

# Texas Commission on Environmental Quality

## Investigation Report

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**Customer: RGI MATERIALS, INC.**

**Customer Number: CN603171455**

**Regulated Entity Name: PORTER PLANT**

**Regulated Entity Number: RN105195127**

**Investigation #** 2047649

**Incident Numbers**

Incident 436,858

Incident 436,856

Incident 438,713

Incident 438,714

**Investigator:** OSCAR AYALA

Site Classification MULTISECTOR GENERAL PERMIT  
FOR INDUSTRIAL WW

Site Classification AGGREGATE PRODUCTION  
OPERATION REGISTRATION

**Supervisor:** KADRIENN WOODARD **Approved Date:** 09-09-2025

**Conducted:** 02/26/2025 -- 02/27/2025

**SIC Code:** 1442

**SIC Code:** 3272

**Program:** AGGREGATE PRODUCTION OPERATION

**Program:** STORMWATER

**Investigation Type :** Compliance Investigation

**Location :**

**Additional ID** AP0001605

**Additional ID** TXR05U571

**Address:** 18185 HILL RD; **City** PORTER, **State** TX **Zip** 77365

**Local Unit :** REGION 12 - HOUSTON

**Activity Type:** APOCMPL - Complaints that have been investigated through a site visit or office research

**Activity Type:** 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** RESPONDENT

**Name** RGI MATERIALS INC

**Contact(s):**

<b>Role</b>	PARTICIPATED IN	<b>Name</b>	MR Larry Winzer
<b>Title</b>	SUPERINTENDENT HARDIN PLANT		
			Phone Number for Office is (936) 391-1283 End of record for this contac
<b>Role</b>	PARTICIPATED IN	<b>Name</b>	MR Wade Carroll
<b>Title</b>	SALES MANAGER		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	PARTICIPATED IN	<b>Name</b>	MR Ricky Gayton
<b>Title</b>	PLANT MANAGER		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	REGULATED ENTITY MAIL CONTACT	<b>Name</b>	MR Karl Rasmussen
<b>Title</b>	SR. FINANCIAL ANALYST		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	PARTICIPATED IN	<b>Name</b>	MR Karl Rasmussen
<b>Title</b>	SR. FINANCIAL ANALYST		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	REGULATED ENTITY CONTACT	<b>Name</b>	MR Wade Carroll
<b>Title</b>	SALES MANAGER		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	REGULATED ENTITY CONTACT	<b>Name</b>	MR Ricky Gayton
<b>Title</b>	PLANT MANAGER		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	REGULATED ENTITY CONTACT	<b>Name</b>	MR Karl Rasmussen
<b>Title</b>	SR. FINANCIAL ANALYST		
			Phone Number for Office is (281) 354-2215 End of record for this contac
<b>Role</b>	NOV CONTACT	<b>Name</b>	MR Karl Rasmussen
<b>Title</b>	SR. FINANCIAL ANALYST		
			Phone Number for Office is (281) 354-2215 End of record for this contac

**Other Staff Member(s):**

<b>Role</b>	Supervisor	<b>Name</b>	WESTIN MASSEY
<b>Role</b>	Investigator	<b>Name</b>	VARODOM PRADIDSARN
<b>Role</b>	QA Reviewer	<b>Name</b>	WESLEY SMITH
<b>Role</b>	Supervisor	<b>Name</b>	KADRIENN WOODARD
<b>Role</b>	Supervisor	<b>Name</b>	KYLE LINVILLE
<b>Role</b>	Supervisor	<b>Name</b>	NICHOLE NUNES
<b>Role</b>	Investigator	<b>Name</b>	RICHARD SOUAYED

**Associated Check List**

<b><u>Checklist Name</u></b>	WATER EQUIPMENT
<b><u>Unit Name</u></b>	Equipment
<b><u>Checklist Name</u></b>	WQ COMPLAINT INVESTIGATION
<b><u>Unit Name</u></b>	Complaint

**Investigation Comments:****INTRODUCTION**

On February 23, 2025, and February 25, 2025, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received two complaints (Incident Nos. 436856 and 436858) alleging an unauthorized discharge. On March 19, 2025, the TCEQ Houston Region Office received two additional complaints (Incidents Nos. 438713 and 438714) alleging concerns regarding a sand mining facility. The alleged complaints are located at 18185 Hill Road, Porter (Montgomery County), Texas 77365 (Attachment 1: Vicinity Map). An Aggregate Production Operation (APO) Complaint Investigation was conducted to determine compliance with applicable regulations.

