



Houston Police Dept. Environmental Investigations Unit



Illegal Dumping in Houston, Texas

Houston taxpayers pay the cost of cleaning up dumps on public and private land...

Illegal Dumping Class C



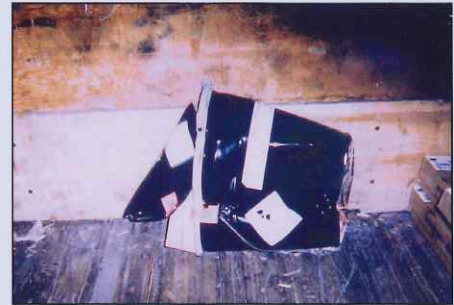
- Texas Health and Safety Code, §365.
- Solid waste weighing five pounds or less or having a volume of five gallons or less.
- Fine of up to \$500.

Illegal Dumping State Jail Felony



- Texas Health and Safety Code, §365.
- Solid waste weighing 1,000 pounds or more or having a volume of 200 cubic feet or more.
- Contained in a closed barrel or drum.
- State jail felony 180 days up to two years confinement and up to \$10,000 fine.
- Corporation up to \$20,000 fine.
- Upon second conviction, charges enhanced to a 3rd degree felony with penalty 2-10 years confinement and up to \$10,000 fine.

Radioactive Waste



- Texas Water Code, §7.184.
- A person intentionally or knowingly receives, processes, stores, transports or disposes of radioactive waste without a license.
- Class A Misdemeanor - Up to one year in jail, and up to a \$4,000 fine.

Illegal Dumping Class B

- Texas Health and Safety Code, §365.
- Solid waste weighing more than five pounds but less than 500 pounds or having a volume of more than five gallons but less than 100 cubic feet.
- Jail up to 180 days and a fine of up to \$2,000.



Commercial Illegal Dumping



- Texas Health and Safety Code, §365.
- An offense is a Class A Misdemeanor if the solid waste is disposed of for a commercial purpose and weighs more than five pounds but less than 200 pounds or has a volume of more than five gallons but less than 200 cubic feet.

- Confinement of up to one year and up to \$4,000 fine.
- State Jail Felony Commercial Dumping 200 pounds or more or a volume of 200 cubic feet or more.
- State Jail Felony 180 days up to two years confinement and up to \$10,000 fine.
- Corporation up to \$20,000 fine.
- Upon second conviction, charges enhanced to a 3rd degree felony with penalty 2-10 years confinement and up to \$10,000 fine.

***NOTE:** Upon third conviction on all levels of illegal dumping, forfeiture of the vehicle or machinery used in the commission of the offense.

Air Pollution



- Texas Water Code, §7.177.
- A person intentionally or knowingly violates an order, permit, exemption, or rule adopted by the Texas Commission on Environmental Quality (TCEQ), including the rule against causing a nuisance, and the rule prohibiting outdoor burning.
- Individuals - up to 180 days in jail, and a \$1,000 to \$50,000 fine.
- Corporations - \$1,000 to \$100,000 fine.



Illegal Dumping Class A



- Texas Health and Safety Code, §365.
- Solid waste weighing 500 pounds or more but less than 1,000 pounds or having a volume of 100 cubic feet or more but less than 200 cubic feet.
- Jail up to one year and a fine of up to \$4,000.
- Second conviction state jail felony 180 days up to two years confinement and up to \$10,000 fine.
- Corporation up to \$20,000 fine.

Battery Dumping

- Texas Health and Safety Code, §7.185.
- Class A Misdemeanor if a person knowingly disposes of or discards a lead-acid battery except at an authorized collection or recycling business or facility.
- Each battery and each day is separate offense. Jail up to one year and a fine up to \$4,000.



Hazardous Waste Dumping



- Individuals - up to 10 years in jail, and a \$1,000 to \$50,000 fine.
- Corporations - \$1,000 to \$250,000 fine.

- Texas Water Code, §7.162.
- A person intentionally or knowingly transports, stores, or disposes of any hazardous waste, without a manifest or without all required permits.



To Report Illegal Dumping call 713-525-2728

Used Oil Dumping



- Texas Water Code, §7.176.
- A person intentionally discharges used oil or knowingly disposes of or otherwise handles any used oil within the State of Texas in violation of the rules for used oil.
- Each day is a separate violation. Fine of not less than \$1,000 or more than \$50,000 and imprisonment in the Texas Department of Corrections not to exceed five years.

