

**Harris County Archives
Houston, Texas**

Finding Aid

**HARRIS COUNTY ATTORNEY RECORDS
ALLWASTE CASE FILES
CR044
(1970 – 1992, Bulk 1980 - 1991)**

Size: 5 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], Allwaste Case Files, Harris County Attorney Records, Harris County Archives, Houston, Texas.

Case Summary:

In 1985 the Harris County Pollution Control department inspected an unpermitted tank and truck cleaning facility run by Allwaste Tank Cleaning Incorporated (formerly Independent Tank Cleaning Services). In August of 1990, the county petitioned for injunctive relief against the company for operating a waste management facility without a proper permit, as well as the undocumented storage of hazardous materials in over one hundred barrels at the Allwaste site. The court ruled that an injunction would not be granted because the company was waiting for approval of a permit by the Texas Air Control Board that would bring them up to regulatory standards. In March of 1991, Harris County's appeal of this ruling was also denied.

In the final settlement agreed upon in July of 1991, Allwaste received a permit from the Air Control Board and was ordered to assist in the removal of waste from the Weibel landfill that had been shut down by a lawsuit earlier that year. An environmental conference was also organized for members of the tank cleaning industry in order to encourage compliance with waste management regulations and environmental protection.

Scope and Contents Note:

Pollution control inspection documents, correspondence, legal documents, printed materials, notes, and photographs (1970 – 1992) document the investigation of the Allwaste facility, the ensuing litigation and appeals, and the creation of an environmental conference for the tank cleaning industry. Pollution control investigations document the hazardous chemicals found on the Allwaste site, as well as complaints by LaPorte residents about a gasoline-like smell coming from the site. Legal documents from 1989-

1991 include several drafts of the petition for the both the original lawsuit and the appeal by Harris County, witness affidavits and depositions, transcripts of court hearings, and the final judgment by the court. Correspondence includes interdepartmental communication and correspondence with Allwaste and Pollution Control from 1980 to 1991. Printed materials contain information on past pollution cases in which the court refused to authorize litigation, newspaper articles about the Allwaste case, and notices calling for public input pertaining to the company's permit application. Ten photographs (1990, 03/06) document Allwaste violations.

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 Durwood Greene case. For related cases see the Weibel Landfill Case Files.

Inventory

Title	Date	Location
[Agreed Final Judgment] Found loose in box	1991, 07/03	2010-X-01
Allwaste HCPCD Water Analysis 2/27/90	1990, 02/27	2010-X-02
Allwaste Water- City of LaPorte	1989, 05 - 1991, 04	2010-X-03
Allwaste Water Commission	1984, 10- 1985, 05	2010-X-04
TWC (Texas Water Commission) Request for A.G. Representation	1990, 04	2010-X-05
Allwaste Correspondence 1989	1988, 11 - 1989, 11	2010-X-06
TACB 1990 (Texas Air Control Board)	1986, 12 – 1990, 09	2010-X-07
Allwaste Correspondence 1990	1990, 02 – 1990, 08	2010-X-08
Allwaste Correspondence 1990	1990, 08 – 1990, 11	2010-X-09
Allwaste Correspondence 1991	1991, 02 – 1991, 05	2010-X-10
Allwaste TACB Air board Order 87-04(n)	1987, 03 – 1987, 04	2010-X-11
Allwaste Violation Summaries HCPCD	1989, 12 – 1990, 03	2010-X-12
Allwaste Photo Evidence	1990, 03	2010-X-13
HCPCD Report 5/90	1990, 03	2010-X-14
HCPCD Allwaste Truck Records 3/2/90	1990, 02	2010-X-15
Allwaste Investigation Reports	1990, 02 - 1990, 03	2010-X-16
Daily Tank Work Orders	1990, 02/12	2010-X-17
Allwaste BFI Dump	1985, 11 – 1989, 09	2010-X-18
Allwaste Corporate Veil	1989, 06 – 1990, 11	2010-X-19
Allwaste Corp. Info.	1990, 03 – 1990, 08	2010-X-20
Allwaste Corp. Info.	1987, 11 – 1990, 10	2010-X-21
Allwaste Corporate Information	1990, 03 – 1990, 10	2010-X-22
Allwaste Appeals	1986, 04 – 1988, 03	2010-X-23