An investigation was conducted at the incident location on February 26, 2025, by Mr. Oscar Ayala, Environmental Investigator with the TCEQ Houston Region Office, and on February 27, 2025, by Mr. Ayala, Mr. Richard Souayed, and Mr. Varodom Pradidsarn, Environmental Investigators with the TCEQ Houston Region Office. The investigation was conducted as a result of a complaint; therefore, no notification of the investigation was given to the facility.

A TCEQ Exit Interview was emailed to Mr. Ricky Gayton, Plant Manager with RGI Materials, Inc., on March 7, 2025, explaining the results of the investigation (Attachment 2: TCEQ Exit Interview sent on March 7, 2025). Based on the findings of the investigation, a Notice of Violation (NOV) letter was issued to facilitate compliance. A letter with a copy of the investigation report was sent to the complainants.

**BACKGROUND**

A TCEQ Consolidated Compliance and Enforcement Data System (CCEDS) search and database review was conducted pursuant to this investigation. Four previous APO investigations were conducted within the five years preceding this investigation.

Investigation No. 1699619 was conducted on January 4, 2021. No issues were noted.

Investigation No. 1722479 was conducted on May 4, 2021. One alleged violation was noted and resolved. A NOE letter was issued and resulted in TCEQ Docket No. 2021-0960-WQ-E.

Investigation No. 1938346 was conducted on November 6, 2023. No issues were noted.

Investigation No. 1987802 was conducted from April 26, 2024, to June 6, 2024. One alleged violation was noted and resolved.

**GENERAL FACILITY AND PROCESS INFORMATION**

Porter Plant is located at 18185 Hill Road, Porter (Montgomery County), Texas 77365 (Attachment 1: Vicinity Map). Porter Plant is a 1482-acre sand mining operation that produces sand for construction use. The site is operated by RGI Materials, Inc. Porter Plant is located in the San Jacinto Watershed and must meet the requirements of 30 TAC Chapter 311.103.

The facility's primary industrial activity is classified as Standard Industrial Classification (SIC) Code 1442 - Construction Sand and Gravel. A facility that obtains a SIC code 1442 is primarily engaged in operating sand

and gravel pits and dredges, and in washing, screening, or otherwise preparing sand for construction purposes. Porter Plant obtained authorization to discharge stormwater under Sector J of the Multi Sector General Permit (MSGP) on October 12, 2006 (Authorization Number No. TXR05U571) (Attachment 3: Permit and Registration Information).

Sector J 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.

Additionally, this facility is an APO and is required to obtain an APO registration. APO Registration No. APO001605 was obtained on November 30, 2015 (Attachment 3: Permit and Registration Information).

Storm water from this site flows to the West Fork San Jacinto River, Stream Segment No. 1004, of the San Jacinto River Basin.

#### COMPLAINT INVESTIGATION DESCRIPTION

On February 26, 2025, Mr. Ayala arrived at the incident location. Upon arrival, Mr. Ayala met with Mr. Gayton to discuss the purpose and the scope of the investigation. After the opening conference, Mr. Ayala conducted a review of the site's Storm Water Pollution Prevention Plan (SWP3) and Mine Plan. During the review, Mr. Ayala noted that the site did not have weekly inspection reports for its structural controls. Mr. Ayala asked Mr. Gayton when the most recent inspection for the site's eastern process water pond was. Mr. Gayton told the investigator that the site personnel had not inspected the eastern process water pond for at least three months because the berms were too muddy to travel safely. This issue will be further discussed in the Additional Information and Summary of Investigation Findings section of this report.

After reviewing the site's documentation, Mr. Ayala and Mr. Gayton attempted to conduct a perimeter walk of the site's eastern process water pond by traveling south from approximate GPS Coordinates (30.087757, -95.277521). While attempting to conduct the perimeter walk onsite, Mr. Ayala met with Mr. Wade Carroll, Sales Manager with RGI Materials, Inc., and Mr. Karl Rasmussen, Sr. Financial Analyst with RGI Materials, Inc., to discuss the purpose and the scope of the investigation. After the discussion with Mr. Carroll and Mr. Rasmussen, Mr. Ayala and Mr. Gayton traveled further south but was not able to complete the perimeter walk because the path was inundated with process water (Attachment 4: Investigation Photographs; Photos 1-3). Afterwards, Mr. Ayala and Mr. Gayton attempted to gain access to the facility's eastern perimeter by traveling southeast from approximate GPS Coordinates (30.081415, -95.290132) but were not able to complete the perimeter walk and gain access to the facility's eastern most eastern berms because of the berms had not been maintained to allow for vehicle or personnel travel (Attachment 4: Investigation Photographs; Photos 4-5). When prompted about the accessibility concerns, the facility personnel indicated that they would repair the berms so that the eastern process water pond could be accessed and inspected. Mr. Ayala indicated that he would leave the site and return once the berms were repaired for accessibility.

