

Exhibit B

Texas Commission on Environmental Quality Investigation Report

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Customer: Triple P.G. Sand Development, L. L. C.
Customer Number: CN604086991

Regulated Entity Name: TRIPLE PG SAND DEVELOPMENT

Regulated Entity Number: RN106418817

Investigation # 1569361	Incident Numbers
Investigator: CHRISTIAN EUBANKS	Site Classification MULTISECTOR GENERAL PERMIT FOR INDUSTRIAL WW AGGREGATE PRODUCTION OPERATION REGISTRATION
Conducted: 05/15/2019 -- 05/31/2019	SIC Code: 1442 NAIC Code: 212321
Program(s): AGGREGATES STORMWATER	
Investigation Type: Compliance Investigation	Location:
Additional ID(s): TXR05BH80 AP0002367 AP0000963	
Address: 1025 HUENI ROAD, PORTER, TX , 77365	Local Unit: REGION 12 - HOUSTON Activity Type(s): APOFI - Follow up investigation conducted as needed APO - An activity code used to identify an investigation related to Aggregate Production Operations. This activity code can be associated to any investigation type for any media that is directly related to an aggregate production operation. It is not necessary

Principal(s):

Role	Name
RESPONDENT	TRIPLE PG SAND DEVELOPMENT L L C

Contact(s):

Role	Title	Name	Phone
REGULATED ENTITY CONTACT	MANAGER	CAP PRATHIMA GUNIGANTI	Phone (713) 376-1001
PARTICIPATED IN	OPERATOR	RAYMOND HOOKS	
REGULATED ENTITY MAIL CONTACT	MANAGER	CAP PRATHIMA GUNIGANTI	Phone (713) 376-1001

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Other Staff Member(s):

Role	Name
Investigator	KYLE LINVILLE
Supervisor	PRISCILLA HUDSON
QA Reviewer	KYLE LINVILLE

Associated Check List

<u>Checklist Name</u>	<u>Unit Name</u>
WQ COMPLIANCE CHECK/RECONNAISSANCE INVESTIGATION	WQ

Investigation Comments:

INTRODUCTION

On May 15, 2019, Mr. Christian Eubanks and Mr. Kyle Linville, Environmental Investigators with the Texas Commission on Environmental Quality (TCEQ) Houston Region Office, conducted an Aggregate Productions Operations (APO) follow-up investigation at the Triple PG Sand Development to determine compliance with applicable APO regulations. The facility is located at 1025 Hueni Rd, Porter (Montgomery County), Texas 77365. The investigation was in response to heavy rains and the notification from the facility that the Triple PG Sand Development Facility had an unauthorized discharge. A copy of the TCEQ Exit Interview Form was received by Ms. Prathima Guniganti, Manager at Triple PG Sand Development, via email on May 17, 2019 (Attachment 1: Exit Interview Form). Based on the findings of this investigation, a Notice of Enforcement letter was issued.

BACKGROUND

A TCEQ Consolidated Compliance and Enforcement Data System (CCEDS) search and database review was conducted pursuant to this investigation. Five previous investigations (CCEDS numbers 1185360, 1222233, 1343282, 1473714, 1479633, and 1507123) were conducted within five years of this preceding investigation.

Investigation number 1185360 was an APO On-site Survey conducted on July 15, 2014. An alleged violation for failure to obtain an APO registration was noted and was resolved on July 28, 2014 based on information submitted to the TCEQ Houston Region Office indicating that an APO registration had been obtained.

Investigation number 1222233 was a Stormwater Reconnaissance Investigation conducted on January 13, 2015. An alleged violation for failure to prevent the unauthorized discharge of process water was noted and was resolved on January 18, 2015 based on documentation submitted to the TCEQ Houston Region Office indicating that the unauthorized discharge had stopped by blocking the spillway.

Investigation number 1343282 was an APO On-site Survey conducted on June 27, 2016, in response to an in-house survey that indicated that the facility had an expired registration. An alleged violation for failure to renew the APO registration was noted and was resolved on June 28, 2016 based on information submitted to the TCEQ Houston Region Office indicating that an APO registration had been obtained. This alleged violation was also forwarded to enforcement.

Investigation number 1473714 was an APO CCI and Stormwater CCI conducted on February 28, 2018 as a result of a complaint. Alleged violations were noted for failure to maintain pollution prevention measures and controls and failure to maintain the Stormwater Pollution Prevention Plan (SWP3). These violations were noted and were resolved on March 9, 2018 based on documentation submitted to the TCEQ Houston Region Office which indicated the facility had maintained the pollution prevention measures and controls outlined in their SWP3.

Investigation number 1479633 was a Stormwater Reconnaissance and an APO On-site Survey Investigation conducted from March 29 to April 2, 2018. No violations were noted as a result of the investigation.

Investigation number 1507123 was a Complaint Investigation conducted on August 8, 2018. No violations were noted as a result of the investigation.

GENERAL FACILITY AND PROCESS INFORMATION

The site is located at 1025 Hueni Rd Porter, (Montgomery County) Texas 77365. GPS coordinates for the site are: 30.106484, -95.17776. The facility is a 40-acre wet mining and processing operation that extracts and sells sand

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under the active APO registration: AP0002367 (Attachment 2: Overview Map).

The facility's primary Standard Industrial Classification (SIC) code is 1442. A facility with an SIC code of 1442 is primarily engaged in operating sand and gravel pits as well as dredges and in washing, screening, or otherwise preparing sand and gravel for construction use.