Water Pollution



Water Pollution - Felony

- Texas Water Code, §7.145.
- A person intentionally or knowingly discharges or permits the discharge of a waste or pollutant into or adjacent to water in the state that causes or threatens to cause water pollution without strict compliance with all required permits or other authorization. Texas courts have ruled water of the state to include drainage ditches, sewer systems, and natural rainwater run-off pathways.
- Each day is a separate violation.
- Felony up to five years in the Texas Department of Criminal Justice and/or \$1,000 to \$100,000 fine.
- Endangerment Offense - Imprisonment up to ten years and fine up to \$500,000.
- Corporation (Felony) - \$1,000 to \$250,000 fine.

Water Pollution - Special Misdemeanor

- Strict liability release into waters of the state.
- Penalty for individual is up to one year confinement and \$1,000 up to \$50,000 per day of violation.
- Penalty for corporation is \$1,000 up to \$100,000 per day of violation.

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Bio-Medical Waste Dumping



- Texas Water Code, §7.164 and §7.165.
- A person intentionally or knowingly generates, collects, stores, or disposes of medical waste without all required permits or in violation of a permit.
- Individuals - up to 10 years in jail, and a \$1,000 to \$50,000 fine.
- Corporations - \$1,000 to \$50,000 fine.
- Texas Water Code, §7.166.
- A person intentionally or knowingly transports medical waste without a manifest or to a location that does not have all required permits.
- Individuals - up to one year in jail, and a \$1,000 to \$50,000 fine.
- Corporations - \$2,000 to \$500,000 fine.

Environmental Investigations Unit

Houston Police Department

Major Offenders Division

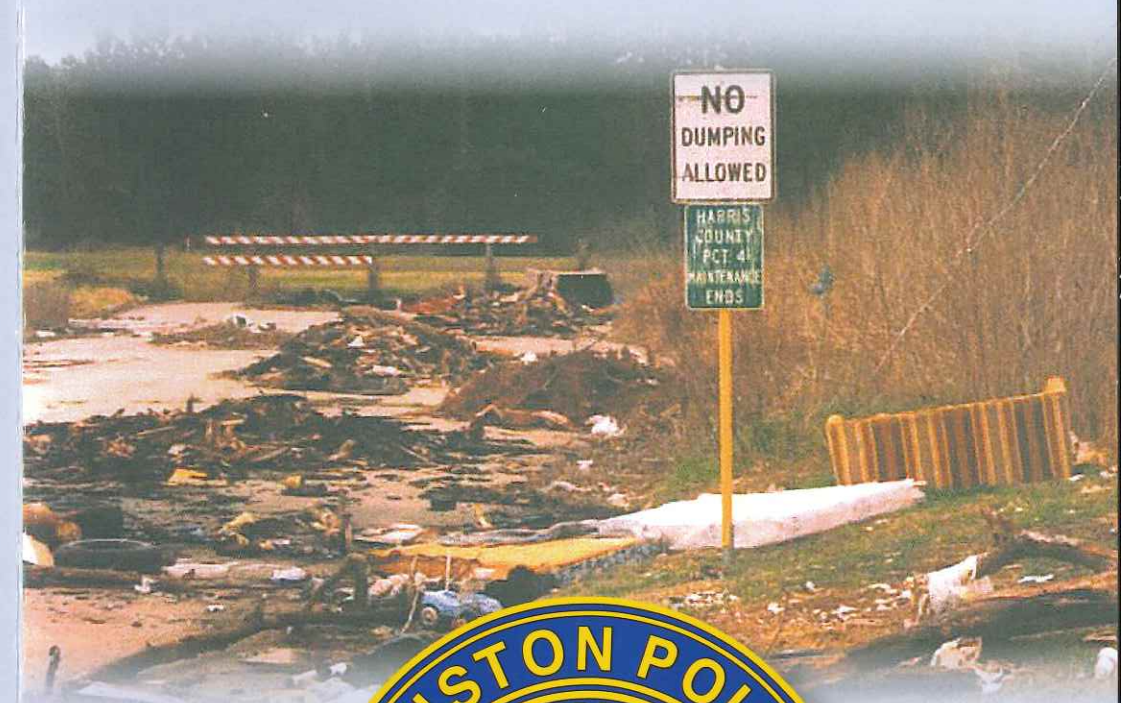
7125 Ardmore, Ste. 400

Houston, Texas 77054

(713)525-2728

Environmental Investigation Unit

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