









Large U.S. Geological Survey

SE-13

Imagery Date: 8/19/95 33°07'19.99" N 94°54'18.44" W Elev: 398 ft (Eye Alt: 0)



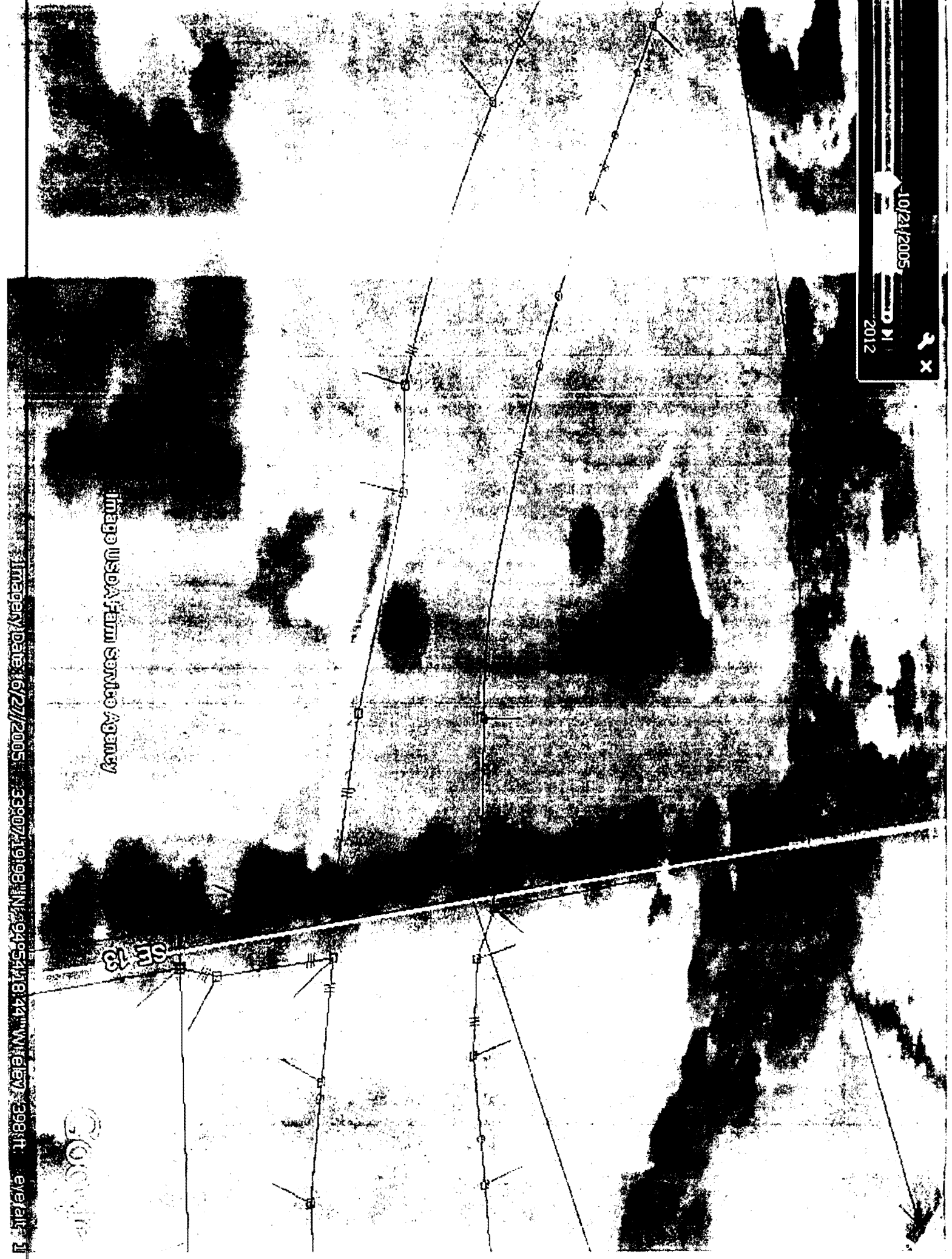


Image USDA Farm Service Agency

