

Texas Commission on Environmental Quality Investigation Report

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Customer: Texas Frac Sand Materials Inc

Customer Number: CN605733245

Regulated Entity Name: TRIPLE PG SAND DEVELOPMENT

Regulated Entity Number: RN106418817

Investigation # 2077932

Incident Numbers

Incident 444,290

Investigator:KADRIENN WOODARD

Site Classification MULTISECTOR GENERAL PERMIT
FOR INDUSTRIAL WW

Site Classification AGGREGATE PRODUCTION
OPERATION REGISTRATION

Supervisor: NICHOLE NUNES **Approved Date:** 08-28-2025

Conducted: 07/15/2025 -- 07/17/2025

SIC Code: 1446

NAIC Code: 212321

SIC Code: 1442

Program: AGGREGATE PRODUCTION OPERATION

Program: STORMWATER

Investigation Type :Compliance Investigation

Location :

Additional ID TXR05EN12

Additional ID AP0003173

Address: 1025 HUENI ROAD; **City** PORTER, **State** TX **Zip** 77365

Local Unit : REGION 12 - HOUSTON

Activity Type: APOCCI - An on-site investigation of an APO to confirm compliance with applicable regulatory requirements. This activity addresses the requirement of TWC 28A.053. INSPECTION.

Activity Type: APOBMP - Investigation to confirm compliance at sand mining facilities in the San Jacinto River Watershed. This activity addresses requirements in 30 TAC 311.103 and RG-555. The investigator must utilize this code if conducting an APOCCI.

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 TEXAS FRAC SAND MATERIALS INC

Contact(s):

Role	REGULATED ENTITY MAIL CONTACT	Name	Somaiah Kurre
Title	PRESIDENT		
			Phone Number for Office is (832) 283-6818 End of record for this contac
Role	PARTICIPATED IN	Name	Somaiah Kurre
Title	PRESIDENT		
			Phone Number for Office is (832) 283-6818 End of record for this contac
Role	PARTICIPATED IN	Name	Harrison Miller
Title	ENVIRONMENTAL SCIENTIST		
			Phone Number for Office is (469) 946-8195 End of record for this contac
Role	REGULATED ENTITY CONTACT	Name	Harrison Miller
Title	ENVIRONMENTAL SCIENTIST		
			Phone Number for Office is (469) 946-8195 End of record for this contac
Role	PARTICIPATED IN	Name	Tanner Bratcher
Title	CONSULTANT		
			Phone Number for Phone is (469) 946-8195 End of record for this contac
Role	NOTIFIED	Name	DANIEL GARDNER
Title	OPERATIONS MANAGER		
			Phone Number for Office is (469) 946-8195 End of record for this contac
Role	PARTICIPATED IN	Name	Patricia Rea
Title	DISPATCHER		
			Phone Number for Phone is (832) 283-6818 End of record for this contac
Role	REGULATED ENTITY CONTACT	Name	DANIEL GARDNER
Title	OPERATIONS MANAGER		
			Phone Number for Office is (469) 946-8195 End of record for this contac

Other Staff Member(s):

Role	Supervisor	Name	NICHOLE NUNES
Role	QA Reviewer	Name	OSCAR AYALA

Associated Check List

<u>Checklist Name</u>	AGGREGATE PRODUCTION OPERATION
<u>Unit Name</u>	APO CCI
<u>Checklist Name</u>	APO BEST MANAGEMENT PRACTICE
<u>Unit Name</u>	BMPs

Investigation Comments:

INTRODUCTION

On July 15th and 17th, 2025, Ms. Kadrienn Woodard, Program Coordinator with the Texas Commission on Environmental Quality (TCEQ) Houston Region Office, conducted an Aggregate Production Operations (APO) Comprehensive Compliance Investigation (CCI) at Triple PG Sand Development, specifically the Hueni Road Pit, to determine compliance with applicable APO regulations. Notification of the investigation was given on July 1, 2025, to Mr. Daniel Gardner, Operations Manager with Elm Creek Environmental, LLC.

The TCEQ Houston Region Office received a complaint on July 24, 2025 (Incident No. 444290), alleging an unauthorized discharge and mining around pipelines at Triple PG Sand Development. The portion of the complaint alleging pipelines on the northern end of the mine are exposed due to undermining, are unsupported, and could rupture, was referred to the Railroad Commission of Texas (RRC) (Incident No. 445068).

A TCEQ Exit Interview Form was emailed to Mr. Harrison Miller, Environmental Scientist with Elm Creek Environmental, LLC, on July 25, 2025, explaining the results of the investigation (Attachment 1: TCEQ Exit Interview Form).

