

Region 6 - Enforcement & Compliance Assurance Division

INSPECTION REPORT

Inspection Date(s):	August 12, 2024	
Media Program:	Water	
Regulatory Program(s)	NPDES Stormwater/ CWA 402	
Company Name:	CB Jeni Homes DFW, LLC dba Southgate Homes	
Facility Name:	Painted Tree (Lakeside South Phase 2)	
Facility Physical Location:	Lacebark Ln & Launch Rd	
(city, state, zip code)	McKinney, TX, 75071	
Mailing address:	5501 Headquarters Dr Suite 300W	
(city, state, zip code)	Plano, TX, 75024	
County/Parish:	Collin	
Facility Phone Number	972-523-7935	
Facility Contact 1:	Rick Davis rdavis@cbjenihomes.com	Vice President of Construction
Facility Contact 2:	Wren O'Neal woneal@cbjenihomes.com	Area Construction Manager
Facility Contact 3:	Steve Murphy smurphy@cbjenihomes.com	Construction Manager
Facility Contact 4:	Johnny Harvey jharvey@normandyhomes.com	Construction Manager
Facility Contact 5:	Marcos Rodriguez mrodriguez@meritprofessional.com	Client Manager
FRS Number:	N/A	
Identification/Permit Number:	TXR1538MP	
Media Identifier Number:	N/A	
NAICS:	236117	
SIC:	1521	
Personnel participating in inspection:		
Destinee Agwuna	6EN-WR	Inspector/Enforcement Officer
EPA Lead Inspector Signature/Date		
	Destinee Agwuna	Date
Supervisor Signature/Date		
	Anthony Loston	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

U.S. EPA Region 6 inspector Destinee Agwuna arrived at Painted Tree on August 12, 2024, at approximately 10:30 AM for an unannounced Compliance Evaluation Inspection (CEI). I met with Construction Managers, Steve Murphy and Johnny Harvey at the construction trailer near the intersection of Bastrop St and Chisos Red Rd. I presented my credentials to Mr. Murphy and Mr. Harvey and informed them that a random stormwater inspection was being performed to determine compliance with the Texas Pollutant Discharge Elimination System (TPDES) program and the Construction General Permit (CGP), in accordance with the Clean Water Act (CWA).

The generation of this report is based on information supplied by CB Jeni Homes DFW, LLC dba Southgate Homes (hereinafter referred to as “Southgate Homes”) representatives (the permittee), observations made by the inspectors, and records and reports maintained by the permittee, the state of Texas, and the U.S. EPA.