Image Date: 6/27/2005 3390719198" N 9495418.44" W Elev: 398.8ft eyealt: 1

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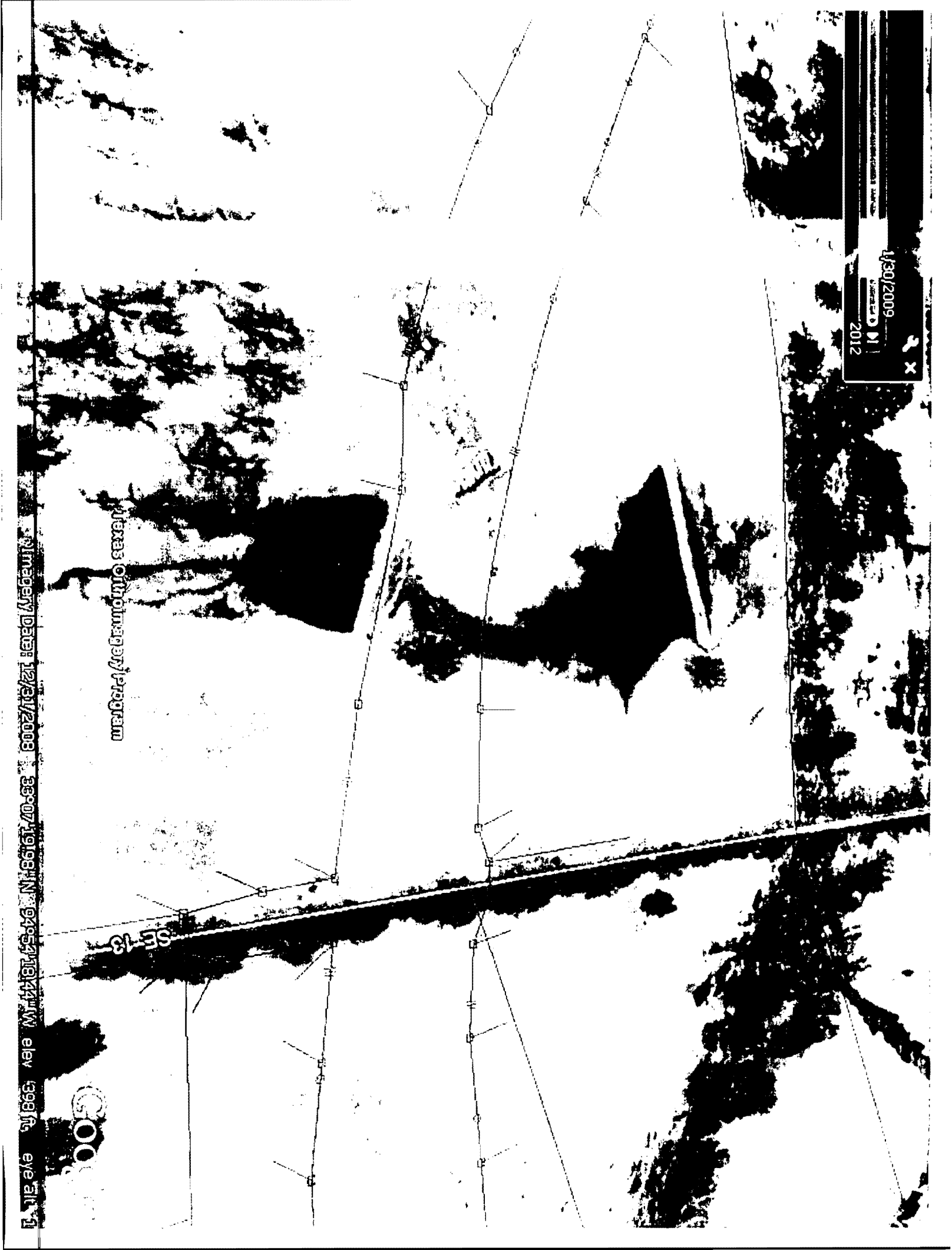
1/30/2009
2012

