

PC

AIR CP_102610102_CP_20190711_Investigation_1579487
Texas Commission on Environmental Quality
Investigation Report

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Customer: Blue Ridge Landfill TX, LP
Customer Number: CN602820599

Regulated Entity Name: BLUE RIDGE LANDFILL
Regulated Entity Number: RN102610102

**INFORMATION COPY
FOR R12 FILE ROOM**

Investigation # 1579487

Incident Numbers

315333

Investigator: ANDREW EVANS

Site Classification MAJOR SOURCE

Conducted: 07/11/2019 -- 07/14/2019

NAIC Code: 562212

NAIC Code: 486210

SIC Code: 1521

SIC Code: 4922

SIC Code: 4953

Program(s): AIR OPERATING PERMITS

Investigation Type: Compliance Investigation

Location: LOCATED ON 2200 FM 521

Additional ID(s): FG0536E
1472

Address: 2200 FM 521 RD,
FRESNO, TX , 77545

Local Unit: REGION 12 - HOUSTON

Activity Type(s): AIR MNSR - MINOR SOURCE NEW
SOURCE REVIEW
AIRCOMPL - AIR CMPL - AIR
COMPLAINT INV

Principal(s):

Role

Name

RESPONDENT

BLUE RIDGE LANDFILL TX LP

Contact(s):

Role

Title

Name

Phone

REGULATED
ENTITY MAIL
CONTACT

GENERAL MANAGER

MR ROBERT C COX

Work (972) 434-2010

REGULATED
ENTITY
CONTACT

OPERATIONS
MANAGER

MR ZACHARY
PEDERSEN

Work (254) 205-5731

REGULATED
ENTITY
CONTACT

ENVIRONMENTAL
MANAGER

MR TIM TELEPAK

Office (713) 676-7669

REGULATED
ENTITY
CONTACT

ENVIRONMENTAL
SPECIALIST

MS AMY KUBINSKI

Phone (281) 835-6142

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Other Staff Member(s):

Role	Name
QA Reviewer	MARK KOLKMEIER
Investigator	KYLEA RODRIGUES
Supervisor	MARK KOLKMEIER

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
AIR FOCUSED INVESTIGATION - ODOR SURVEY	sitewide
AIR COMPLAINT INVESTIGATION	sitewide

Investigation Comments:

INTRODUCTION

Introduction

Between July 11 and July 14, 2019, seven odor complaints (six unique complainants) were received via the Texas Commission on Environmental Quality (TCEQ) online complaint form, Houston Region's air section phone duty line or by email. These complaints are part of the ongoing investigation of various odors occurring in the Shadow Creek Ranch Subdivision and surrounding area. See CCEDS Incident number 315333 for more details on the complaints filed. The complaints were filed between July 11, 2019 and July 15, 2019.

The complainants alleged a garbage or landfill odor occurring in their homes and around the neighborhood in the early-morning or in the evening. All six of the complainants identified Blue Ridge Landfill (BRL) as the alleged source of the odor.

Meteorological conditions during the alleged incidents were as follows:

- July 11, 2019 it was approximately 77.8 degrees Fahrenheit (°F) with a wind speed of 4.8 miles per hour (mph) from 337 degrees compass;
- July 13, 2019 it was approximately 79.2°F with a wind speed of 5.1 mph from 292 degrees compass;
- July 14, 2019 it was approximately 83.7 °F with a wind speed of 5.3 mph from 326 degrees compass.
- July 15, 2019 it was approximately 85.6 °F with a wind speed of 4.0 mph from 230 degrees compass.

This information was obtained via the TCEQ Manvel Croix Park C84 (CAMS 84) monitoring station.

The complainants were contacted by phone or email on July 14, 2019, to inform them that their complaint had been assigned and will be investigated.

Investigation Narrative

July 11, 2019

TCEQ investigators, Ms. Kylea Rodrigues and Mr. Jay Evans, conducted odor surveys in the west Pearland, Texas area. The area is largely residential with numerous industrial facilities. Meteorological conditions taken from CAMS 84 at the beginning of the investigation were as follows: 83.7 °F with a wind speed of 5.3 mph from 326 degrees compass. An area map overview is provided in Attachment 1, Odor Logs for July 11, 2019 are provided in Attachment 2A, and an Odor Log Location Map documenting odor survey (OS) locations is provided in Attachment 3. Meteorological conditions in the field observed by the investigators appeared to be similar to those reported by CAMS 84.

At 6:00 a.m., the investigators arrived at 2502 Mountain Sage Road (N 29.5658, W -95.4372); (OS3). Each investigator completed a 70-minute odor survey. While conducting the odor survey, Mr. Evans experienced mild nausea. A complaint received on July 15, 2019 noted similar health effects experienced by one complainant

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beginning on July 13, 2019. A very light to strong putrefying landfill odor was detected for a total of 65 minutes. The odor is characterized as highly offensive based on experience, training, and the TCEQ Odor Complaint Procedures. The one and ten-minute weighted averages were strong, and the one-hour weighted average was moderate. The investigators attributed this odor to BRL based on the investigators' training and experience, attributes of the odor, wind direction, and presence of the same odor on the adjoining Farm Road 521 across from BRL. The investigators departed from this location at approximately 7:10 a.m. This location was downwind of BRL at the time of the survey.

At 7:37 a.m., the investigators arrived at Shadow Grove Lane (N 29.5525, W -95.4378); (OS1). Each investigator conducted a 75-minute odor survey. A very light to moderate putrefying landfill odor was detected for a total of 27 minutes. The one-minute weighted average was moderate, the ten-minute weighted average was light, and the one-hour weighted average was very light. The investigators departed from this location at approximately 8:52 a.m. This location was downwind of BRL at the time of the survey.

At 9:20 a.m., the investigators arrived at 2812 Silhouette Bay Drive (N 29.5589, W -95.4245); (OS2). Each investigator conducted a 1-hour odor survey. No odors were detected. The investigators departed from this location at approximately 10:20 a.m.

At 10:27 a.m., the investigators arrived at 2034 Trinity Bay Drive (N 29.5760, W -95.4261); (OS4). Each investigator conducted a 1-hour odor survey. No odors were detected. The investigators departed from this location at approximately 11:27 a.m.

At 11:35 a.m., the investigators arrived at 7003 McHard Road (N 29.5832, W -95.4612); (OS5). Each investigator conducted a 1-hour odor survey. No odors were detected. The investigators departed from this location at approximately 12:35 p.m. This location was upwind of BRL at the time of the survey.