Mr. Ayala left the facility and obtained access to the east side of the site's eastern process water pond via an alternative route. While at the eastern process water pond, Mr. Ayala documented a berm breach at approximate GPS coordinates (30.081957, -95.278068) with process water discharging to the south and southeast. Mr. Ayala traveled about 1000 feet south of the berm breach to the southeastern side of the site and noted that the process water discharge was flowing southeast away from the boundaries of the site (Attachment 4: Investigation Photographs; Photos 7-13). Mr. Ayala followed the process water discharge and recorded the discharge flowing towards an offsite pond to the southeast of the site. At the time of the investigation, the process water discharge covered an estimated 5.36 acres between the berm breach and the offsite pond (Attachment 1: Vicinity Map). At the time of the investigation, the process water discharge appeared opaque tan in color and was commingling with the off-site pond (Attachment 4: Investigation Photographs; Photos 14-15).

At the time of the investigation, the offsite pond appeared opaque tan in color. The commingled water from the offsite pond flowed west towards the West Fork San Jacinto River (Attachment 4: Investigation Photographs; Photos 16-20). The discharge was noted entering the San Jacinto River channel. During the investigation conducted on February 26, 2025, the investigator collected five water samples from the process water discharge onsite and offsite. This will be further discussed in the Sampling Activities & Results section of this report.

Mr. Ayala informed the facility that the discharge of process water is not authorized under the MSGP. Mr. Gayton claimed that the opaque appearance of the off-site pond was from the cleared land to the southeast of

the Porter Plant site and not the process water discharge originating from the Porter Plant facility. Mr. Gayton also informed the investigator that the site's responsible authority contact that was on the site's Notice of Intent (NOI) was no longer employed with RGI Materials, Inc. These issues will be further discussed in the Additional Information and Summary of Investigation Findings sections of this report.

On February 27, 2025, Mr. Ayala, Mr. Souayed, and Mr. Pradidsarn arrived at the cleared land southeast of the Porter Plant site at approximate GPS Coordinates (30.077735, -95.27346) to confirm site conditions. At the time of the investigation, no process water nor stormwater discharges originated from the cleared land at approximate GPS Coordinates (30.077735, -95.27346) (Attachment 4: Investigation Photographs; Photos 21-24). The investigators then traveled to the offsite pond southeast of the Porter Plant site to collect three additional water samples (Attachment 4: Investigation Photographs; Photos 25-28). Afterwards, the investigators traveled to a stormwater ditch then traveled west towards the West Fork San Jacinto River. A water sample was collected at the stormwater ditch at approximate GPS coordinates (30.071908, -95.277312) (Attachment 4: Investigation Photographs; Photos 29-30). The investigators then arrived at the location where the stormwater ditch discharge meets the West Fork San Jacinto River. A water sample was collected at the West Fork San Jacinto at approximate GPS coordinates (30.071085, -95.283118) (Attachment 4: Investigation Photographs; Photos 31-36). This will be further discussed in the Sampling Activities & Results section of this report.

After collecting the water samples, the investigators arrived at the Porter Plant site to further review of the site's SWP3 and Mine Plan documentation. While conducting the review, Mr. Ayala noted that the site did not have the annual comprehensive site compliance evaluation report for 2024 (Attachment 4: Investigation Photographs; Photos 37-41). This issue will be further discussed in the Additional Information section of this report.

Following the review of the site's SWP3 and Mine Plan, the investigators met with Mr. Larry Winzer, Superintendent Hardin Plant with RGI Materials, Inc. to discuss the purpose and the scope of the investigation. After the opening conference, Mr. Winzer escorted the investigators around the facility. While onsite, Mr. Winzer explained to the investigators that the site has a wet aggregate processing area which generates process water. The process water would travel to the east into the site's eastern process water pond. There are pumps at the site's eastern process water pond that pumps the process water back into the processing area to help sort aggregates (Attachment 4: Investigation Photographs; Photos 42-48).