Texas OrthoImagery Program

Imagery Date: 12/31/2008 33°07'19.98"N 94°52'10.44"W elev 398ft eye alt 1



SE-13



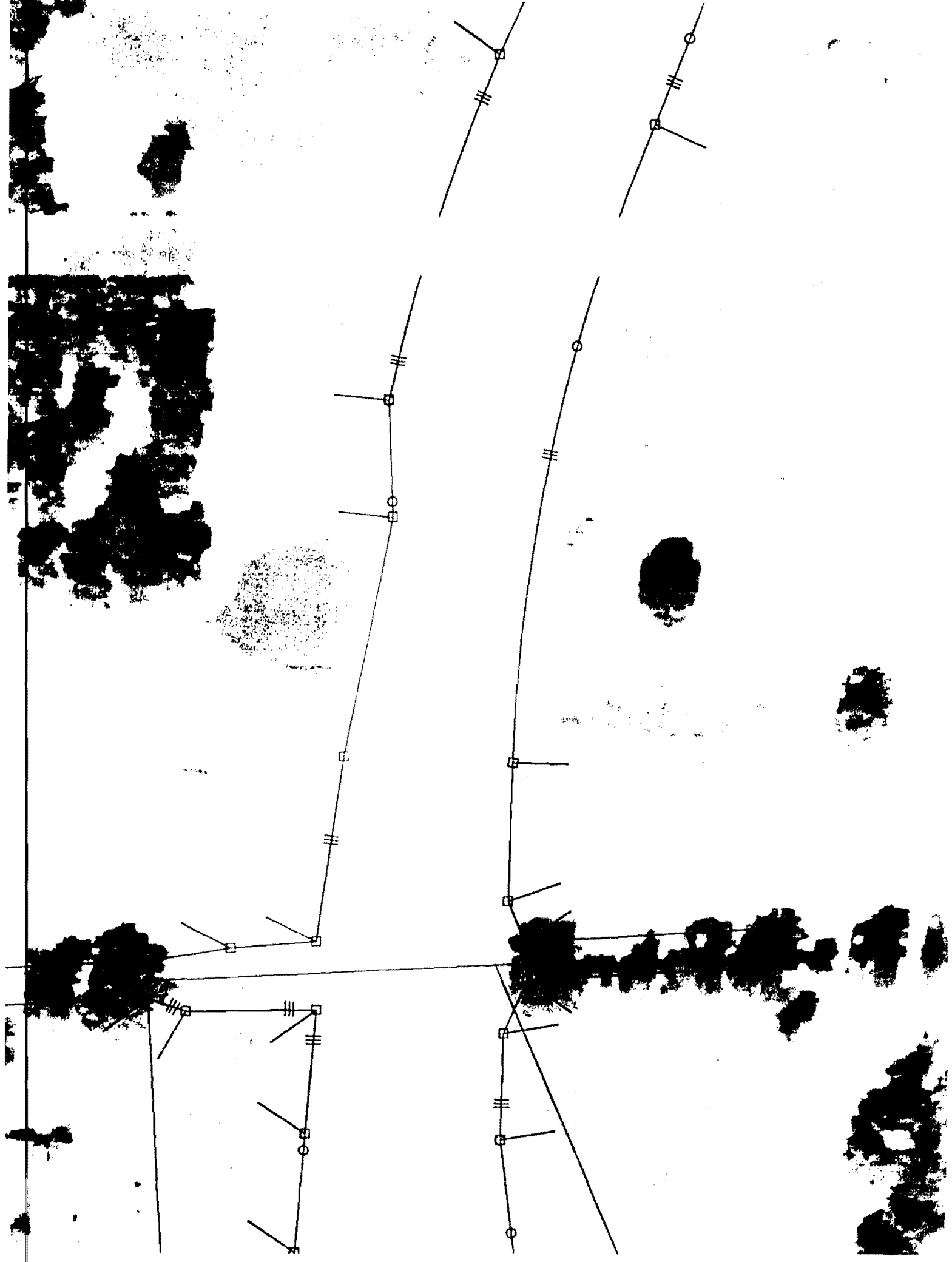
© 2013 Google
Imagery Date: 10/30/2012
3390719.98" N - 9495718.44" W elev 398 ft eye alt 11

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SE-13

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September 25, 2014

FM 1000
Proposed US 271 Relief Route East – FM 1735
Titus County
TxDOT CSJ No: 1226-04-001

Subject: Silt Removal

Lisa Fisher

This letter describes the order of events involving the silt removal from the Nueman property.

On August 28th 2014 we entered the property from the south gate. Using a CAT320 track hoe and one dump truck we began excavation from the R.O.W to the mouth of the pond removing all the silt that had previously left our project. J.D Miner (Supervisor) was the track hoe operator. He dug down beyond the silt to natural ground to ensure that all material from our project has been removed. We loaded the silt material into the dump truck and hauled it off the Nueman property. We took several pictures of the pond channel before during and after excavation. The pictures clearly show the change in color in the different types of soils. After all the silt was removed we then broadcast seed all along the pond channel to establish good vegetative growth in all the places that had been disturbed. On the project side of the R.O.W we have added an additional TYPE 2 RFD to prevent any further silt from going back into the channel. Please call me for any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Wyszynski", is written over a horizontal line.

Project Engineer
Jeff Wyszynski
James Construction Group
903-521-5672 (mobile)

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 31, 2014

Honorable Judge Brian Lee
100 West First Street, Suite 200
Mt. Pleasant, Texas 75455

Re: Compliance Evaluation Investigation at:
FM 1000 Highway Construction, Mt. Pleasant (Titus), Texas
TCEQ ID No.: TXR15WF64

Dear Judge Lee:

On September 10, 2014, Lisa Fisher of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced facility to evaluate compliance with applicable requirements for storm water regulations. No violations are being alleged as a result of the investigation. Please see the attached Summary of Investigation Findings. Based on the information submitted, no further action is required concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Lisa Fisher in the Tyler Region Office at (903)535-5137.

Sincerely,

A handwritten signature in black ink that reads "Randy E. O'Neal".