Public Records- Case Law Evidence	1979, 03 – 1988, 01	2010-X-24
Injunction Case Law - Pollution	1970, 06 – 1987, 01	2010-X-25
Allwaste Tank Cleaning Financial File	1990, 09 – 1990, 10	2010-X-26
[Self-Authenticating Affidavit]	1990, 08/24	2011-X-01
[Allwaste Correspondence, Investigation Reports] pg. 1-110	1990, 03 – 1990, 08	2011-X-02
[Allwaste Correspondence, Investigation Reports] pg. 111-250	1989, 08 – 1990, 03	2011-X-03
[Allwaste Correspondence, Investigation Reports] pg. 251-422	1990, 02 – 1990, 03	2011-X-04
[Allwaste Correspondence, Investigation Reports] pg. 423-539	1989, 01 – 1990, 01	2011-X-05
[Allwaste Correspondence, Investigation Reports] pg. 540-629	1984, 12 – 1989, 09	2011-X-06
[Allwaste Correspondence, Investigation Reports] pg. 630-726	1987, 03 – 1989, 10	2011-X-07
[Allwaste Correspondence, Investigation Reports] pg. 727-826	1984, 12 – 1989, 09	2011-X-08
[Allwaste Correspondence, Investigation Reports] pg. 827-928	1980, 08 – 1985, 02	2011-X-09
[Allwaste Correspondence, Investigation Reports] pg. 930-988	1980, 04 – 1984, 06	2011-X-10
[Allwaste Correspondence, Investigation Reports] pg. 989-1189	1980, 10 – 1990, 08	2011-X-11
[Allwaste Correspondence, Investigation Reports] pg. 1190-1292	1983, 11 – 1990, 05	2011-X-12
[Allwaste Correspondence, Investigation Reports] pg. 1293-1357	1981, 06 – 1990, 02	2011-X-13
Exhibit Volume, Section 1-4	1990, 06 – 1991, 05	2011-X-14

Exhibit Volume, Section 5	1986, 12 – 1990, 11	2011-X-15
Exhibit Volume, Section 6-12	1990, 10 – 1991, 05	2011-X-16
Allwaste Briefs and Cases	1970, 06 – 1991, 05	2011-X-17
Brief of Appellant, State of TX	1990, 10/16	2011-X-18
Brief of Appellant, Harris County	1990, 10/16	2011-X-19
Statement of Facts, pg. 1-168	1990, 08/27	2011-X-20
Statement of Facts, pg. 169-269	1990, 08/27	2011-X-21
Brief of Appellant, Harris County	1987, 03 – 1990, 10	2011-X-22
Brief of Appellant, Harris County (Marked)	1990, 10/16	2011-X-23
Statement of Facts	1990, 08/27	2012-X-01
Oral Deposition of Christopher L. Leppo	1991, 05/17	2012-X-02
[Correspondence] Found loose in box	1991, 01 – 1992, 12	2012-X-03
Allwaste Briefs and Cases	1970, 06 – 1990, 10	2012-X-04
Allwaste Appeal Cases	1975, 11 – 1990, 11	2012-X-05
Allwaste Notice of Appeal	1990, 08 – 1990, 09	2012-X-06
Briefs and Cases	1990, 10/16	2012-X-07
Allwaste Expenses	1990, 08 – 1991, 01	2012-X-08
1985 A	1985, 01 – 1986, 01	2012-X-09
1985 B	1985, 01 – 1986, 01	2012-X-10
1986	1986, 01 – 1986, 07	2012-X-11
1982	1982, 01 – 1982, 02	2012-X-12
1982 A	1982, 01 – 1982, 12	2012-X-13
1983	1983, 01 – 1983, 12	2012-X-14
1981	1981, 01 – 1981, 12	2012-X-15
1980 A	1980, 01 – 1980, 12	2012-X-16
1980 B	1980, 01 – 1980, 12	2012-X-17
Allwaste	1990, 06 – 1991, 07	2013-X-01