At the time of the investigation, active enforcement action was being taken by the TCEQ Enforcement Division against Texas Frac Sand Materials Inc (Enforcement Case No. 65957, Administrative Order 2024-0790-WQ-E). Due to the active enforcement case, one additional issue was noted for failure to install and maintain structural controls. A letter with additional issues was sent to the facility. A letter along with a copy of the investigation report was sent to the complainant.

GENERAL FACILITY AND PROCESS INFORMATION

Hueni Road Pit is located at 1025 Hueni Road, Porter (Montgomery County), Texas 77365 (Attachment 2: Overview Map). The facility is a wet mining and processing operation that extracts and sells sand which disturbs approximately 211 acres. The facility 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. Hueni Road Pit obtained authorization to discharge stormwater under Sector J of the Multi Sector General Permit (MSGP) on January 3, 2020 (Authorization Number No. TXR05EN12) (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.

APO Registration No. AP0003173 was obtained on June 28, 2016 (Attachment 3: Permit and Registration Information).

The facility is permitted to discharge stormwater through seven outfalls, to Mills Branch of White Oak Creek (Segment No. 1010B) and White Oak Creek (Segment No. 1010B) of the San Jacinto River Basin. The facility was not actively discharging during the investigation.

BACKGROUND

A TCEQ Consolidated Compliance and Enforcement Data System (CCEDS) search and database review was conducted pursuant to the investigation. Seven previous investigations were noted for the Regulated Entity (RE) in the five years preceding the date of the current investigation.

Investigation No. 1677704 was a Stormwater Multi-Sector General Permit (MSGP) Reconnaissance Investigation conducted on September 8, 2020. No issues were noted.

Investigation No. 1710123 was an APO CCI conducted on March 29, 2021. No issues were noted.

Investigation No. 1770386 was an APO CCI conducted on October 21, 2021. No issues were noted.

Investigation No. 1902234 was an APO CCI conducted on April 25, 2023. Three issues were noted: Failure

to maintain vegetative controls, Failure to maintain structural controls, Failure to develop a Mine Plan.

Investigation No. 1973487 was an APO File Record Review (FRR) conducted on April 4, 2024. The issue of failure to maintain vegetative controls was resolved; however, the issues noted for failure to maintain structural controls and failure to develop a Mine Plan remained unresolved and were referred to the enforcement division (Case No. 65957, Administrative Order 2024-0790-WQ-E).

Investigation No. 1989540 was an APO Complaint and Follow-up Investigation (FI) conducted on May 29, 2024. One issue was noted and remained outstanding: Failure to prevent the unauthorized discharge of process water into waters of the state.

Investigation No. 2011095 was an APO FRR conducted on September 25, 2024. The issue of failure to prevent the unauthorized discharge of process water into waters of the state was resolved.

PRE-INVESTIGATION

On July 14, 2025, Mr. Miller provided correspondence and documentation via email consisting of: a copy of the Mine Plan; Storm Water Pollution Prevention Plan (SWP3) Inspection Form dated June 25, 2025; APO map indicating the property boundary and lease boundary; and SWP3 Site Map (Attachment 4: Documentation received on July 14, 2025).

SITE INVESTIGATION

On July 15, 2025, Ms. Woodard conducted a site visit at the Hueni Road Pit. Upon arrival Ms. Woodard met with Mr. Miller; Ms. Patricia Rea, Dispatcher for Texas Frac Sand Materials Inc.; and Mr. Tanner Bratcher, Consultant with Elm Creek Environmental, to discuss the purpose and scope of the investigation.

Upon completion of the opening conference, Mr. Miller and Mr. Bratcher escorted Ms. Woodard around the facility. The site consisted of two inactive process water ponds, an equipment storage area, and an inactive wet processing area (Attachment 2: Overview Map) (Attachment 5: Photographs). No pumping or discharges were noted from the APO at the time of the investigation. No material was being transported off site at the time of the investigation.

While touring the facility, Ms. Woodard documented site conditions. At the time of the investigation, Ms. Woodard noted the following alleged issues:

Failure to maintain structural controls (30 TAC. §311.103 (b)):

Specifically, the operator did not stabilize the site entrance/exit with aggregate at least six inches thick and 50 feet long. In addition, structural controls were not installed along the bridge that crossed White Oak Creek (Attachment 5: Investigation Photographs). This is being addressed as an additional issue.

There were no public drinking water systems or on-site sewage facilities. One Petroleum Storage Tank (PST) larger than 1,100 gallons was noted on-site during the investigation (PST Registration No. 93241) (Attachment 3: Permit and Registration Information).

On July 16, 2025, Ms. Woodard contacted Mr. Miller and arranged an additional on-site visit for July 17th.