Randy E. O'Neal
Work Leader
Tyler Region Office

REO/Inf

Cc: Mr. Terry Plucker – PTP Transportation, Mr. Scott Pickett – James Construction Group

Enclosure: Summary of Investigation Findings

TCEQ Region 5 • 2916 Teague Dr. • Tyler, Texas 75701-3734 • 903-535-5100 • Fax 903-595-1562

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Summary of Investigation Findings

FM 1000 HIGHWAY CONSTRUCTION

Investigation #

1203823

Investigation Date: 09/10/2014

, TITUS COUNTY,

Additional ID(s): TXR15WF64

ALLEGED VIOLATION(S) NOTED AND RESOLVED

Track No: 544672

30 TAC Chapter 281.25(a)(4)

Alleged Violation:

Investigation: 1187111

Comment Date: 08/11/2014

Failure to provide data describing the soils or quality of any discharge from the site.

During the investigation the SWP3 did not have information regarding the soils or quality of any discharge from the site as required by the TPDES General Permit for Construction Storm Water Discharges TXR150000, Part III.F.1.e.

Investigation: 1203823

Comment Date: 10/22/2014

A compliance record review was conducted on 09/10/2014 to determine the compliance status of this alleged violation.

Recommended Corrective Action: The permittee has thirty days to submit to the TCEQ Region 5 Office a revised copy of the SWP3.

Resolution: Documentation received on 09/10/2014 appears to resolve this alleged violation.

Track No: 544673

30 TAC Chapter 281.25(a)(4)

Alleged Violation:

Investigation: 1187111

Comment Date: 08/11/2014

Failure to cite Hart Creek on the SWP3 site map as an impaired stream segment.

During the investigation the SWP3 did not have Hart Creek listed as an impaired stream segment as required by the TPDES General Permit for Construction Storm Water Discharges TXR150000, Part III.F.1.g.vi.

Investigation: 1203823

Comment Date: 10/22/2014

A compliance record review was conducted on 09/10/2014 to determine the compliance status of this alleged violation.

Recommended Corrective Action: The permittee has thirty days to submit to the TCEQ Region 5 Office a revised copy of the SWP3.

Resolution: Documentation received on 09/10/2014 appears to resolve this alleged violation.

Track No: 544674

30 TAC Chapter 281.25(a)(4)

Alleged Violation:

Investigation: 1187111

Comment Date: 08/11/2014

Failure to stabilize portions of the site with no activity within 14 days.

During the investigation it was noted that some portions of the project area had been and/or

currently were inactive.

According to the TPDES General Permit for Construction Storm Water Discharges TXR150000, Part III.G.2., Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days.

Investigation: 1203823

Comment Date: 10/22/2014

A compliance record review was conducted on 09/10/2014 to determine the compliance status of this alleged violation.

Recommended Corrective Action: The permittee has thirty days to submit to the TCEQ Region 5 Office a plan of action regarding stabilization of areas that have been inactive for 14 days or more.

Resolution: Documentation received on 09/10/2014 and 09/25/2014 appears to resolve this alleged violation.

Track No: 544675

30 TAC Chapter 281.25(a)(4)

Alleged Violation:

Investigation: 1187111

Comment Date: 08/11/2014

Failure to identify all wastes onsite in the text of the SWP3.

During the investigation on 06/03/2014, portable toilets, garbage receptacles, and diesel storage were observed at the project site. These items were not listed in the text of the SWP3.

According to the TPDES General Permit for Construction Storm Water Discharges TXR150000, Part III.F.4.b, the SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.

Investigation: 1203823

Comment Date: 10/22/2014

A compliance record review was conducted on 09/10/2014 to determine the compliance status of this alleged violation.

Recommended Corrective Action: The permittee has thirty days to submit to the TCEQ Region 5 Office a revised copy of the SWP3.

Resolution: Documentation received on 09/10/2014 appears to resolve this alleged violation.

Track No: 544678

TWC Chapter 26.121

Alleged Violation:

Investigation: 1187111

Comment Date: 08/11/2014

Failure to prevent an unauthorized discharge into a surface water in the state.

During the investigation, sediment was observed at two ponds and at the far west crossing of an unnamed tributary of Harts Creek.

According the Chapter 26.121 of the Texas Water Code, "Except as authorized by the commission, no person may:

1. discharge sewage, municipal waste, recreational waste, agricultural waste, or industrial waste into or adjacent to any water in the state;
2. 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."

A compliance record review was conducted on 09/10/2014 to determine the compliance status of this alleged violation.

Recommended Corrective Action: The permittee has thirty days to submit to the TCEQ Region 5 Office documentation showing that the off-site accumulations have been removed.

Resolution: Documentation received on 09/25/2014 appears to resolve this alleged violation.