



# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

April 7, 2021

BLACKHORN ENVIRONMENTAL SVS LLC  
409 S CARANCAHUA ST  
CORPUS CHRISTI TX 78401

Re: **NOTICE OF VIOLATION**

Blackhorn Waste Disposal Facility  
Latitude/Longitude: 27.933056°, -98.013056°  
Jim Wells County, Texas  
RRC District 04, Corpus Christi  
Permit Nos: STF-0059, R9 04-1301, P011946A, P011946B, P011946C, P011946A,  
P011946B, P011946C, P011948, P011949, and P012620

The Technical Permitting Unit ("Staff") of the Railroad Commission of Texas ("RRC") has reviewed an inspection conducted by the Corpus Christi District Office on March 29, 2021. Based on Staff's review, Blackhorn Environmental SVS, LLC ("Blackhorn") is in violation of Permit Condition IV.J. The violation is detailed in the following paragraph and additional items are requested based on review of other permit conditions and quarterly reporting.

**Violation — Permit Condition IV.J.**

Permit Condition IV.J. requires that *"The facility shall maintain security to prevent unauthorized access. Access shall be secured by a 24-hour attendant or a six-foot-high security fence and locked gate when unattended to prevent vehicle or livestock access. Fencing shall be required unless terrain or vegetation prevents truck or livestock access except through entrances with lockable gates."*

The above-referenced inspection was conducted in response to a complaint that cattle owned by an adjacent landowner were able to enter the south side of the Blackhorn property through a barbed wire fence. The cattle then were able to enter another adjacent landowners' property from the Blackhorn property. The fence surrounding the Blackhorn facility must be of sufficient construction to prevent vehicle and livestock access to the property.

**Additional Items**

The following additional items must be submitted to Staff for review:

1. Notify the RRC District Office and Staff in Austin once the fencing has been repaired or constructed.
2. Provide copies of all air permits issued by the Texas Commission on Environmental Quality (TCEQ) for the Blackhorn facility.
3. Provide additional details for each incoming waste stream. Staff is unable to determine if all permit conditions have been met for the incoming waste streams. Beginning with the First Quarter of 2021 the quarterly reporting required by Permit Condition I.Y. must include the following:
  - a. Indicate whether each waste stream received at the Blackhorn facility is from a commercial or non-commercial facility. All waste streams from commercial facilities

must be accompanied by corresponding TOX/EOX testing in accordance with Permit Condition III.E.

- b. Indicate whether each waste streams received at the Blackhorn facility are exempt or nonexempt. All waste streams that are nonexempt must be accompanied by corresponding nonexempt testing criteria in accordance with Permit Condition III.F.

Failure to resolve the above-referenced violation may result in further RRC action, including modification, suspension, or termination of the permit(s) as authorized by 16 Texas Administrative Code § 3.8(d)(6)(E). Continued violations may result in referral to the RRC's Legal Enforcement section. Legal Enforcement is authorized to seek an administrative penalty in an amount up to \$10,000.00 per day, per violation, for each day a violation continues.

Submit the additional items within 30 days of the date of this letter. You can contact Arden Harbert at 512-463-6274, or at [arden.harbert@rrc.texas.gov](mailto:arden.harbert@rrc.texas.gov) should you have any questions.

Sincerely,



Arden Harbert, P.G.  
Environmental Permits & Support  
Technical Permitting

CC: RRC District 04, Corpus Christi