Allwaste	1990, 04 – 1991, 05	2013-X-02
Allwaste	1990, 03 – 1991, 04	2013-X-03
Allwaste Moratorium	1991, 06/21	2013-X-04
Simon Environmental Engineering Letter	1991, 06/20	2013-X-05
Allwaste Waste Regulations	1987, 12	2013-X-06
Allwaste	1989, 11/09	2013-X-07
[Agreed Final Judgment] Found loose in box	1991, 07/08	2013-X-08
Allwaste: County's Motion for a Moratorium	1991, 06/19	2013-X-09
Allwaste TO'R Memo 5/22/91	1991, 05/22	2013-X-10
Memo Re: Allwaste RCRA (Resource Conservation and Recovery Act) 4/23/91	1991, 04	2013-X-11
Allwaste Leppo Deposition	1990, 06 – 1990, 12	2013-X-12
Allwaste Press Accounts	1989, 10 – 1991, 04	2013-X-13
Allwaste D/C Permits: LaPorte and Galveston Bay	1991, 04/15	2013-X-14
Harris County Request for Party Status to Allow Permit Proc. Before TACB	1990, 02 – 1991, 03	2013-X-15
Application for Writ of Error- Draft	1991, 03 – 1991, 05	2013-X-16
[Harris County Application for Writ of Error] Found loose in box	1990, 04 – 1991, 05	2013-X-17
Allwaste 1 st District Judgment 3/14/91	1991, 03 – 1991, 04	2013-X-18
Allwaste Appeal	1990, 08 – 1990, 10	2013-X-19
Allwaste Appeal - 1 st Draft	n.d.	2013-X-20
Allwaste Criminal	1990, 10	2013-X-21
[Transcript] Found loose in box	1990, 09/19	2013-X-22
Allwaste Brief for Injunction	n.d.	2013-X-23
Allwaste First Amended Original Petition	1990, 03 – 1990, 08	2013-X-24
Allwaste Injunction Model Draft Language	1990, 03/13	2013-X-25

Allwaste Model Petitions	1985, 03 – 1990, 01	2013-X-26
Allwaste Injunction Petition Model II	1985, 03 – 1986, 06	2013-X-27
Allwaste Corporate Communication	1988, 04 – 1990, 06	2013-X-28
Allwaste Pleadings	1989, 09 – 1990, 06	2013-X-29
Allwaste Permit	1986, 12 – 1990, 08	2013-X-30
[Correspondence and Notes] Found loose in box	1986, 11 – 1990, 08	2013-X-31
Allwaste Investigation Report and Farraro/Air	1990, 02/27	2013-X-32
Allwaste Investigation Reports (Allen)	1990, 03/23	2014-X-01
Odor 8/29/90	1983, 03 -1989, 11	2014-X-02
Allwaste Investigation Reports (Hupp)	1990, 02 – 1990, 03	2014-X-03
Allwaste Investigation Reports (Sinicropi)	1990, 02 – 1990, 03	2014-X-04
Allwaste Order Investigation (Sinicropi)	1989, 08- 1989, 09	2014-X-05
Allwaste Injunction Affidavits	1990, 03 – 1990, 05	2014-X-06
[Independent Tank Cleaning Documents]	1983, 03 – 1990, 08	2014-X-07
Oral Deposition of Stephen E. Hupp	1991, 05 – 1991, 07	2014-X-08
Allwaste Drafts	1991, 07	2014-X-09
Allwaste TACB Permit	1991, 04 – 1991, 06	2014-X-10
Allwaste TACB 116.1	1991, 06 – 1991, 07	2014-X-11
Allwaste Settle	1988, 03 – 1991, 07	2014-X-12
Allwaste Plead and Leppo	1990, 09 – 1991, 07	2014-X-13
Allwaste TACB Leppo	1991, 04 – 1991, 05	2014-X-14
Allwaste Hearing File	1990, 02 – 1991, 04	2014-X-15
Allwaste Notes - Misc. Stuff	1989, 08 – 1991, 07	2014-X-16