



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 21, 2025

Ms. Maria Acevedo
Via Email

Re: Investigation Request at:
Soil Stabilization Plant SN 1097 located at Northeast of Intersection CR 3470 and Road
5023, Cleveland, TX 77327

Regulated Entity No.: 11184335, Investigation No.: 2085086, Incident No.: 444291

Dear Ms. Acevedo:

The Texas Commission on Environmental Quality (TCEQ) Houston Region Office has completed a final investigation in response to your concern regarding the off-site sediment accumulation and lack of best management practices at the above-referenced facility. Enclosed is a copy of the investigation report.

To access a copy of our complaint policies and procedures or to track your complaint using Complaint Tracking Number 444291 you may refer to our website:
<https://www.tceq.texas.gov/compliance/complaints>.

We appreciate your concern in bringing this matter to our attention. If we can be of further assistance, please contact Mr. Austin Cloyd in the Houston Region Office at 713-767-3662.

Sincerely,

A stylized, handwritten-style signature of Kyle Llnville.

Kyle Llnville
Water Section Team Leader
Houston Region 12 Office

KL/AC/kg

Enclosure: Copy of Investigation Report

Customer: Liberty Paving, LLC
Customer Number: CN605865310

Regulated Entity Name: SOIL STABILIZATION PIANT SN 1097

Regulated Entity Number: RN111845335

Investigation # 2085086

Incident Numbers

Incident 444,291

Investigator: AUSTIN CLOYD

**Site Classification CONSTRUCTION GENERAL PERMIT
FOR STORMWATER**

Supervisor: KYLE LINVILLE Approved Date: 10-17-2025

Conducted: 08/08/2025 -- 08/08/2025

No Industry Code Assigned

Program: STORMWATER

Investigation Type :Site Assessment

Location : NORTHEAST OF INTERSECTION CR 3470 AND ROAD 5023

Additional ID WQNP111845335

Address: ; City, State Zip

Local Unit : REGION 12 - HOUSTON

Activity Type: SWCMPL - SW Complaint

Principal(s):

Role RESPONDENT

Name LIBERTI PAVING LLC

Contact(s):

**Role REGULATED
ENTITY
CONTACT**

Name Patrick Thiel

Title GENERAL CONTRACTOR

Phone Number for Work is (972) 837-0490

End of record for this contact

**Role REGULATED
ENTITY MAIL
CONTACT**

Name Patrick Thiel

Title GENERAL CONTRACTOR

Phone Number for Work is (972) 837-0490

End of record for this contact

Other Staff Member(s):

Role QA Reviewer

Name MAYA SOOJHAI

Role Supervisor

Name KYLE LINVILLE

Associated Check List

Checklist Name WQ COMPLAINT INVESTIGATION

UnitName INVESTIGATION

Checklist Name WATER EQUIPMENT

UnitName EQUIPMENT

Investigation Comments:

INTRODUCTION

On July 28, 2025, the Texas Commission on Environmental Quality (TCEQ) Houston Region 12 Office received a complaint (Incident No. 444291) alleging off site sediment accumulation and a lack of best management practices. The alleged complaint is located near the intersection of CR 5023 and CR 5021, Cleveland, Liberty County, Texas 77327. A Stormwater (SW) complaint investigation was conducted to determine compliance with applicable regulations.

An investigation was conducted near the intersection of CR 5023 and CR 5021, Cleveland, Texas 77327 on August 8, 2025, by Mr. Austin Cloyd, Environmental Investigator with the TCEQ Houston Region 12 Office. The investigation was conducted as a result of a complaint; therefore, no notification of the investigation was given.

TCEQ Exit Interview Forms was sent on August 12, 2025, and Revised TCEQ Exit Interview Forms were sent on August 13, 2025 and October 1, 2025, to Mr. Patrick Thiel, General Contractor with Liberty Paving L L ;: via email (Attachment 1: Exit Interviews). Based on the findings of the investigation a notice of Enforcement (NOE) letter was issued. A letter with a copy of the investigation report was sent to the complainant.

BACKGROUND

The TCEQ has received no prior SW complaints regarding the aforementioned location in the last five years.