On July 17, 2025, Ms. Woodard returned to the Hueni Road Pit. Upon arrival Ms. Woodard met with Ms. Rea and Mr. Somaiah Kurre, President of Texas Frac Sand Materials Inc., to discuss the purpose and scope of the investigation. Mr. Kurre escorted Ms. Woodard to the northern portion of the site. Mr. Kurre informed Ms. Woodard that the gas company has plans to begin addressing the erosion on the northern portion of the site leading to Caney Creek, soon; however, exact dates were not known.

ADDITIONAL INFORMATION

On July 18, 2025, Ms. Woodard sent a Records Request to the RE, requesting copies of the July 2025 vegetative and structural control inspection reports (Attachment 6: Records Request Sent on July 18, 2025).

On July 21, 2025, Mr. Miller provided correspondence and documentation via email to indicate vegetative and structural inspections (referred to by the RE as San Jacinto Mine Plan BMP Inspection Forms) were conducted once every seven days from February 10, 2024, to April 14, 2025 (Attachment 7:

Documentation received on July 21, 2025). Copies of the San Jacinto Mine Plan BMP Inspection Forms for June 30, July 10, and July 15, 2025, were received from Mr. Miller via email on July 23, 2025 (Attachment 8: Documentation received on July 23, 2025).

On August 1, 2025, Mr. Miller provided correspondence and documentation via email to indicate the site entrance is stabilized and structural controls are in place on both sides of the bridge at White Oak Creek (Attachment 9: Documentation received on August 1, 2025).

On August 15, 2025, Ms. Woodard contacted Mr. Kurre via phone to see if there were any updates in regard to the erosion along the easement; none were provided at this time.

CONCLUSION

At the time of the investigation, erosion and exposed pipes were observed on the northern portion of the property leading to Caney Creek. The RRC was notified of the exposed pipes. In addition, Google earth imagery dated March 12, 2025, indicates that White Oak Creek cuts through the western side of the southernmost pond on the property and then flows to Caney Creek, on the east side of the property (Attachment 10: Google Earth Imagery). However, based on the site map provided by the RE, neither location (easement/southernmost pond) is identified as under the current operational control of Texas Frac Sand Materials, Inc. In addition, active Enforcement Action is being taken by the TCEQ Enforcement Division against the previous operator of the site, Triple PG Sand Development, LLC (Enforcement Case No. 58540, Administrative Order D-1-GN-19-007086) in regard to the alleged discharge.

At the time of the investigation conducted on July 15th and 17th, 2025, active Enforcement Action was being taken by the TCEQ Enforcement Division against Texas Frac Sand Materials, Inc (Enforcement Case No. 65957, Administrative Order 2024-0790-WQ-E) regarding the structural controls at the site entrance and the bridge at White Oak Creek. Due to the active enforcement case, an additional issue was noted for the failure to maintain structural controls. A letter with was sent to the facility.

SUMMARY OF INVESTIGATION FINDINGS

No Violations Associated to this Investigation

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

No or N. O. stands for Number and Pg or P. G. stands for page.
Req or R. E. Q. stands for requirements

Additional Issues

Description Item 1

Additional Comments

Failure to maintain structural controls.

Specifically, at the time of the investigation, the operator had not:

- 1) Stabilized the entrance/exit with aggregate at least six inches thick and 50 feet long.
- 2) Installed structural controls along the bridge that crossed White Oak Creek.

Description Item 2

Additional Comments

Be sure to inspect all structural controls to ensure that they are installed properly.

Specifically, documentation was provided that the regulated entity (RE) conducted an inspection on July 15, 2025, at 08:45am but the report did not note any issues of non-compliance. However, during the TCEQ inspection conducted that same day, the site entrance was not stabilized and BMPs had not been installed along the bridge at White Oak Creek.

As required per section 2.2 of the Best Management Practices (BMPs) for Sand Mining Operations in the San Jacinto River Watershed guidance document, operators must: 1) Inspect all structural controls to ensure that they are installed properly, appear to be operational, and minimize pollutants in discharges, as intended; 2) Check for signs of visible erosion and sedimentation that can be attributed to the points of discharge where discharges leave the site; 3) Replace or modify controls in a timely manner, but no later than the next anticipated storm event.

Checklist for different types of attachments

Attachments: (in order of final report submittal)

___ Enforcement Action Request (EAR)

___ Letter to Facility (specify type) : _____

Investigation Report

___ Sample Analysis Results

___ Manifests

___ Notice of Registration

___ Maps, Plans, Sketches

___ Photographs

___ Correspondence from the facility

___ Other (specify) : _____

List of Attached files

2077932_Attachments2.pdf

2077932_Attachments1.pdf