At 12:50 p.m., the investigators arrived at the BRL facility to gather additional information regarding the observed odors. At the time of arrival, the investigators were informed that no environmental staff were working at the facility that day. However, it was noted that the facility operations manager would be available within the next hour. The investigators waited in a facility conference room for approximately one hour.

Mr. Zachary Pedersen, the Operations Manager at the BRL facility, arrived at approximately 1:50 p.m. Mr. Pedersen stated that the facility had not received any complaints that day and that all control systems were working properly that day. Mr. Pedersen also stated that the odors from the landfill were caused by existing meteorological conditions at that time. Additionally, he provided the locations of where the facility had been conducting operations at that time, the working face and the Class I area (see Attachment 3 for additional information).

July 14, 2019

TCEQ investigators Ms. Kylea Rodrigues and Mr. Jay Evans conducted odor surveys in the west Pearland, Texas area. All odor logs are provided in Attachment 2. Meteorological conditions taken from CAMS 84 at the beginning of the investigation were as follows: 78.4 °F with a wind speed of 2.8 mph from 284 degrees compass. An area map overview is provided in Attachment 1, Odor Logs for July 14, 2019 are provided in Attachment 2B, and an Odor Log Location Map is provided in Attachment 3. Meteorological conditions in the field observed by the investigators appeared to be similar to those reported by CAMS 84.

At 6:05 a.m., the investigators arrived at 13502 White Cloud Court (N 29.5725, W -95.4296); (OS3). Each investigator completed a one-hour odor survey. A very light to strong putrefying landfill odor was detected for a total of 31 minutes. The one-minute weighted average was strong, the ten-minute weighted average was moderate, and the one-hour weighted average was very light. The investigators attributed this odor to BRL based on the investigators' training and experience, attributes of the odor, wind direction, and presence of the same odor on the adjoining Farm Road 521 across from BRL. The investigators departed from this location at approximately 7:05 a.m. This location was downwind of BRL at the time of the survey.

At 7:10 a.m., Ms. Rodrigues arrived at 13109 Shadow Falls Lane (N 29.5693, W -95.4189); (OS2). The investigator conducted a one-hour odor survey. No odors were detected. The investigator departed from this location at approximately 8:10 a.m.

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At 7:22 a.m., Mr. Evans arrived at Evergreen Street (N 29.5471, W -95.4690) ;(OS5). The investigator conducted a 1-hour odor survey. No odors were detected other than an outdoor burning smell for a total of 3 minutes. The investigator departed from this location at approximately 8:22 a.m.

At 8:21 a.m., Ms. Rodrigues arrived at Shadow Grove Lane (N 29.5525, W -95.4378); (OS1). The investigator conducted a one-hour odor survey. No odors were detected. The investigator departed from this location at approximately 9:21 a.m.

At 8:40 a.m., Mr. Evans arrived at 2034 Trinity Bay Drive (29.5754, W -95.4264); (OS4). The investigator conducted a 1-hour odor survey. No odors were detected. The investigators departed from this location at approximately 9:40 a.m.

According to TCEQ Odor Complaint Investigation Procedures, frequency is the number of times that an odor has been complained about and documented to have occurred (either directly or circumstantially) by the investigator. TCEQ Odor Complaint Investigation Procedures define a weekly frequency category as having been documented during an investigator's odor survey at least three times at the complainant's site or equal distance in any 30-day period. During the 30-day period between June 15, 2019 and July 15, 2019 TCEQ staff documented odors attributed to BRL the following three times at offsite locations: July 8, 2019 in complaint investigation number 1579097, and during this investigation conducted July 11, 2019 and July 14, 2019. Based on these occurrences, the frequency of odors documented by TCEQ staff as of July 14, 2019 can be categorized as a weekly occurrence. Based on the investigators' experience and training, the odor detected at odor survey location OS3 respective to July 11, 2019 and July 14, 2019 was characterized as highly offensive.

At a weekly frequency, a highly offensive odor documented at a strong intensity for at least 1 minute constitutes a nuisance according to the TCEQ Odor Complaint Investigation procedures and the FIDO (Frequency, Intensity, Duration and Odor) chart. On July 11, 2019, TCEQ investigators conducted odor surveys at off-site locations and detected strong putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 10 minutes. Additionally, during a complaint investigation conducted on July 14, 2019, TCEQ investigators conducted odor surveys at off-site locations and detected moderate putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 10 minutes. In addition, on July 14, 2019, strong putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 1 minute. Additionally, the investigator experienced health effects, including nausea, that was attributed to BRL odors on July 11, 2019. A violation will be issued for failure to prevent a nuisance condition under 30 TAC 101.4. For more information, see VTN 722405.

Facility Authorization Narrative

BRL operates under Federal Operating Permit O-01472.

Exit Interview

On September 17, 2019, the investigator sent Mr. Tim Telepak, Environmental Manager of BRL, an exit interview form via email. The complainants were notified of the results of the investigation on September 18, 2019.

GENERAL FACILITY AND PROCESS INFORMATION

Process Description

BRL is a municipal solid waste landfill. More detailed process descriptions can be found in the TCEQ Central File Room.

BACKGROUND

Agreed Orders, Court Orders, and Other Compliance Agreements

Based on a review of CCEDS, TCEQ Central Files, and the enforcement database, the following AO pertaining to violations of air quality regulations was issued by the TCEQ within the past 5 years: 2016-1923-AIR-E

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Prior Enforcement Issues

Based on a review of CCEDS and the regional office files, violations were issued by the TCEQ to the alleged source during the past five years. There are no repeat Category B or C violations.

Complaints

Based on a review of CCEDS, during the past five years, numerous odor complaints have been received alleging odors from BRL, and other TCEQ investigations are being conducted concurrently by the Region 12 Office.

ADDITIONAL INFORMATION

Conclusions, Recommendations, and Current Enforcement Actions

One violation was noted based upon conditions observed, information received, and records reviewed during this investigation. For more information, see the Summary of Investigation Findings below.

Additional Issues

No additional issues were noted during this investigation.