GENERAL FACILITY AND PROCESS INFORMATION

The construction site for road repaving disturbs approximately 1.0 acre of land in total and is located along San Marcos St. (CR 5000), Cleveland, Liberty County, Texas 77327 (Attachment 2: Vicinity Map). The San Marcos St. (CR 5000) road construction site is considered a small construction site per TCEQ regulations. The site is operated by Liberty Paving LLC. At the time of the investigation Liberty Paving LLC was operating without coverage under the Construction General Permit (CGP). A review of the TCEQ Central Registry shows that Liberty Paving LLC has previously obtained coverage under the CGP at other sites (Attachment 3: Previous Permit Coverage) . This alleged issue will be further discussed in the Summary of Investigation Findings of this Report.

Stormwater on this site flows to the East Fork San Jacinto River Segment 1003. The site was not discharging stormwater at the time of the investigation. ?

COMPLAINT INVESTIGATION DESCRIPTION

On August 8, 2025 the investigator arrived at the complaint location. Photos were taken of areas with cleared vegetation that would be the base for the new road construction. During the investigation no site signage or Stormwater Pollution Prevention Plan (SWPPP) was observed. Additionally, at the time of the investigation no Best Management Practices were present to minimize off-site sediment pollution. An attempt to make contact with the contractors was made, however none were present at the site at the time of the investigation (Attachment 4: Investigation Photographs).

ADDITIONAL INFORMATION

On August 25, 2025, the Regulated Entity submitted documentation indicating a small site notice had been posted, and on August 28, 2025 that a SWPPP was developed. Additionally, on September 8, 2025, documentation was submitted to the TCEQ Region 12 Office indicating that the site had installed hydro mulch to reach final stabilization which appeared to resolve the outstanding alleged violation (Attachment 5: Submitted Compliance).

CONCLUSION

The allegation of a lack of best management practices was confirmed. As a result of the investigation, one alleged violation was issued for failure to obtain coverage under the Construction General Permit (CGP)

SUMMARY OF INVESTIGATION FINDINGS

NOE Date: 10/17/2025

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

Track Number: 932436

Resolution Status Date: 10/6/2025

Violation Start Date: Unknown

Violation End Date: 8/28/2025

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

Citation 30 TAC Chapter 281.25(a)(4)

Citation 40 CFR Chapter 122.26(c)

Nb or N O. stands for Number and Pg or P. G stands for page.

Req or R E Q. stands for requirements

ID NUMBER WQNP111845335, Part I. Section A

Alleged Violation:

Investigation number: 2085086

Comment Date: 10/2/2025

Failure to obtain coverage under the Construction General Permit (CGP) TXR150000. Specifically, construction activity was noted at the Soil Stabilization Plant SN 1097 located at northeast of intersection C3470 and Road 5023. According to Enforcement Initiation Criteria (EiC) A2.a, formal enforcement is warranted if a responsible party (RP) is operating without proper authorization and the responsible party had the same required authorization at another regulated entity, or for which documentation exists that demonstrate that the RP has knowledge that the authorization is required.

Recommended Corrective Action: Submit to the TCEQ Region 12 Houston Office a Small Site Notice and a Stormwater Pollution Prevention Plan (SWP3) and documentation indicating that best management practices (BMPs) have been put in place.

Resolution: On August 25, 2025, the Regulated Entity submitted documentation indicating a small site notice had been posted, and on August 28, 2025 that a SWPPP was developed. Additionally, on September 8, 2025, documentation was submitted to the TCEQ Region 12 Office indicating that the site had installed hydro mulch to reach final stabilization which appeared to resolve the outstanding alleged violation.

Checklist for different types of attachments

Attachments: (in order of final report submittal)

☐ Enforcement Action Request (EAR)

☐ Maps, Plans, Sketches

☐ Letter to Facility (specify type) : NOE

☐ Photographs

☐ Investigation Report

☐ Correspondence from the facility

☐ Sample Analysis Results

☐ Other (specify):

☐ Manifests

See List of Attachments

☐ Notice of Registration

List of Attached files

2085086 Attachments.pdf