

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Margaret Hoffman, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2003

Ms. Mary S. Nash
104 S. Houston Street
Kaufman, Texas 75142

Re: Your Request to our Office for Assistance on July 9, 2003, concerning Dallas Crown Packing Plant
Incident No. 24834, Investigation No. 248031


Dear Ms. Nash:

The Texas Commission on Environmental Quality (TCEQ) Dallas-Fort Worth Region Office received your request for assistance on July 9, 2003. In response to your request for assistance, Mr. Robert E. Ferry, Water Quality Team/Wastewater Section, of this office conducted an investigation on September 3, 2003. The enclosed report describes the findings that were noted during the investigation.

The TCEQ appreciates your interest in protecting the quality of our environment. If you have any questions concerning these findings, or if we can be of further assistance, please contact Mr. Ferry directly at (817) 588-5814 or the DFW Region Office at (817) 588-5800.

Sincerely,

A handwritten signature in black ink that reads "Sid Slocum".

 Sid Slocum,
Water Section Manager
DFW Region Office

SS:ref

Enclosure: Complaint Investigation Report No. 248031

Texas Commission on Environmental Quality

Investigation Report

DALLAS CROWN INC

DALLAS CROWN INC

RN100546522

Investigation # 248031

Incident # 24834

Investigator: ROBERT FERRY

Site Classification

Conducted: 09/03/2003 -- 09/03/2003

SIC Code: 2011

NAIC Code: 311611

Program(s): WATER QUALITY NON PERMITTED

Investigation Type : Compliance Investigation

Location : 2000 W Fair, Kaufman, TX

Additional ID(s) :

Address: 2000 W FAIR ST;
KAUFMAN, TX 75142

Activity Type : WW COMPLAINT - Complaint investigation

Principal(s) :

Role

Name

RESPONDENT
RESPONDENT

DALLAS CROWN INC
DALLAS CROWN PACKING CO

Contact(s) :

Role

Title

Name

Phone

Regulated Entity Mail Contact

GENERAL MANAGER

MR CHRISTOPHE
SOENEN

Work (972) 932-3436

Participated in Investigation

SUPERINTENDENT OF
WASTEWATER
TREATMENT PLANT

MR MIKE MERRITT

Work (972) 962-0694

Participated in Investigation

VICE-PRESIDENT

MR OLIVIER
KEMSEKE

Work (972) 932-3436

Participated in Investigation

PRE-TREATMENT
OPERATOR

MR DENNY
VAUGHN

Work (972) 932-3436

Other Staff Member(s) :

Role

Name

ASSOCIATE INVESTIGATOR
SUPERVISOR
QA REVIEWER

PIXIE WETMORE
KAREN SMITH
JAN MALONE

Associated Check List

Checklist Name

Unit Name

WQ INVESTIGATION TYPES

Dallas Crown

WQ COMPLAINT INVESTIGATION

Dallas Crown

Investigation Comments :

INTRODUCTION

On July 11, 2003, a complaint was received by letter alleging that Dallas Crown Packing may be illegally discharging pollutants into the city sewer system. The letter also expresses concerns over violations at the plant that have been cited by the City of Kaufman. A complaint investigation was

conducted on September 3, 2003, in conjunction with a pre-treatment investigation. Participating with the writer in the investigation were Mr. Olivier Kemseke, Vice-President of Dallas Crown, Mr. Denny Vaughn, pre-treatment operator for Dallas Crown, Mr. Mike Merritt, WWTP Superintendent for the City of Kaufman, and Ms. Pixie Wetmore, TCEQ pre-treatment investigator. Pre-treatment issues will be addressed in a separate report. An exit interview was conducted following the investigation. A copy of the Complaint Investigation Report # 248031 will be sent to the complainant.

BACKGROUND

On May 6, 2002, Mr. Mike Merritt of the City of Kaufman inspected the facility following a process overflow. In the inspection report he noted manure runoff from the facility into a drainage ditch leaving the property. He also noted bones and horseflesh falling off of the bone trailer and being spread by dogs and other vectors. In a letter dated May 27, 2003, Mr. Merritt again notes that he observed blood and bones in front of the facility.

A verbal agreement was reached between the City of Kaufman and Dallas Crown on March 27, 2003, regarding pretreatment of the wastewater discharged into the cities treatment plant. A limit of 2,000 mg/l BOD was set for the discharge and fines for exceedances were set. The letter dated May 27, 2003, referenced continual problems at the plant and mandated that Dallas Crown begin daily 24 hour composite sampling of their discharge. Testing for BOD, TSS, pH, and NH3 were required. Surcharges were added based on BOD and TSS results.

FACILITY INFORMATION

Dallas Crown is a horse meat processing plant. Horses are kept on-site for usually less than two or three days. Slaughtering occurs on Tuesdays and Thursdays. Processing and boning takes place on Monday, Wednesday, and Friday. Blood, bones, and offal are discharged to a trailer using conveyors. The trailer is taken daily to HTC Rendering in San Angelo, Texas. Manure is placed in a dumpster and picked up by Duncan Disposal. Process water is pretreated before discharge to the city sewer as allowed by the City of Kaufman Permit # 001-02.

