected that this lawsuit can be resolved within 6 months if an agreed settlement is reached. |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

LAM 011941

DPMC-08317

Table 3  
VIOLATIONS(Approved for Referral to Attorney General's Office)  
Since September 1, 1985

LAM 011942

| TACB<br>REGION | SOURCE<br>CITY/COUNTY                                           | TYPE OF FACILITY | NOTIFICATION<br>DATE | TYPE OF VIOLATION                   | COMMENT*                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|-----------------------------------------------------------------|------------------|----------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12             | Southwest Railroad<br>Car Parts<br>Jacksonville/Cherokee County | Railcar Salvage  | 03/18/86             | Outdoor Burning<br>Nuisance (Smoke) | The file on this company was referred to the Attorney General's Office on July 12, 1985 for violations occurring prior to September 1, 1985 at two different sites. Subsequent violations have been forwarded to the Attorney General for inclusion in the lawsuit. Since the defendant's attorney is a state legislator, settlement may not be possible until the fall of 1987. |
| 12             | Texas Basic Resources<br>Overtun/Rusk County                    | Grain Transfer   | 04/04/86             | No Permit<br>Nuisance (Dust)        | The file on this company was referred to the Attorney General's Office on March 6, 1987 for constructing and operating a grain transfer facility without a Board permit. It is projected that this lawsuit can be resolved within 11 months if an agreed settlement is reached.                                                                                                  |

\*If settlement cannot be reached and additional court action is necessary, then it may take 2 years to resolve these lawsuits.

DPMC-08318

Table 4  
VIOLATIONS

## On Small Sources With No Permit

LAM 011943

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY                          | NOTIFICATION<br>DATE |
|--------|--------------------------------------------------------------|-------------------------------------------|----------------------|
| 2      | Kast Marble<br>Amarillo/Potter County                        | Cultured Marble                           | 09/03/86             |
| 7      | Comanche Services, Incorporated<br>Houston/Harris County     | Sandblasting and Painting                 | 02/29/87             |
| 7      | Helena Chemical Company<br>El Campo/Wharton County           | Herbicide Storage                         | 02/03/87             |
| 7      | Living Earth Technology<br>Houston/Harris County             | Bark Grinding                             | 11/04/86             |
| 7      | Marble Vanities, Incorporated<br>Houston/Harris County       | Cultured Marble                           | 02/07/87             |
| 7      | Precision Fabricators, Incorporated<br>Houston/Harris County | Wastewater Treatment<br>Plant Fabrication | 03/27/87             |
| 7      | Smith Industries, Incorporated<br>Columbus/Colorado County   | Oil and Gas Process Equipment             | 03/23/87             |
| 7      | TDS Foundry Corporation<br>Rosenberg/Fort Bend County        | Metal Castings                            | 04/10/87             |
| 7      | Trans Chem, Incorporated<br>Katy/Harris County               | HCL Storage and Packaging                 | 04/10/87             |

Table 4  
VIOLATIONS

## On Small Sources With No Permit

LAM 011944

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                                                     | TYPE OF FACILITY    | NOTIFICATION<br>DATE |
|--------|---------------------------------------------------------------------------|---------------------|----------------------|
| 8      | Walray, Incorporated<br>dba Laser Boats of Texas<br>Roanoke/Denton County | Fiberglass Boats    | 02/14/87             |
| 8      | Rocky Mountain Bank Note Company<br>Arlington/Tarrant County              | Check Printing      | 03/12/87             |
| 8      | Star Tank and Trailer Manufacturing<br>Company<br>Wise County             | Fiberglass Products | 02/14/87             |
| 9      | Creative Marble<br>San Antonio/Bexar County                               | Cultured Marble     | 08/25/86             |
| 9      | He Los Santos Ready Mix Concrete<br>Eagle Pass/Maverick County            | Ready Mix Concrete  | 04/22/87             |
| 9      | San Antonio Marble<br>San Antonio/Bexar County                            | Cultured Marble     | 03/13/87             |
| 10     | Beaumont Marble Company<br>Beaumont/Jefferson County                      | Cultured Marble     | 07/30/86             |
| 12     | Wells Company<br>Smith County                                             | Cultured Marble     | 08/12/86             |