REPORT ATTACHMENTS

1. Area Map
- 2A. Odor Logs July 11, 2019
- 2B. Odor Logs July 14, 2019
3. Odor Log Location Maps (July 11, 2019 and July 14, 2019)
4. CONFIDENTIAL- Complainant Map
5. Exit Interview Form

NOE Date: 9/18/2019

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track Number: 722405

Compliance Due Date: To Be Determined

Violation Start Date: 7/11/2019

30 TAC Chapter 101.4
5C THSC Chapter 382.085(a)
5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 1579487

Comment Date: 08/12/2019

Failure to prevent a nuisance condition.

During a complaint investigation conducted on July 11, 2019, TCEQ investigators conducted odor surveys at off-site locations and detected strong putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 10 minutes. Additionally, during a complaint investigation conducted on July 14, 2019, TCEQ investigators conducted odor surveys at off-site locations and detected moderate putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 10 minutes. In addition on July 14, 2019, strong putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 1 minute. During a 30-day period TCEQ staff documented odors from Blue Ridge Landfill (BRL) at off-site locations the following three times: July 8, 2019 in complaint investigation number 1579097; and during this investigation (1579487) conducted on July 11, 2019 and July 14, 2019. Based on these occurrences, the

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frequency of odors documented by TCEQ staff as of July 14, 2019 can be categorized as a weekly occurrence. At a weekly frequency, a highly offensive odor documented at a strong intensity for at least 1 minute constitutes a nuisance.

Additionally, on July 11, 2019, an investigator experienced mild nausea due to the strong highly offensive odors detected during the complaint investigation, similar physical health effects were reported by one complainant. The nuisance odors from BRL were determined to be injurious to or adversely affect human health, welfare, and interfered with the normal use and enjoyment of animal life, vegetation, or property.

This constitutes a violation of 30 TAC 101.4, which states, "No person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property."

This further constitutes a violation of the following: Texas Health & Safety Code 382.085(a) and Texas Health & Safety Code 382.085(b).

Signed



Environmental Investigator

Date

9/11/19

Signed



Supervisor

Date

9/18/19

Attachments: (in order of final report submittal)

☒ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : NOE

Investigation Report

☐ Sample Analysis Results

☐ Manifests

☐ Notice of Registration

☐ Maps, Plans, Sketches

☐ Photographs

☐ Correspondence from the facility

☒ Other (specify) :

See report narrative.

Attachment 1

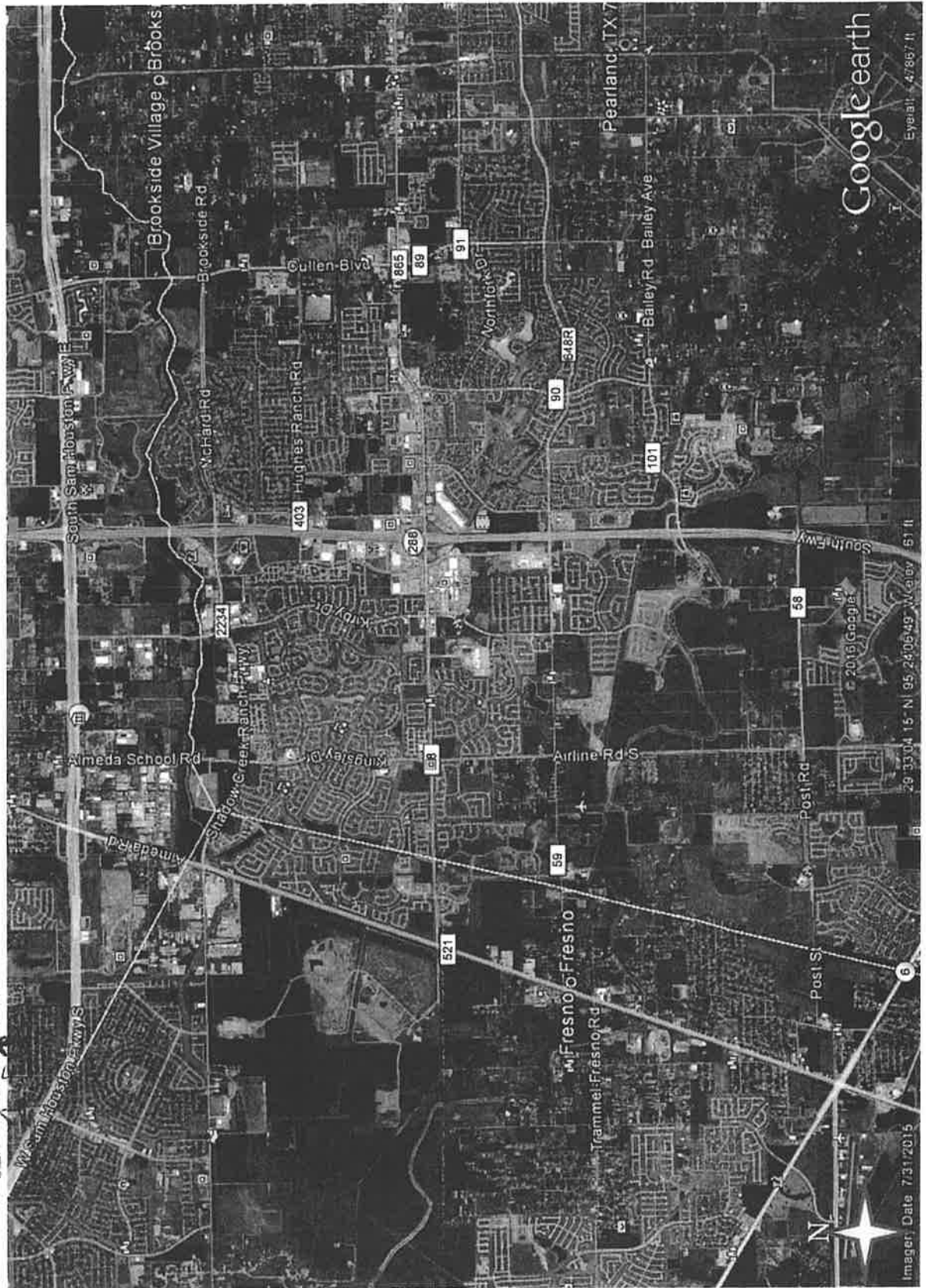
Area Map

Investigation Number 1579487

Dates of Investigation: 07/11/2019 & 7/14/2019

Map Type: CMPL
FG-053C-0

Area Map



Attachment 2A
Odor Logs
Investigation Number 1579487
Date: 07/11/2019

Supplemental Investigator's Odor Intensity Time Log

Investigator: Joe Evans
Date of Investigation: 7/11/19

Location: 2502 Mountain Sage
Start Time: 6:00 AM

0
053

Minutes	Odor Intensity VL, L, M, S, VS
1 min	L
2	L
3	L
4	L
5	M
6	S
7	S
8	S
9	S
10	M
11	L
12	M
13	L
14	L
15	M
16	S
17	S
18	S
19	S
20	S
21	S
22	M
23	M
24	S
25	S
26	M
27	S
28	S
29	S
30	M