After the tour of the site, Mr. Winzer escorted the investigators to the site's eastern berm at approximate GPS coordinates (30.081957, -95.278068). Mr. Ayala noted that the eastern berm was repaired and that the discharge of process water has ceased (Attachment 4: Investigation Photographs; Photos 49-51). Thus, the alleged violations for failure to prevent the unauthorized discharge of process water and failure to maintain structural controls have been resolved.

#### SAMPLING ACTIVITIES & RESULTS

On February 26, 2025, Mr. Ayala collected five surface water samples (samples 1-5) (Attachment 1: Vicinity Map).

Sample 1 was collected at the berm breach at approximate GPS coordinates (30.08193, -95.277473) and stored in ice. The sample (Chain of Custody (COC) W015314-01) was collected at 14:45 for Total Suspended Solids (TSS) and Total Dissolved Solids (TDS).

Sample 2 was collected at the process water discharge route about 150 feet southeast from the location where Sample 1 was collected. The sample (COC W015314-02) was collected at 15:04 for TSS and TDS.

Sample 3 was collected at the southeastern part of the site about 920 feet south from the location where Sample 2 was collected. The sample (COC W015314-03) was collected at 15:16 for TSS and TDS.

Sample 4 was collected offsite about 200 feet north of the offsite pond. The sample (COC W015314-04) was collected at 15:41 for TSS and TDS.

Sample 5 was collected at approximate GPS Coordinates (30.077717, -95.281719). The sample (COC W015314-05) was collected at 16:31 for TSS and TDS.

On February 27, 2025, Mr. Ayala collected an additional five surface water samples (samples 6-10) (Attachment 1: Vicinity Map).

Sample 6 was collected where the process water discharge meets the offsite pond at approximate GPS Coordinates (30.077825, -95.275967). The sample (COC W015314-06) was collected at 11:28 for TSS and TDS.

Sample 7 was collected at approximate GPS Coordinates (30.076808, -95.274833). The sample (COC W015314-07) was collected at 11:36 for TSS and TDS.

Sample 8 was collected at approximate GPS Coordinates (30.075756, -95.273542). The sample (COC W015314-08) was collected at 11:47 for TSS and TDS.

Sample 9 was collected at a stormwater ditch at approximate GPS coordinates (30.071908, -95.277312). The sample (COC W015675-01) was collected at 12:08 for TSS and TDS.

Sample 10 was collected where the water from the offsite pond meets the West Fork San Jacinto at approximate GPS coordinates (30.071085, -95.283118). The sample (COC W015675-02) was collected at 12:27 for TSS and TDS.

On March 7, 2025, the laboratory sample results from A&B Labs were emailed to Mr. Ayala (Attachment 5: Lab Report and Sample Result Table).

#### ADDITIONAL INFORMATION

According to the Texas Water Code Chapter 26.121(a)(2), except as authorized by the commission, no person may discharge other waste into or adjacent to any water in the state which in itself or in conjunction with any other discharge or activity causes, continues to cause, or will cause pollution of any of the water in the state. At the time of the investigation, it was noted that process wastewater was discharging from the site to a pond off-site. Thus, an alleged violation was cited for failure to prevent the unauthorized discharge of process water.

As stated in 30 TAC Chapter 311.103(b), the operator shall develop and implement all structural BMPs identified in the guidance document developed by the executive director for the appropriate phases of the sand mining facility's operation. At the time of the investigation, the site's berms were not properly maintained. Therefore, an alleged violation was cited for failure to maintain structural controls.

As stated in the MSGP Part II, Section C.6, "If the operator becomes aware of the following occurred, then correct information must be provided to the executive director in a notice of change (NOC) within 14 days after discovery: (1) Relevant information provided on the NOI or NEC has changed." During the investigation, the investigator was notified that the responsible authority contact documented in the site most recently submitted NOI was no longer employed with RGI Materials, Inc. Therefore, an alleged violation for failure to submit a NOC when relevant information provided in the NOI changes. On March 13, 2025, Mr. Rasmussen, emailed compliance documentation to the TCEQ Houston Region. The documentation indicated that a NOC was submitted to update the responsible authority contact information of the site's MSGP NOI (Attachment 6: Correspondence received on March 13, 2025). Thus, the violation for failure to submit a NOC when relevant information provided in the NOI changes was resolved.