Facilities with SIC code 1442 fall under Sector J of the Multi-Sector General Permit (MSGP) which has benchmark requirements for Nitrate + Nitrite N and total suspended solids (TSS). Sector J also has effluent limits for pH. Annual hazardous metals monitoring is required for the following metals: Arsenic, Barium, Cadmium, Chromium, Copper, Lead, Manganese, Mercury, Nickel, Selenium, Silver, and Zinc.

The facility has authorization for stormwater discharges under MSGP number TXR05BH80 which began on May 25, 2012. The facility is permitted to discharge stormwater through six outfalls, to the following stream segments: Mills Branch of White Oak Creek, Segment No. 1010B; White Oak Creek, Segment No. 1010B; and Caney Creek, Segment No. 1010 of the San Jacinto River. (Attachment 3: Facility Site Map for outfalls).

INVESTIGATION

Heavy rains were predicted for the week of May 6, 2019 which prompted initial communication with the Triple PG Sand Development Facility. On May 13, 2019 the facility notified the TCEQ Houston Region that a berm breach had occurred.

On May 15, 2019, Mr. Christian Eubanks and Mr. Kyle Linville conducted an initial site visit of the facility. Upon arrival investigators met with Mr. Raymond Hooks, Plant Operator. Mr. Hooks escorted the investigators to the first berm breach located on the south western edge of the facility, bordering White Oak Creek (Attachment 2: Overview Map). The breach was approximately 100 feet in length and 30 feet in width. Based on the direction of the uprooted trees along with the flow of the river, water from White Oak Creek came into the facility from the outside (Attachment 4: Photographs 1-2). From the location of the first breach, the second breach could be seen on the opposite side of the facility (Attachment 4: Photograph 3). Much of the facility was impassible due to heavy rains, therefore investigators conducted a follow up investigation on May 23, 2019 to access the second berm breach.

On May 23, 2019, Mr. Christian Eubanks and Mr. Kyle Linville drove to the first berm breach to get an update on the berm repair. Clay filler was being trucked in, and the breach repair was approximately 25% complete (Attachment 4: Photograph 4). Investigators then walked to the eastern edge of the facility, along Caney Creek, to access the second berm breach. The breach was approximately 75 feet in length and 30 feet in width (Attachment 2: Overview Map). Based on the direction of the uprooted trees, water flowed from the process pond to Caney Creek (Attachment 4: Photographs 5-7).

On May 31, 2019, Mr. Christian Eubanks conducted an additional follow up to document the berm repairs. Mr. Hooks explained that both berm breaches had been filled in and packed with clay (Attachment 4: Photographs 8-11). The facility indicated to the investigator that they will continue to widen both berms in an attempt to prevent a future discharge.

ADDITIONAL INFORMATION

The berm breaches occurred on May 13, 2019 and remained breached until May 29, 2019, a total of 17 days. The process pond was breached on two sides of the facility, with White Oak Creek coming into the facility from the west at breach 1, and exiting through breach 2 on the east edge of the facility into Caney Creek. Thus, the entire contents of the Triple PG Sand Development process pond (approximately 180 acres in area) were released into Caney Creek, which leads directly to the East Fork of the San Jacinto River, then to Lake Houston.

CONCLUSION

As a result of this investigation one alleged violation was noted and resolved; Failure to prevent the unauthorized discharge of process water.

NOE Date: 7/12/2019

**ALLEGED VIOLATION(S) NOTED AND RESOLVED
ASSOCIATED TO A NOTICE OF ENFORCEMENT**

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Track Number: 717592

Resolution Status Date: 7/10/2019

Violation Start Date: 5/15/2019

Violation End Date: 5/31/2019

2D TWC Chapter 26.121(a)(1)

Alleged Violation:

Investigation: 1569361

Comment Date: 07/10/2019

Failed to prevent the unauthorized discharge of process water.

Specifically, during the investigation evidence of an unauthorized discharge of wastewater (process water) was observed from the eastern portion of the facility. Water entered the facility through an approximate 100 foot berm breach and exited through an approximate 75 foot breach.

Recommended Corrective Action: There shall be no unauthorized discharge of pollutants. Submit to the TCEQ Houston Region Office documentation showing steps taken to prevent the reoccurrence of unauthorized discharges.

Resolution: On May 15, 2019, the TCEQ Houston Regional Office documented the unauthorized discharge of process water from the Triple PG Sand Development Facility. On May 31, 2019, the investigator confirmed the unauthorized discharge was no longer occurring. Thus, the alleged violation is resolved.

Signed

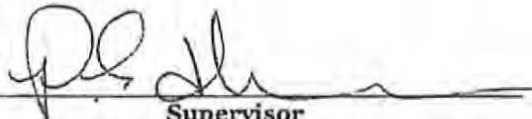


Date

7-12-2019

Environmental Investigator

Signed



Date

7-12-2019

Supervisor

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Maps, Plans, Sketches

___ Letter to Facility (specify type) : _____

___ Photographs

___ Investigation Report

___ Correspondence from the facility

___ Sample Analysis Results

___ Other (specify) : _____

___ Manifests

___ Notice of Registration

Summary of Investigation Findings

TRIPLE PG SAND DEVELOPMENT	Investigation #
1025 HUENI ROAD	1569361
PORTER, MONTGOMERY COUNTY, TX 77365	Investigation Date: 05/15/2019
Additional ID(s): TXR05BH80	
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AP0000963	

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