Minutes	Odor Intensity VL, L, M, S, VS
31 min	L
32	L
33	L
34	L
35	L
36	L
37	VL
38	VL
39	VL
40	VL
41	VL
42	VL
43	VL
44	VL
45	VL
46	L
47	VL
48	M
49	L
50	L
51	L
52	S
53	S
54	M
55	M
56	M
57	M
58	S
59	M
60	S

Odor Description: Putridly 100% full odor

Offensiveness: Highly ☒ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min		✓				
10 Min		✓				
1 Hour			✓			

Investigation Type: CMP
Air Account NO: F6-0536-6
Attachment: 2A
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Supplemental Investigator's Odor Intensity Time Log

Investigator: Das Evans
Date of Investigation: 7/11/19

Location: 2502 Mountain Saye 053
Start Time: 7:00

Minutes	Odor Intensity VL, L, M, S, VS
1 min	L
2	L
3	L
4	L
5	M
6	-
7	-
8	-
9	-
10	-
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	

Minutes	Odor Intensity VL, L, M, S, VS
31 min	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	Investigation Type: <u>Civil</u>
53	Air Assessment ID: <u>FG-0536-E</u>
54	Attachment: <u>2A</u>
55	Page <u>2</u> of <u>14</u>
56	
57	
58	
59	
60	

Odor Description: putrefying landfill odor

Offensiveness: Highly / Offensive Unpleasant Not Unpleasant

Weighted Average Intensity: 7/11/19

	VS	S	M	L	VL	No Odor
1 Min	<u>X</u>	<u>/</u>				
10 Min	<u>X</u>	<u>/</u>				
1 Hour			<u>/</u>			

Supplemental Investigator's Odor Intensity Time Log

Investigator: Jay Evans
 Date of Investigation: 7/11/19

Location: 2038 Trade Bay Dr. 054
 Start Time: 10:27

Minutes	Odor Intensity VL, L, M, S, VS
1 min	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	1
13	1
14	1
15	1
16	1
17	1
18	1
19	1
20	1
21	1
22	1
23	1
24	1
25	1
26	1
27	1
28	1
29	1
30	1

Minutes	Odor Intensity VL, L, M, S, VS
31 min	1
32	1
33	1
34	1
35	1
36	1
37	1
38	1
39	1
40	1
41	1
42	1
43	1
44	1
45	1
46	1
47	1
48	1
49	1
50	1
51	1
52	1
53	1
54	1
55	1
56	1
57	1
58	1
59	1
60	1

Odor Description: none

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						1
10 Min						1
1 Hour						

Supplemental Investigator's Odor Intensity Time Log

Investigator: Aug Evans
Date of Investigation: 7/14/19

Location: 2812 Silhouette Bay
Start Time: 9:20 am

052

Minutes	Odor Intensity VL, L, M, S, VS
1 min	1
2	1
3	1
4	1
5	1
6	1
7	1
8	1
9	1
10	1
11	1
12	1
13	1
14	1
15	1
16	1
17	1
18	1
19	1
20	1
21	1
22	1
23	1
24	1
25	1
26	1
27	1
28	1
29	1
30	1

Minutes	Odor Intensity VL, L, M, S, VS
31 min	1
32	1
33	1
34	1
35	1
36	1
37	1
38	1
39	1
40	1
41	1
42	1
43	1
44	1
45	1
46	1
47	1
48	1
49	1
50	1
51	1
52	1
53	1
54	1
55	1
56	1
57	1
58	1
59	1
60	1

Investigation Type: CMAR

Investigator ID: EG-036-F

Investigator: 2A

Date: 7/14/19

Odor Description: None

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						1
10 Min						1
1 Hour						1

Supplemental Investigator's Odor Intensity Time Log

Investigator: Sgt Evans
 Date of Investigation: 7/11/19

Location: Shadow Grove Ln
 Start Time: 9:38 am

Minutes	Odor Intensity VL, L, M, S, VS
1 min	—
2	—
3	VL
4	VL
5	VL
6	—
7	—
8	L
9	L
10	L
11	L
12	—
13	—
14	—
15	—
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	

Minutes	Odor Intensity VL, L, M, S, VS
31 min	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
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46	
47	
48	
49	
50	
51	
52	
53	Investigation Type: <u>CNPL</u>
54	<u>FG-0536-E</u>
55	<u>2A</u>
56	<u>S</u> <u>07/14</u>
57	
58	
59	
60	

Odor Description: putrid/strong landfill odor

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min			/			
10 Min				/		
1 Hour					/	

29.5525 - 45.4578
Shadow Grove Ln OS1

Supplemental Investigator's Odor Intensity Time Log

Investigator: Day Evans Location: Anderson Lake @ Hartford Lakes
Date of Investigation: 7/11/19 Start Time: 7:28 am
7:37

Minutes	Odor Intensity VL, L, M, S, VS
1 min	VL
2	L
3	VL
4	VL
5	VL
6	M
7	L
8	L
9	L
10	—
11	—
12	—
13	—
14	—
15	—
16	VL
17	VL
18	VL
19	—
20	—
21	—
22	—
23	—
24	—
25	—
26	—
27	—
28	M
29	—
30	—

Minutes	Odor Intensity VL, L, M, S, VS
31 min	—
32	—
33	—
34	—
35	—
36	—
37	—
38	—
39	—
40	—
41	—
42	—
43	—
44	—
45	—
46	—
47	—
48	—
49	VL
50	VL
51	—
52	Investigation Type: <u>CML</u>
53	Alt Account NO: <u>FG-0536-E</u>
54	Alt Account <u>2A</u>
55	<u>6</u> of <u>14</u>
56	L
57	L
58	L
59	L
60	VL

Odor Description: Pottery and fill odor

Offensiveness: Highly ☒ Offensive ☐ Unpleasant ☐ Not Unpleasant ☐

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min			✓			
10 Min				✓		
1 Hour					✓	

