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Travis County District Attorney Announces Indictments Against David Polston and Inland Recycling, L.L.C. For Allegedly Discharging Industrial Wastewater into Skull Creek

Today, the Travis County District Attorney's office announced the indictment of David Polston and Inland Recycling L.L.C. for the offense of Texas Water Code 7.145 – Intentional or Knowing Unauthorized Discharge, a 3rd-degree felony. In April of 2019, Mr. Polston, President of Inland Recycling L.L.C., allegedly allowed the discharge of industrial wastewater into Skull Creek, which feeds into the Colorado River and is located on Highway 71.

“Our office will hold accountable powerful actors and companies who violate our environmental laws,” said Travis County District Attorney José Garza. “This was a collaborative effort between multiple agencies, and I appreciate the partnership.”

This offense against Mr. Polston is punishable by a fine up to \$100,000 and/or confinement not to exceed 5 years. In addition, this offense is punishable against Inland Recycling L.L.C. by a fine of up to \$250,000.

Apart from the criminal indictment, Mr. Polston and Inland Recycling L.L.C. have also been sued by the State of Texas and the Lower Colorado River Authority in connection with the alleged dumping into Skull Creek. The State of Texas, represented by the Attorney General, is acting on behalf of the Texas Commission of Environmental Quality, Texas Parks and Wildlife Department, and Texas Railroad Commission.

The alleged crime occurred in Colorado County, TX; however, the venue for prosecution of an alleged violation under the Water Code can be prosecuted in Travis County.

The prosecution will be handled by the Travis County District Attorney's Public Integrity Complex Crimes Unit in conjunction with Colorado County Attorney Jay Johannes.

Mr. Polston's following court setting is February 9, 2022, in the 390th District Court.