Table 4  
VIOLATIONS  
On Small Sources With No Permit

The following companies constructed and operated small facilities without Board permits or exemptions. The companies indicated no prior knowledge of the permitting requirements and had no previous permit violations. Applications have been submitted. Board Orders without administrative penalties will be presented to the Board for adoption. The Board Orders require the companies to obtain permits or exemptions.

| REGION | SOURCE<br>CITY/COUNTY                                        | TYPE OF FACILITY | NOTIFICATION<br>DATE |
|--------|--------------------------------------------------------------|------------------|----------------------|
| 12     | Wintermute Industries,<br>Incorporated<br>Paris/Lamar County | Wooden Plaques   | 02/02/87             |

LAM 011945

ADMINISTRATIVE PENALTIES AND ORDERS OF THE TEXAS AIR CONTROL BOARD

| ORDER NO. | RESPONDENT                                                                                  | DATE ENTERED | PENALTY AMOUNT | VIOLATIONS/REMEDIAL ACTION                                                                                                                                                                                                                                                  |
|-----------|---------------------------------------------------------------------------------------------|--------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-06(a)  | Beaumont Marble Company<br>760 Fannin Street<br>Beaumont, Texas                             | 7/17/87      |                | Failure to obtain permit to construct and operate a cultured marble manufacturing facility/obtainment of permit                                                                                                                                                             |
| 87-06(b)  | D&G Equipment d/b/a<br>Big City Crushed Concrete<br>3415 W. Gilbert<br>Grand Prairie, Texas | 7/17/87      |                | Failure to obtain permit to construct and operate a portable concrete crusher/obtainment of permit                                                                                                                                                                          |
| 87-06(c)  | Comanche Service, Inc.<br>4825 Steffani Lane<br>Houston, Texas                              | 7/17/87      |                | Failure to obtain permit to construct and operate a sandblasting and coating facility/obtainment of permit                                                                                                                                                                  |
| 87-06(d)  | Creative Marble<br>7052 Alamo Downs Parkway<br>San Antonio, Texas                           | 7/17/87      |                | Failure to obtain permit to construct and operate a synthetic marble manufacturing facility                                                                                                                                                                                 |
| 87-06(e)  | Crown Cork and Seal<br>Company, Inc.<br>1900 North Clack<br>Arlene, Texas                   | 7/17/87      | \$21,700       | Failure to obtain permit to construct and operate line no. 3 of a soft drink can fabrication facility. Failure to comply with source performance standard which requires submission of results of initial performance test/obtainment of permit, submission of test results |
| 87-06(f)  | Eagle Ready-Mix Concrete<br>1505 West Kirby<br>Wylie, Texas                                 | 7/17/87      | \$800          | Operating concrete batch plant without a shroud/use of shroud                                                                                                                                                                                                               |
| 87-06(g)  | El Paso Products Company<br>2400 S. Grandview<br>Odessa, Texas                              | 7/17/87      | \$3,500        | Failure to monitor flare pilot flames with a thermocouple/use of thermocouples                                                                                                                                                                                              |