Supplemental Investigator's Odor Intensity Time Log 025

Investigator: Lucy Evans
Date of Investigation: 7/11/19

Location: 7003 McHard Rd
Start Time: 1135

Minutes	Odor Intensity VL, L, M, S, VS
1 min	—
2	—
3	—
4	—
5	—
6	—
7	—
8	—
9	—
10	—
11	—
12	—
13	—
14	—
15	—
16	—
17	—
18	—
19	—
20	—
21	—
22	—
23	—
24	—
25	—
26	—
27	—
28	—
29	—
30	—

Minutes	Odor Intensity VL, L, M, S, VS
31 min	—
32	—
33	—
34	—
35	—
36	—
37	—
38	—
39	—
40	—
41	—
42	—
43	—
44	—
45	—
46	—
47	—
48	—
49	—
50	—
51	Investigation Type: <u>CML</u>
52	Air Account NO: <u>FG-053C-E</u>
53	Attachment: <u>2A</u>
54	Page <u>7</u> of <u>14</u>
55	—
56	—
57	—
58	—
59	—
60	—

Odor Description: none

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

D.S.3

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kyle Rodriguez
Date of Investigation: 7/11/19

Location: 2502 Mountain Sage Dr, Pearland, TX 77584
Start Time: 0600

Minutes	Odor Intensity VL, L, M, S, VS
1 min	L
2	L
3	L
4	L
5	M
6	S
7	S
8	S
9	S
10	M
11	L
12	M
13	L
14	L
15	L
16	M
17	S
18	S
19	S
20	S
21	S
22	M
23	M
24	M
25	S
26	S
27	M
28	S
29	S
30	L

Minutes	Odor Intensity VL, L, M, S, VS
31 min	M
32	L
33	L
34	M
35	M
36	L
37	L
38	VL
39	VL
40	VL
41	VL
42	VL
43	VL
44	VL
45	VL
46	L
47	L
48	M
49	M
50	L
51	L
52	L
53	S
54	S
55	M
56	L
57	M
58	M
59	S
60	M

Investigation Type: CMAA
Air Account NO: FG 0536-E
Appoint: 2A
Page 8 of 14

Odor Description: Trash / Landfill / Rotting / Putrefying

Offensiveness: Highly ☒ Offensive ☐ Unpleasant ☐ Not Unpleasant ☐

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min		4.0				
10 Min		3.7				
1 Hour				2.4		

O.S.3

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kylea Rodriguez
Date of Investigation: 7/11/19

Location: 2502 Mountain Sage Dr, Pearland, TX
Start Time: 0700 77584

Minutes	Odor Intensity VL, L, M, S, VS
1 min	M
2	L
3	L
4	No odors observed
5	No odors observed
6	VL
7	VL
8	No odors observed
9	No odors observed
10	No odors observed
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	

Minutes	Odor Intensity VL, L, M, S, VS
31 min	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	Investigation Type: <u>CML</u>
53	Air Assessment ID: <u>FG-0536-E</u>
54	Assignment: <u>2d</u>
55	Page <u>9</u> of <u>14</u>
56	
57	
58	
59	
60	

Odor Description: Trash/Landfill/Rotting/Putrefying
Offensiveness: Highly ☒ Offensive ☐ Unpleasant ☐ Not Unpleasant ☐

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min		4.0				
10 Min		3.7				
1 Hour				2.4		

O.S.1

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kylea Rodriguez
Date of Investigation: 7/11/18

Location: Shadow Grove Ln (29.5525, -95.4378)
Start Time: 0737

Minutes	Odor Intensity VL, L, M, S, VS
1 min	VL
2	L
3	VL
4	VL
5	VL
6	M
7	M
8	L
9	L
10	No odor Detected
11	No odor Detected
12	No odor Detected
13	No odor Detected
14	No odor Detected
15	No odor Detected
16	VL
17	VL
18	No odor Detected
19	No odor Detected
20	No odor Detected
21	No odor Detected
22	No odor Detected
23	No odor Detected
24	No odor Detected
25	No odor Detected
26	No odor Detected
27	M
28	No odor Detected
29	No odor Detected
30	No odor Detected

Minutes	Odor Intensity VL, L, M, S, VS
31 min	No odor Detected
32	No odor Detected
33	No odor Detected
34	No odor Detected
35	No odor Detected
36	No odor Detected
37	No odor Detected
38	No odor Detected
39	No odor Detected
40	No odor Detected
41	No odor Detected
42	No odor Detected
43	No odor Detected
44	No odor Detected
45	No odor Detected
46	No odor Detected
47	No odor Detected
48	No odor Detected
49	No odor Detected
50	No odor Detected
51	VL
52	No odor Detected
53	No odor Detected
54	No odor Detected
55	No odor Detected
56	L
57	L
58	L
59	L
60	L

Odor Description: Trash / Landfill / Rotting / Putrefying

Offensiveness: Highly ☒ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min			3.0			
10 Min			1.6			
1 Hour					0.5	

D.S. 1

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kyle RodriguezLocation: Shadow Grove Ln (29.5525, -95.4378)Date of Investigation: 7/11/19Start Time: 0837

Minutes	Odor Intensity VL, L, M, S, VS
1 min	No odor Detected
2	No odor Detected
3	No odor Detected
4	VL
5	VL
6	VL
7	No odor Detected
8	No odor Detected
9	No odor Detected
10	L
11	L
12	L
13	VL
14	No odor Detected
15	No odor Detected
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	

Minutes	Odor Intensity VL, L, M, S, VS
31 min	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	Investigation Type: <u>CMPL</u>
52	Air Account NO: <u>F6-0536-E</u>
53	Attachment: <u>2A</u>
54	Page <u>10</u> of <u>14</u>
55	<u>1/2</u>
56	
57	
58	
59	
60	

Odor Description: Trash/Landfill/Rotting/PutrefyingOffensiveness: Highly ☒ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min			3.0			
10 Min			1.6			
1 Hour					0.5	

B.S.2

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kylea Rodriguez
Date of Investigation: 7/11/19

Location: 2812 Silhouette Bay Dr, Pearland, TX
Start Time: 0920 77584

Minutes	Odor Intensity VL, L, M, S, VS
1 min	No odor detected
2	No odor detected
3	No odor detected
4	No odor detected
5	No odor detected
6	No odor detected
7	No odor detected
8	No odor detected
9	No odor detected
10	No odor detected
11	No odor detected
12	No odor detected
13	No odor detected
14	No odor detected
15	No odor detected
16	No odor detected
17	No odor detected
18	No odor detected
19	No odor detected
20	No odor detected
21	No odor detected
22	No odor detected
23	No odor detected
24	No odor detected
25	No odor detected
26	No odor detected
27	No odor detected
28	No odor detected
29	No odor detected
30	No odor detected