Based on the requirements of the MSGP Part III, Section B.5, the comprehensive site compliance inspection must be conducted at least once each permit year. At the time of the investigation, the site did not appear to have the annual comprehensive compliance inspection report for 2024 in their onsite SWP3. Subsequently, an alleged violation was cited for failure to conduct the annual comprehensive compliance evaluation. On March 13, 2025, Mr. Rasmussen, emailed compliance documentation to the TCEQ Houston Region which indicated that the annual comprehensive compliance evaluation was conducted at the site in November 2024 (Attachment 6: Correspondence received on March 13, 2025). On April 23, 2025, Mr. Ayala contacted Mr. Carroll to inform him that the TCEQ will not issue the violation for failure to conduct the annual comprehensive site compliance evaluation.

According to 30 TAC §305.125(9) and the MSGP Part III, Section E.6(b), any non-compliance that may endanger human health or safety, or the environment, must be reported by the permittee to the TCEQ regional office and to the TCEQ Enforcement Division. At the time of the investigation, no written notification was submitted to the TCEQ. Therefore, an alleged violation was cited for failure to submit a non-compliance notification. On April 3, 2025, Mr. Carroll submitted a written non-compliance notification to the TCEQ Houston Region Office (Attachment 7: Correspondence received on April 3, 2025).

Subsequently, on April 23, 2025, Ms. Danielle Clements, TCEQ Acting Team Leader for Enforcement Team 7, emailed documentation to the TCEQ Houston Region indicating that the TCEQ Enforcement Division received the written non-compliance notification on April 8, 2025 (Attachment 8: Documentation received on April 23, 2025). Thus, the violation for failure to submit a non-compliance notification was resolved.

Based on the requirements of 30 TAC §311.103(b) and 30 TAC §311.103(j), operators must inspect all structural controls to ensure that they are installed properly, appear to be operational, and minimize pollutants in discharges, as intended. In addition, all documentation related to compliance with 30 TAC §311.103 must be maintained onsite and made readily available for inspection and review upon request by authorized executive director staff as well as local pollution control entities with jurisdiction. During the investigation, Mr. Ayala requested weekly inspection reports for the site's structural controls. No inspection reports were not provided. Therefore, an alleged violation was cited for failure to inspect structural controls once every seven calendar days. On April 3, 2025, Mr. Carroll provided weekly inspection reports for the site's structural controls, via email (Attachment 7: Correspondence received on April 3, 2025). Thus, the violation for failure to inspect structural controls every seven calendar days was resolved.

On April 2, 2025, Mr. Carroll submitted a response to the TCEQ Exit Interview, via email. The response contained the responsible party's comments for each of the alleged violations cited in the TCEQ Exit Interview (Attachment 9: Correspondence received on April 2, 2025). On April 24, 2025, Mr. Carroll provided correspondence via email indicating that SWP3 and Mine Plan training was conducted on April 23, 2025 (Attachment 10: Correspondence received on April 24, 2025). On June 17, 2025, Mr. Carroll submitted correspondence via email with photograph attachments. The correspondence indicated that RGI Materials, Inc is maintaining the site's berms (Attachment 11: Correspondence received on June 17, 2025).

#### CONCLUSION

The allegation of an unauthorized discharge was confirmed. As a result of the investigation, five alleged violations were noted and resolved:

- Failure to prevent the unauthorized discharge of process water.
- Failure to maintain structural controls.
- Failure to submit a NOC when relevant information provided in the NOI changes.
- Failure to inspect structural controls every seven calendar days.
- Failure to submit a non-compliance notification.

<b><u>Notice of Violation Dat</u></b>	09/09/2025	<b><u>Method</u></b>	WRITTEN
<b>ALLEGED VIOLATION(S) NOTED AND RESOLVED</b>			
<b>ASSOCIATED TO A NOTICE OF VIOLATION</b>			

**Track Number:** 911418

**Resolution Status Date:** 6/23/2025

**Violation Start Date:** Unknown

**Violation End Date:** 2/27/2025

Citations include TAC or T. A. C. which stands for Texas Administrative Code

**Citation TWC Chapter 26.121**

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

#### **Alleged Violation:**

**Investigation number:** 2047649

**Comment Date:** 6/23/2025

Failure to prevent the unauthorized discharge of process water.

Specifically, during the investigation it was noted that process water was discharging offsite from the site's eastern pond which ultimately discharged into the West Fork San Jacinto River.

According to the Texas Water Code Chapter 26.121(a)(2), except as authorized by the commission, no person may discharge other waste into or adjacent to any water in the state which in itself or in conjunction with any other discharge or activity causes, continues to cause, or will cause pollution of any of the water in the state.

