

# Enforcement for Sandblasting/ Metal Refinishing Operations

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# Potential Criminal Violations

- Clean Air Act Violations
- Used Oil Act Violations
- Water Pollution Violations
- Hazardous Waste Violations
- Illegal Dumping Violations
- Storm Water Violations

# Power to Enter Property (Review)

- No specific power to enter property pursuant to the Used Oil Act or Litter Abatement Act
- Statutory Authority
  - Water Pollution
  - Hazardous Waste Violations
  - Nuisance Violations

# Power to Enter Property (Clean Air Act)

- Section 382.015, Health & Safety Code
  - TCEQ and AGENTS of the TCEQ
- Section 382.016(b), Health & Safety Code  
(Examination of Records)

# Authority of Local Governments

- Section 382.111, Health & Safety Code  
Inspections; Power to Enter Property  
– Local Governments

# Once on Property

- Take Photographs and Inspect Records
- Sample Discharges in Plain View
- Sample any Suspected Contaminants
- Sample Containerized Waste in a Waste Storage Area
- Consent to Search or Search Warrant
  - Split Samples

# Potential Offenses-- Clean Air Act

- Section 7.177(a)(5), Water Code  
Criminal Violations of Clean Air Act
- An Order
- A Permit
- An Exemption (PBR)
- A Rule

# Clean Air Act—PBR

## Ⓑ TAC, Chapter 106

- 106.433—Surface Coat Facilities
  - Solvents must be in closed containers
  - Indoor Operations/Booth
    - Control of Emissions
    - Water Wash System or Dry Filter System
  - Outdoor Operations
    - Distance Requirements
    - Site Approval
    - Records



# Clean Air Act—PBR

## Ⓑ TAC, Chapter 106

- 106.452—Dry Abrasive Cleaning
  - Enclosed
    - No Visible Fugitive Emissions
  - Outside Blast Cleaning
    - Distance Requirements
    - Records
    - Form PI-7, Site Approval

# Clean Air Act –PBR

## Ⓑ TAC, Chapters 106 and 115

- 106.454—Degreasing Units
- 115.412—Degreasing Processes
- 115.422—Surface Coating Processes
- 115.426—Recordkeeping Requirements
  - Records of Solvents (MSDS/Quantity Used)
  - Waste Solvents must be in Covered Containers
    - (Cannot evaporate into atmosphere)

# Clean Air Act—Nuisance

- Rule 101.4. Nuisance

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.

# Other Potential Offenses (Take Samples)

- Used Oil Act Violations
  - Discharge into Waterway or Sewer
  - Disposal on Land
  - Storage Drums not Labeled and/or Leaking
- Hazardous Waste/Illegal Dumping Violations
  - Storage or Disposal Violations
- Water Pollution/Storm Water Violations
  - Discharge Into/Adjacent to Water in the State