Minutes	Odor Intensity VL, L, M, S, VS
31 min	No odor detected
32	No odor detected
33	No odor detected
34	No odor detected
35	No odor detected
36	No odor detected
37	No odor detected
38	No odor detected
39	No odor detected
40	No odor detected
41	No odor detected
42	No odor detected
43	No odor detected
44	No odor detected
45	No odor detected
46	No odor detected
47	No odor detected
48	No odor detected
49	No odor detected
50	No odor detected
51	No odor detected
52	No odor detected
53	No odor detected
54	No odor detected
55	No odor detected
56	No odor detected
57	No odor detected
58	No odor detected
59	No odor detected
60	No odor detected

Odor Description: None

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	Investigator Initials	L	VL	No Odor
1 Min			Air Account NO:	FG-0536-E		✓
10 Min			Attachment:	2A		✓
1 Hour						✓

O.S. 4

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kyle Rodriguez
Date of Investigation: 7/11/19

Location: 2634 Trinity Bay Dr, Pearland, TX
Start Time: 10:27 77584

Minutes	Odor Intensity VL, L, M, S, VS
1 min	No odor detected
2	No odor detected
3	No odor detected
4	No odor detected
5	No odor detected
6	No odor detected
7	No odor detected
8	No odor detected
9	No odor detected
10	No odor detected
11	No odor detected
12	No odor detected
13	No odor detected
14	No odor detected
15	No odor detected
16	No odor detected
17	No odor detected
18	No odor detected
19	No odor detected
20	No odor detected
21	No odor detected
22	No odor detected
23	No odor detected
24	No odor detected
25	No odor detected
26	No odor detected
27	No odor detected
28	No odor detected
29	No odor detected
30	No odor detected

Minutes	Odor Intensity VL, L, M, S, VS
31 min	No odor detected
32	No odor detected
33	No odor detected
34	No odor detected
35	No odor detected
36	No odor detected
37	No odor detected
38	No odor detected
39	No odor detected
40	No odor detected
41	No odor detected
42	No odor detected
43	No odor detected
44	No odor detected
45	No odor detected
46	No odor detected
47	No odor detected
48	No odor detected
49	No odor detected
50	No odor detected
51	No odor detected
52	No odor detected
53	No odor detected
54	No odor detected
55	No odor detected
56	No odor detected
57	No odor detected
58	No odor detected
59	No odor detected
60	No odor detected

Odor Description: None

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

655

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kylea Rodriguez
Date of Investigation: 7/11/19

Location: 7003 McHard Rd, Houston, TX 77053
Start Time: 1135

Minutes	Odor Intensity VL, L, M, S, VS
1 min	No odor detected
2	No odor detected
3	No odor detected
4	No odor detected
5	No odor detected
6	No odor detected
7	No odor detected
8	No odor detected
9	No odor detected
10	No odor detected
11	No odor detected
12	No odor detected
13	No odor detected
14	No odor detected
15	No odor detected
16	No odor detected
17	No odor detected
18	No odor detected
19	No odor detected
20	No odor detected
21	No odor detected
22	No odor detected
23	No odor detected
24	No odor detected
25	No odor detected
26	No odor detected
27	No odor detected
28	No odor detected
29	No odor detected
30	No odor detected

Minutes	Odor Intensity VL, L, M, S, VS
31 min	No odor detected
32	No odor detected
33	No odor detected
34	No odor detected
35	No odor detected
36	No odor detected
37	No odor detected
38	No odor detected
39	No odor detected
40	No odor detected
41	No odor detected
42	No odor detected
43	No odor detected
44	No odor detected
45	No odor detected
46	No odor detected
47	No odor detected
48	No odor detected
49	No odor detected
50	No odor detected
51	No odor detected
52	No odor detected
53	No odor detected
54	No odor detected
55	No odor detected
56	No odor detected
57	No odor detected
58	No odor detected
59	No odor detected
60	No odor detected

Odor Description: None

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

Investigation Type: Civil

Account No: FG-0536-C

Area: 2A

Date: 14 of 14

Attachment 2B
Odor Logs
Investigation Number 1579487
Date: 07/14/2019

Supplemental Investigator's Odor Intensity Time Log

Investigator: Sam Evans
Date of Investigation: 7/14/19

Location: 13502 W. Jackson
Start Time: 6:05

053

Minutes	Odor Intensity VL, L, M, S, VS
1 min	S
2	M
3	M
4	M
5	M
6	M
7	M
8	M
9	S
10	S
11	M
12	M
13	—
14	—
15	—
16	—
17	—
18	—
19	—
20	—
21	—
22	—
23	M
24	M
25	M
26	M
27	L
28	L
29	L
30	L

Minutes	Odor Intensity VL, L, M, S, VS
31 min	L
32	L
33	L
34	M
35	L
36	L
37	L
38	VL
39	VL
40	—
41	—
42	—
43	VL
44	—
45	—
46	—
47	—
48	VL
49	—
50	—
51	—
52	—
53	—
54	—
55	Investigation Type: <u>CMP</u>
56	Ref A. Count NO: <u>FC-0536-E</u>
57	Altitude: <u>28</u>
58	Page <u>1</u> of <u>01</u>
59	—
60	—

Odor Description: putrid, landfill odor

Offensiveness: Highly ☒ Offensive ☐ Unpleasant ☐ Not Unpleasant ☐

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min		✓				
10 Min			✓			
1 Hour					✓	

12
8/21/9 054
055

Supplemental Investigator's Odor Intensity Time Log

Investigator: Don Evans Location: Trinity Bay (under park)
Date of Investigation: 7/14/9 Start Time: 8:40 AM

Minutes	Odor Intensity VL, L, M, S, VS
1 min	—
2	—
3	—
4	—
5	—
6	—
7	—
8	—
9	—
10	—
11	—
12	—
13	—
14	—
15	—
16	—
17	—
18	—
19	—
20	—
21	—
22	—
23	—
24	—
25	—
26	—
27	—
28	—
29	—
30	—