**Recommended Corrective Action:** Documentation must be submitted to the TCEQ Houston Region Office indicating that the unauthorized discharge of process water has ceased at the Porter Plant site.

**Resolution:** On February 27, 2025, the investigator had noted while onsite that the Porter Plant site had ceased the unauthorized discharge of process water.

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**Track Number:** 911425

**Resolution Status Date:** 3/13/2025

**Violation Start Date:** Unknown

**Violation End Date:** 2/27/2025

Citations include TAC or T. A. C. which stands for Texas Administrative Code

**Citation 30 TAC Chapter 311.103(b)**

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

**Alleged Violation:**

**Investigation number:** 2047649

**Comment Date:** 3/3/2025

Failure to maintain structural controls.

At the time of the investigation, the berm of the site's eastern pond was not maintained to prevent the discharge of process water.

**Recommended Corrective Action:** Documentation must be submitted to the TCEQ Houston Region Office indicating that the berm of the site's eastern pond is being maintained.

**Resolution:** On February 27, 2025, the investigator had noted while onsite that the Porter Plant site had repaired the berm of its eastern pond.

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**Track Number:** 911426

**Resolution Status Date:** 4/23/2025

**Violation Start Date:** Unknown

**Violation End Date:** 4/3/2025

Citations include TAC or T. A. C. which stands for Texas Administrative Code

**Citation 30 TAC Chapter 311.103(b)**

**Citation 30 TAC Chapter 311.103(j)**

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

**Alleged Violation:**

**Investigation number:** 2047649

**Comment Date:** 3/3/2025

Failure to inspect structural controls once every seven calendar days.

During the investigation, the investigator requested the regulated entity to provide the inspection reports for the site's structural controls. No weekly inspection reports were provided.

**Recommended Corrective Action:** Documentation must be submitted to the TCEQ indicating that the site is inspecting their structural controls every seven calendar days.

**Resolution:** On April 3, 2025, documentation was submitted to the TCEQ indicating that the site is inspecting their structural controls every seven calendar days.

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**Track Number:** 911429

**Resolution Status Date:** 5/6/2025

**Violation Start Date:** Unknown

**Violation End Date:** 4/8/2025

Citations include TAC or T. A. C. which stands for Texas Administrative Code

**Citation 30 TAC Chapter 281.25(a)(4)**

**Citation 30 TAC Chapter 305.125(9)**

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Req or R. E. Q. stands for requirements

**PERMIT TXR05U571, Part III. Section E.b**

**Alleged Violation:**

**Investigation number:** 2047649

**Comment Date:** 3/3/2025

Failure to submit a non-compliance notification.

Specifically, the regulated entity had not submitted a Water Quality Noncompliance Notification to the TCEQ within five days of becoming aware of the noncompliance.

**Recommended Corrective Action:** A written submission of the noncompliance must be submitted to the TCEQ Enforcement Division (MC-224) and the TCEQ Houston Region Office.

**Resolution:** On April 3, 2025, and April 23, 2025, documentation was submitted to the TCEQ Houston Region office indicating that a written submission of noncompliance was submitted to the TCEQ Enforcement Division (MC-224) and the TCEQ Houston Region Office.

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**Track Number:** 911906

**Resolution Status Date:** 5/6/2025

**Violation Start Date:** Unknown

**Violation End Date:** 3/12/2025

Citations include TAC or T. A. C. which stands for Texas Administrative Code

**Citation 30 TAC Chapter 281.25(a)(4)**

No or N. O. stands for Number and Pg or P. G. stands for page.

Req or R. E. Q. stands for requirements

**PERMIT TXR05CM29, Part II. Section C.6**

**Alleged Violation:**

**Investigation number:** 2047649

**Comment Date:** 3/7/2025

Failure to submit a Notice of Change (NOC) when relevant information provided in the Notice of Intent (NOI) changes.

The NOI for TPDES Permit No. TXR05U571 indicated that Mr. Jacob McCurry is the responsible authority contact. At the time of the investigation, the investigator was notified by the regulated entity that Mr. McCurry was no longer the responsible authority contact.

**Recommended Corrective Action:** Documentation must be submitted to the TCEQ indicating that a NOC was submitted for the change of the regulated entity's responsible authority contact.

**Resolution:** On March 13, 2025, documentation was submitted to the TCEQ Houston Region indicating that the site submitted a NOC on March 12, 2025, to update the regulated entity's responsible authority contact.

Checklist for different types of attachments