ADDITIONAL COMMENTS

Stormwater runoff contaminated with manure was observed from the horse pens and from the dumpster used to contain manure. The dumpster is not covered and was leaking contaminated water accumulated during recent rains. The trailer used for disposal of bones and offal is not covered. Staining noted on the concrete pad indicates that contaminated stormwater from the trailer is leaving the property. No blood or bones were observed off-site. The facility does not have the required stormwater permit.

<u>NOV Date</u>	<u>Method</u>
10/09/2003	WRITTEN

OUTSTANDING ALLEGED VIOLATIONS

Track No: 143780 Compliance Due Date: 11/9/03

TWC Chapter 26.121

Alleged Violation:
Investigation: 248031

Comment Date: 09/19/2003

Stormwater runoff contaminated with manure was observed from the horse pens and from the dumpster used to contain manure. The dumpster is not covered and was leaking contaminated water accumulated during recent rains. The trailer used for disposal of bones and offal is not covered. Staining noted on the concrete pad indicates that contaminated stormwater from the trailer is leaving the property.

Recommended Corrective Action: Institute controls and measures to prevent

stormwater contamination and to contain any contaminated stormwater on-site. Submit a plan by 11/09/2003 detailing what will be done to achieve compliance.

Resolution:

Track No: 143781 Compliance Due Date: 11/9/03

TWC Chapter 26.121(a)(3)

Alleged Violation:

Investigation: 248031

Comment Date: 09/19/2003

Failure to obtain authorization to discharge storm water associated with industrial activity to water in the state through an individual permit, the Multi-Sector General Permit (MSGP) TXR050000 issued under the Texas Pollutant Discharge Elimination System, or by qualifying for the Conditional No Exposure Certification for Exclusion.

Recommended Corrective Action: Begin to develop a Storm Water Pollution Prevention Plan (SWP3) in accordance with the requirements found in the Multi-Sector General Permit (MSGP). Then, submit a completed Notice of Intent (NOI), the Core Data forms, and a \$100.00 application fee to the TCEQ Storm Water & General Permits Team (MC-214) at P.O. 13088, Austin, TX 78711-3088.

Submit a copy of the Storm Water Pollution Prevention Plan and a copy of the NOI or a copy of the NEC to:

Attn: Shane Isbell
DFW Region - TNRCC
Storm Water Team
2301 Gravel Dr.
Fort Worth, Tx 76118

Contact Mr. Isbell for further assistance if necessary. Submit a letter to this office by 11/09/2003 detailing what has been done to obtain a storm water permit and the estimated time of completion.

Resolution:

Signed Robert E. Jennings
Environmental Investigator

Date 10-10-03

Signed Karen Smith
Supervisor

Date 10/10/03

Attachments: (in order of final report submittal)

Enforcement Action Request (EAR)

Maps, Plans, Sketches

Letter to Facility (specify type): NOI

Photographs In Agency Files

Investigation Report

Correspondence from the facility

Sample Analysis Results

Manifests

NOR

Other (specify) :

Letter from complainant
(in Region's Confidential
file).

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Margaret Hoffman, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2003

CERTIFIED MAIL #7002 0860 0007 6681 1903
RETURN RECEIPT REQUESTED

Mr. Christophe Soenen, General Manager
Dallas Crown, Inc.
2000 West Fair
Kaufman, Texas 75142

Re: Notice of Violation for the Complaint Investigation at:
Dallas Crown, Inc., 2000 West Fair, Kaufman, (Kaufman County), Texas
Incident No. 248344, Investigation No. 248031

Dear Mr. Soenen:

On September 3, 2003, Mr. Robert E. Ferry of the Texas Commission on Environmental Quality (TCEQ) DFW Region Office conducted an investigation of the above-referenced operation to evaluate compliance with applicable requirements for wastewater pre-treatment and stormwater control. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by November 9, 2003, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for each of the outstanding alleged violations.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. If you would like to obtain a copy of the applicable TCEQ rules, you may contact any of the sources listed in the enclosed brochure entitled "Obtaining TCEQ Rules."

The Texas Commission on Environmental Quality appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify the DFW Region Office within 10 days from the date of this letter. At that time, Mr. Sid Slocum will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

REPLY TO: REGION 4 • 2301 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817/588-5800 • FAX 817/588-5700

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tceq.state.tx.us


Mr. Christophe Soenen / Dallas Crown, Inc.

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09/24/2003

If you or members of your staff have any questions concerning this matter, please feel free to contact Mr. Ferry at (817) 588-5814 or the DFW Regional Office at (817) 588-5800.

Sincerely,


for Sid Slocum

Water Section Manager
DFW Regional Office

SS/ref

Enclosures: Investigation Report #248031
Obtaining TCEQ Rules