Minutes	Odor Intensity VL, L, M, S, VS
31 min	—
32	—
33	—
34	—
35	—
36	—
37	—
38	—
39	—
40	—
41	—
42	—
43	—
44	—
45	—
46	—
47	—
48	—
49	—
50	—
51	Investigation Type: <u>Chp</u>
52	Air Account NO: <u>F60536-1</u>
53	Attachment: <u>2B</u>
54	<u>2</u>
55	—
56	—
57	—
58	—
59	—
60	—

Odor Description: none

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

055

Supplemental Investigator's Odor Intensity Time Log

Investigator: Aug Evans Location: Evergreen (N29.5741, W-95.1032)
Date of Investigation: 7/14/19 Start Time: 7:22 AM

Minutes	Odor Intensity VL, L, M, S, VS
1 min	/
2	/
3	/
4	/
5	/
6	/
7	/
8	/
9	/
10	/
11	/
12	/
13	/
14	/
15	/
16	/
17	/
18	/
19	/
20	/
21	/
22	/
23	/
24	/
25	/
26	/
27	/
28	/
29	/
30	/

Minutes	Odor Intensity VL, L, M, S, VS
31 min	/
32	/
33	/
34	VL
35	VL
36	VL
37	/
38	/
39	/
40	/
41	/
42	/
43	/
44	/
45	/
46	/
47	/
48	/
49	/
50	Investigator's type: CML
51	A 1000000 FG-0536-0
52	A 1000000 2B
53	P 3
54	/
55	/
56	/
57	/
58	/
59	/
60	/

Odor Description: ODB (outdoor burning)

Offensiveness: Highly Offensive Unpleasant Not Unpleasant

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

0.5.2

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kylea Rodriguez
Date of Investigation: 7/14/19Location: 13109 Shallow Falls Ln, Pearland, TX
Start Time: 0710 77584

Minutes	Odor Intensity VL, L, M, S, VS
1 min	None
2	None
3	None
4	None
5	None
6	None
7	None
8	None
9	None
10	None
11	None
12	None
13	None
14	None
15	None
16	None
17	None
18	None
19	None
20	None
21	None
22	None
23	None
24	None
25	None
26	None
27	None
28	None
29	None
30	None

Minutes	Odor Intensity VL, L, M, S, VS
31 min	None
32	None
33	None
34	None
35	None
36	None
37	None
38	None
39	None
40	None
41	None
42	None
43	None
44	None
45	None
46	None
47	None
48	None
49	None
50	None
51	None
52	None
53	None
54	None
55	None
56	None
57	None
58	None
59	None
60	None

Odor Description: None

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

DS.3

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kyle Rodriguez
Date of Investigation: 7/14/19Location: 13502 White Cloud Ct, Pearland, TX 77584
Start Time: 0605

Minutes	Odor Intensity VL, L, M, S, VS
1 min	M
2	M
3	M
4	M
5	S
6	S
7	M
8	L
9	VL
10	None
11	None
12	None
13	None
14	None
15	None
16	None
17	None
18	None
19	None
20	None
21	None
22	L
23	M
24	M
25	L
26	M
27	L
28	L
29	L
30	L

Investigation Type: CMPAir Account NO: F6-0536-EAttachment: 2BPage: 45/2

Minutes	Odor Intensity VL, L, M, S, VS
31 min	L
32	L
33	VL
34	VL ^{KR}
35	L
36	L
37	L
38	L
39	L
40	VL
41	VL
42	None
43	None
44	VL
45	None
46	None
47	None
48	None
49	VL
50	None
51	None
52	None
53	None
54	None
55	None
56	None
57	None
58	None
59	None
60	None

Odor Description: Trash / Landfill / Rotting / PutrefyingOffensiveness: Highly ☒ Offensive ☐ Unpleasant ☐ Not Unpleasant ☐

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min		4.0				
10 Min			2.6			
1 Hour					1.1	

D.S. 1

Supplemental Investigator's Odor Intensity Time Log

Investigator: Kyle Rodriguez
Date of Investigation: 7/14/19Location: (29.5525, -95.4378) Shadow Grove Ln
Start Time: 0821

Minutes	Odor Intensity VL, L, M, S, VS
1 min	None
2	None
3	None
4	None
5	None
6	None
7	None
8	None
9	None
10	None
11	None
12	None
13	None
14	None
15	None
16	None
17	None
18	None
19	None
20	None
21	None
22	None
23	None
24	None
25	None
26	None
27	None
28	None
29	None
30	None

Minutes	Odor Intensity VL, L, M, S, VS
31 min	None
32	None
33	None
34	None
35	None
36	None
37	None
38	None
39	None
40	None
41	None
42	None
43	None
44	None
45	None
46	None
47	None
48	None
49	None
50	None
51	None
52	None
53	None
54	None
55	None
56	None
57	None
58	None
59	None
60	None

Odor Description: None

Offensiveness: Highly _____ Offensive _____ Unpleasant _____ Not Unpleasant _____

Weighted Average Intensity:

	VS	S	M	L	VL	No Odor
1 Min						✓
10 Min						✓
1 Hour						✓

Attachment 3

Odor Log Location Maps

Investigation Number 1579487

Dates of Investigation: 07/11/2019 & 7/14/2019

Odor Log Location Map A (7/11/2019)



Investigation Type: CML
Air Account No: FG-OS36-E
Attachment: 3
Page 1 of 2

This is a black and white aerial photograph from Google Earth. The image shows a large, irregularly shaped area in the center-left labeled 'BRL Working Face'. To its right is a smaller, more defined area labeled 'BRL Stage I'. Several streets are visible: 'Shadow Falls Ln' runs horizontally across the top; 'Kingsley Dr' and 'Quality Blvd' are streets within the residential area to the right; 'W Broadway St' runs vertically on the far right. Five specific locations are marked with labels: 'OS1' is on the right side near Broadway St; 'OS2' is near the top center; 'OS3' is near the center; 'OS4' is on the left side; and 'OS5' is at the bottom center, near a north arrow. The north arrow is located in the bottom right corner, pointing towards the top of the image. The Google Earth logo is in the bottom right corner. The map shows a mix of developed areas with buildings and parking lots, and undeveloped or less developed areas with sparse vegetation.