003MHC1/155E01

LAM 011946

DPMC-08322

LAM 011947

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                   | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u>                           | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                                                                                           |
|------------------|---------------------------------------------------------------------|---------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-06(h)         | Energy Technology, Inc.<br>2100 Crosby-Dayton Road<br>Crosby, Texas | 7/17/87             | \$500                                           | Failure to obtain permit to construct and operate an outdoor sandblasting and prime coating operation/obtainment of permit                                                                  |
| 87-06(i)         | John H. Harland Co.<br>1550 Walnut Hill Lane<br>Irving, Texas       | 7/17/87             | \$1000                                          | Failure to obtain permit to construct and operate a lead pot furnace/obtainment of permit                                                                                                   |
| 87-06(j)         | Heritage Press<br>8939 Premier Row<br>Dallas, Texas                 | 7/17/87             | \$5,300                                         | Failure to obtain permit for construction and operation of a sheet fed Komari L-640-III press/obtainment of permit                                                                          |
| 87-06(k)         | Inland Orange, Inc.<br>Old Highway 87<br>Orange County, Texas       | 7/17/87             | \$250                                           | Operating a multi-fuel boiler without using the electrostatic precipitator (ESP) or the venturi scrubber/Installation and use of scrubber in place of ESP; sampling and reporting emissions |
| 87-06(l)         | Jasson Industries, Inc.<br>103 S. Bell<br>Bellville, Texas          | 7/17/87             |                                                 | Failure to use fabric or cartridge filter control system during operation of woodworking facilities                                                                                         |
| 87-06(m)         | L.V. Easterling                                                     | 7/17/87             | \$200 (In one \$35 payment and 5 \$33 payments) | Burning wire insulation outdoors                                                                                                                                                            |
| 87-06(n)         | Living Earth Technology<br>10050 Tanner Road<br>Houston, Texas      | 7/17/87             |                                                 | Failure to obtain permit to construct and operate an oak bark grinding and composting plant/obtainment of permit                                                                            |
| 87-06(o)         | Marble Vanities, Inc.<br>9797 Old Gveston Road<br>Houston, Texas    | 7/17/87             |                                                 | Failure to obtain permit to construct and operate a synthetic marble manufacturing plant                                                                                                    |

003MHCI/155E01

DPMC-08323

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                                              | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                            |
|------------------|--------------------------------------------------------------------------------|---------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------------|
| 87-06(p)         | Myco Ready Mix, Inc.<br>Wylie, Collin County, Texas                            | 7/17/87             | \$500                 | Operating a ready mix concrete plant without an operable cement silo overflow warning device/compliance with rule            |
| 87-06(q)         | Precision Fabricators, Inc.<br>12950 Emmett Road<br>Houston, Texas             | 7/17/87             |                       | Failure to obtain permit for constructing and operating an abrasive blast cleaning and coating facility/obtainment of permit |
| 87-06(r)         | Rocky Mountain Bank<br>Note Co.<br>401 Exchange Drive<br>Arlington, Texas      | 7/17/87             |                       | Failure to obtain permit to construct and operate a lead remelt furnace/obtainment of permit and installation of controls    |
| 87-06(s)         | Smith Industries, Inc.<br>Columbia, Colorado County, Texas                     | 7/17/87             |                       | Failure to obtain permit to construct and operate an abrasive cleaning operation/obtainment of permit                        |
| 87-06(t)         | Star Tank and Trailer<br>Manufacturing Co., Inc.<br>Rhome, Wise County, Texas  | 7/17/87             |                       | Failure to obtain permit to construct and operate two fiberglass coating lines/obtainment of permit                          |
| 87-06(u)         | Walray, Inc. d/b/a<br>Laser Boats of Texas<br>Roanoke, Denton County, Texas    | 7/17/87             |                       | Failure to obtain permit to construct and operate a fiberglass boat manufacturing facility/obtainment of permit              |
| 87-06(v)         | Weaver Spring Company<br>306 West Simonds Road<br>Seagoville, Texas            | 7/17/87             | \$500                 | Failure to obtain permit to construct and operate an oil quenching facility/obtainment of permit                             |
| 87-06(w)         | White Industrial<br>Painters, Inc.<br>Industrial Road<br>Trinity County, Texas | 7/17/87             |                       | Failure to obtain permit to construct and operate a surface coating and sand-blasting operation/obtainment of permit         |

LAM 011948

003MHCI/155E01

DPMC-08324

| <u>ORDER NO.</u> | <u>RESPONDENT</u>                                          | <u>DATE ENTERED</u> | <u>PENALTY AMOUNT</u> | <u>VIOLATIONS/REMEDIAL ACTION</u>                                                                                      |
|------------------|------------------------------------------------------------|---------------------|-----------------------|------------------------------------------------------------------------------------------------------------------------|
| 87-06(x)         | Windsor Plastics, Inc.                                     | 7/17/87             | \$1,725               | Failure to obtain permit to construct and operate paint spray booths/obtainment of permit and installation of controls |
| 87-06(y)         | Wynn-Kiki, Inc.<br>9320 Southwest Dr.<br>Fort Worth, Texas | 7/17/87             | \$750                 | Failure to obtain permit to construct and operate a trichloroethylene degreaser/obtainment of permit                   |

003MHCI/155E01

LAM 011949

DPMC-08325