

**Harris County Archives
Houston, Texas**

Finding Aid

**HARRIS COUNTY ATTORNEY RECORDS
ADDICKS-FAIRBANKS ROAD SAND COMPANY CASE FILES
CR044
(1981-1994)**

Size: 2 cubic feet

Restrictions on Access: None

Restrictions on Use: None

Acquisition: County Attorney Office

Accession Number: 2011.016

Processed by: Laura Mills, 2014

Citation: [Identification of Item], Addicks-Fairbanks Road Sand Company, Harris County Attorney Records, Harris County Archives, Houston, Texas.

Case Summary:

In May of 1990, Harris County filed a law suit against Addicks-Fairbanks Road Sand Company and the land owner, Inez R. Weiman, for operating a landfill in violation of the Solid Waste Disposal Act and the Texas Health and Safety Code. The company's numerous violations included failure to extinguish accidental fires, insufficient covering of solid waste, failure to mark site boundaries, and failure to close the site with the approved closure plan.

In a related case during the same year Inez Weiman sued Addicks-Fairbanks and its owners, Richard H. and Richard A. Martini, for trespassing, conversion, waste, and failure to close the landfill that the company was operating on her land. Weiman ended up dropping her claims and the case was dismissed without prejudice.

In 1994, Harris County and the State of Texas instituted civil litigation against the company when it allowed an underground fire to burn continuously in the landfill on Addicks-Fairbanks Road. In the settlement of this case it was agreed that the fire should be immediately extinguished and that Addicks-Fairbanks' permit should be transferred to Sanifill of Texas, Inc. who would continue the operation of the landfill in accordance with safety and environmental regulations. Addicks-Fairbanks also paid a civil penalty of \$24,000 for the remediation of the environmental problems they caused.

Scope and Contents Note:

Legal documents, pollution control inspection documents, correspondence, notes, and photographs (1981-1994) document the numerous environmental and health violations

committed by the Addicks-Fairbanks Road Sand Company and the litigation that followed. Legal documents from 1990-1994 contain several drafts of the original petitions for the Harris County and Inez Weiman lawsuits against Addicks-Fairbanks, as well as the settlement agreements for the final 1994 case. Also included is the transcript of a 1990 injunction hearing and the final judgment on Inez Weiman's lawsuit. Case preparation forms from the Harris County Pollution Control Department chronicle the offenses committed by Addicks-Fairbanks and Inez R. Weiman from 1985-1992. Eleven photographs (1989-1990) document these violations. Correspondence and notes refer to the investigation and litigation against Addicks- Fairbanks, and include revisions to petitions and settlement documents.

Archivist's Note:

This collection has been minimally processed, maintaining original order and titles of the folders and only separating photographs. Be sure to read the entire inventory.

Also see Terrence O'Rourke Papers (MC48), which includes VHS tapes pertaining to the burning landfill.

Inventory

Title	Date	Location
Harris County, State of TX v. Addicks-Fairbanks Sand Company	1990, 04 - 1994, 05	1970-X-01
Addicks-Fairbanks Working File	1981, 11 – 1994, 04	1970-X-02
Addicks-Fairbanks HCPCD	1991, 11 – 1994, 12	1970-X-03
Addicks-Fairbanks Exhibits	1991, 01 – 1992, 06	1970-X-04
Addicks-Fairbanks 1 st Amended Petition with Authority to Sue	1991, 10 – 1991,11	1970-X-05
Addicks-Fairbanks Show Cause Order with Authority to Sue	1987, 07/23	1970-X-06
Weiman v. Martini 1990 Case	1991, 10/15	1970-X-07
[Addicks-Fairbanks Offences]	1989, 02 – 1991,04	1970-X-08
[Correspondence] Found loose in box	1992, 03 – 1994, 08	1970-X-09
Application for TRO (Temporary Restraining Order)	1992, 07/29	1970-X-10
Addicks-Fairbanks 1990 Original Petition	1990, 05 – 1990, 06	1970-X-11
Amended Petition	n.d.	1970-X-12
Authorization to File Suit	1990, 06/05	1970-X-13
Notice of TRO (Temporary Restraining Order)	1994, 04/29	1970-X-14
TRNCC (Texas Natural Resource Conservation Commission) No Permit Letter	1992, 07 – 1994, 04	1970-X-15
Addicks-Fairbanks TRO (Temporary Restraining Order)	1992, 07 – 1994, 06	1970-X-16
Addicks-Fairbanks Settlement	1994, 06 – 1994, 07	1970-X-17
Addicks-Fairbanks Settlement	1994, 05 – 1994, 08	1970-X-18

[Inez R. Weiman Offences]	1991, 03 – 1992, 02	1970-X-19
Addicks-Fairbanks	1990, 10 - 1992, 08	1970-X-20
[Defendant’s Original Answer]	1990, 06/25	1971-X-01
Addicks-Fairbanks Road Sand Company	1985, 01 – 1990, 04	1971-X-02
[Plaintiff’s Original Petition & Correspondence] Loose in box	1987, 07 – 1990, 06	1971-X-03
Addicks-Fairbanks Sand Road Company Violation Summary	1985, 02 – 1990, 04	1971-X-04
[Addicks-Fairbanks Violations]	1988, 01 – 1990, 01	1971-X-05
[Notes] Found loose in box	n.d.	1971-X-06
[Addicks-Fairbanks Violations]	1985, 02 – 1990, 07	1971-X-07
[Notes, Maps, & Correspondence] Found loose in box	1987, 06 – 1987, 09	1971-X-08
State Inspection	1986, 11 – 1987, 05	1971-X-09
[Injunction Hearing Transcript & Correspondence]	1990, 09	1971-X-10
[Addicks-Fairbanks Violations]	1988, 08 – 1989, 01	1971-X-11
[Legal documents & Correspondence] Found loose in box	1990, 05 – 1992, 12	1971-X-12