Investigation Type: CML	Account No: F6-0536-1
Account No: 3	Account No: 2

Attachment 5

Exit Interview Form

Investigation Number 1579487

Dates of Investigation: 07/11/2019 & 7/14/2019

TCEQ EXIT INTERVIEW FORM: Potential Violations and/or Records Requested

Regulated Entity/Site Name	Blue Ridge Landfill, Blue Ridge Landfill TX LP		TCEQ Add. ID No. RN No (optional)	FG-0536-E RN102610102
Investigation Type	CMPL	Contact Made In-House (Y/N)	N	
Regulated Entity Contact	Mr. Tim Telepak		Purpose of Investigation Telephone No.	Complaint Investigation 713-676-7669
Title	Environmental Manager		Email	Date Contacted 09/17/2019
				Date emailed 09/17/2019

NOTICE: The information provided in this Note is intended to provide clarity to issues that have arisen to the date of this Note during the investigation process between the agency and the company and does not represent agency findings related to violations. Any potential or alleged violations discovered after the date of this Note will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in this investigation's final report.

Issue		For Records Request, identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues, include the rule in question with the clearly described potential problem. Other type of issues: fully describe.	
No.	Type ¹	Rule Citation (if known)	Description of Issue
1	AV	30 TAC Chapter 101.4; 5C THSC Chapter 382.085(a); 5C THSC Chapter 382.085(b)	Failure to prevent a nuisance condition on July 11 and 14 th , 2019. Violation Tracking Number (VTN) 722405.
			Investigation Type: CMPL
			AP ACCOUNT NO: FG-0536-E
			Account Number: S
			Page 1 of 1

Note 1: Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization? ☐ Yes ☒ No

Did the investigator advise the regulated entity representative that continued operation is not authorized? ☐ Yes ☒ No

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Investigator Name (Signed & Printed)	Andrew "Jay" Evans	Date	09/17/2019
Regulated Entity Representative Name (Signed & Printed)	Mr. Tim Telepak	Date	09/17/2019

If you have questions about any information on this form, please contact your local TCEQ Regional Office. Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, call 512/239-3282 (Note: use additional pages as necessary)

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 18, 2019

CERTIFIED MAIL 91 7199 9991 7038 7352 4375
RETURN RECEIPT REQUESTED

Mr. Robert C. Cox
General Manager
Blue Ridge Landfill
Post Office Box 879
Fresno, Texas 77545

Re: Notice of Enforcement for Complaint Investigation at:
Blue Ridge Landfill,
2200 Farm to Market Road 521, Fresno (Fort Bend County), Texas
Regulated Entity No.:102610102, TCEQ ID No.: FG-0536-E
Investigation Number: 1579487

Dear Mr. Cox:

On July 11, 2019 and July 14, 2019, Mr. Andrew Evans of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for *air quality*. During this investigation, a certain outstanding alleged violation was documented. Enclosed is a summary which lists the investigation findings and recommended corrective actions. Additional recommended corrective actions may be provided by the Enforcement Division.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.texas.gov> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3700 or the Central Office Publications Ordering Team at 512-239-0028.

Also, please be advised that the Legislature has granted enforcement powers to the TCEQ to carry out its mission to protect human health and the environment. Due to the apparent seriousness of the alleged violation(s), formal enforcement action has been initiated, and additional violations may be cited upon further review. We encourage you to immediately begin taking actions to address the outstanding alleged violation.

In responding with prompt corrective action, the administrative penalty to be assessed may be limited.

The Commission recognizes that the great majority of the regulated community wants to prevent pollution and to comply with environmental laws. We dedicate considerable resources toward making voluntary compliance achievable. But where compliance has not been met it is our duty to protect the public and the environment by enforcing the state's environmental laws, regulations, and permits.

Mr. Robert C. Cox
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Also, if you believe the violation documented in this notice has been cited in error, **and** you have additional information that we are unaware of, you may request a meeting to discuss this enforcement matter. To request a meeting, send a letter describing the additional information to the address shown below.

Manager, Air Section
Enforcement Division, MC 219
Re: Enforcement Meeting Request
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

If you or members of your staff have any questions, please feel free to contact Mr. Evans in the Houston Region Office at (713) 422-8959.

Sincerely,



Mr. Mark Kolkmeier, Air Section Team Leader
Houston Region Office
Texas Commission on Environmental Quality

MK/AE/rm

Cc: Tim Telepak, Environmental Manager, Blue Ridge Landfill, Post Office Box 879
Fresno, Texas

Enclosure: Summary of Investigation Findings

Summary of Investigation Findings

BLUE RIDGE LANDFILL

2200 FM 521 RD

FRESNO, FORT BEND COUNTY, TX 77545

Investigation #

1579487

Investigation Date: 07/11/2019

Additional ID(s): FG0536E
1472

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 722405

Compliance Due Date: To Be Determined

30 TAC Chapter 101.4

5C THSC Chapter 382.085(a)

5C THSC Chapter 382.085(b)

Alleged Violation:

Investigation: 1579487

Comment Date: 08/12/2019

Failure to prevent a nuisance condition.

During a complaint investigation conducted on July 11, 2019, TCEQ investigators conducted odor surveys at off-site locations and detected strong putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 10 minutes. Additionally, during a complaint investigation conducted on July 14, 2019, TCEQ investigators conducted odor surveys at off-site locations and detected moderate putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 10 minutes. In addition on July 14, 2019, strong putrefying landfill odors, which were characterized as putrid and rancid and were categorized as highly offensive at a weighted average of 1 minute. During a 30-day period TCEQ staff documented odors from Blue Ridge Landfill (BRL) at off-site locations the following three times: July 8, 2019 in complaint investigation number 1579097; and during this investigation (1579487) conducted on July 11, 2019 and July 14, 2019. Based on these occurrences, the frequency of odors documented by TCEQ staff as of July 14, 2019 can be categorized as a weekly occurrence. At a weekly frequency, a highly offensive odor documented at a strong intensity for at least 1 minute constitutes a nuisance.

Additionally, on July 11, 2019, an investigator experienced mild nausea due to the strong highly offensive odors detected during the complaint investigation, similar physical health effects were reported by one complainant. The nuisance odors from BRL were determined to be injurious to or adversely affect human health, welfare, and interfered with the normal use and enjoyment of animal life, vegetation, or property.

This constitutes a violation of 30 TAC 101.4, which states, "No person shall discharge from any source whatsoever one or more air contaminants or combinations thereof, in such concentration and of such duration as are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property."

This further constitutes a violation of the following: Texas Health & Safety Code 382.085(a) and Texas Health & Safety Code 382.085(b).