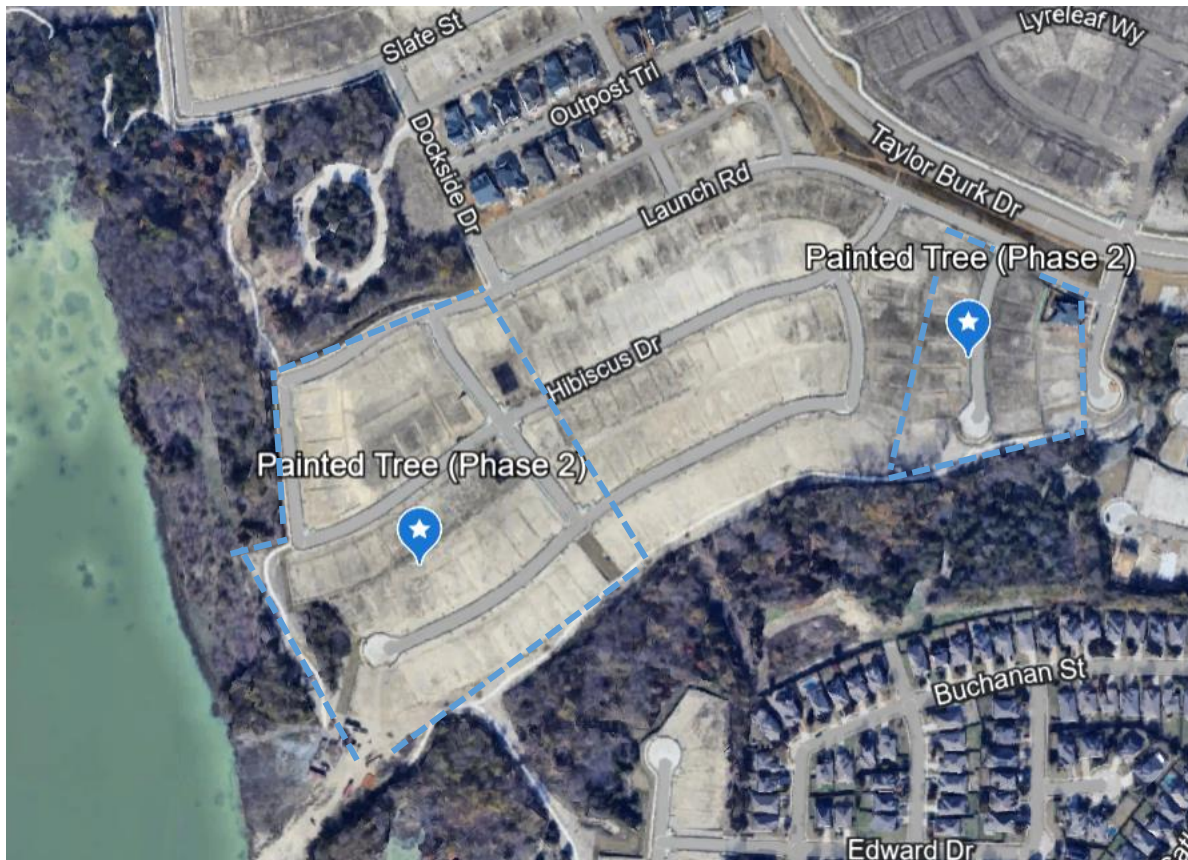
FACILITY DESCRIPTION

Painted Tree is a residential construction site consisting of three separate districts (the Lakeside District, Village District, and Woodland District) (shown in **Site Map 1** below). Painted Tree is a large common plan of development, with multiple operators developing and building within the community simultaneously. This inspection report focuses only on the construction activities of operator Southgate Homes (TCEQ permit number: TXR1538MP) in the Lakeside District, which was in the building phase of construction at the time of inspection.

Painted Tree is located near Lacebark Ln and Launch Rd in McKinney, TX (denoted in **Aerial Image 1** below). Coordinates to the site are in the vicinity of Latitude 33°13'33.4" North, Longitude 96°39'40.4" West. The area operated by Southgate Homes totals 40.58 acres with approximately 16.38 acres of land to be disturbed for construction activities. The site discharges to Franklin Branch and Wilson Creek Segment 0821C.



Site Map 1: The overall site map of the Painted Tree Community. The inspection area is in the Lakeside District by Southgate Homes (depicted by blue lots). The site map was obtained from the Painted Tree Digital Map Guide on the community [website](#).



Aerial Image 1: The Painted Tree (Lakeside South Phase 2) constructions site. The approximate boundary lines of Phase 2 are illustrated by blue dashed lines. Aerial from Google Maps Imagery, 2023

Section II - OBSERVATIONS

The following points of discussion are derived from on-site visual observations on August 12, 2024:

- The Large Construction Site Notice (CSN) (TXR1538MP) was posted near the intersection of Bluejack Rd and Marilanda Rd (**Appendix 1, Photo 1**). The CSN was issued by the Texas Commission on Environmental Quality (TCEQ) with an effective date of April 26, 2023, for coverage under the Construction General Permit (CGP).
- The Stormwater Pollution Prevention Plan (SWPPP) was located in the construction trailer near the intersection of Bastrop St and Chisos Red Rd (**Appendix 1, Photo 2**). The site map was not up-to-date (**Appendix 1, Photo 3**). The inspection reports available for review were from March 12, 2024, through August 6, 2024.
- An "Explanation for Missing Reports from October 22, 2022, to March 2024" was in the SWPPP, citing a server crash and corrupted data as the explanation for why there were missing reports for this timeframe (**Appendix 1, Photo 4**). More specifically, on the "Explanation for Missing Reports..." page was a handwritten note that reports are missing from October 10, 2023, through March 5, 2024.

- I observed Best Management Practices (BMPs) present on-site. Multiple AOCs were observed as described below in Section III of this report with photos included in Appendix 1.

Section III – AREAS OF CONCERN

The following areas of concern are derived from on-site observations from the August 12, 2024 Compliance Evaluation Inspection (CEI).

Site Conditions:

- I observed uncontained stockpiles and exposed sediment due to damaged, missing, and/or ineffective BMPs on multiple lots (**Appendix 1, Photos 5-7**).
- I observed inlet protection that was not in effective operating condition and needed maintenance throughout the site (**Appendix 1, Photos 8-9**).
- I observed improperly disposed of Mortar and/or concrete mix on multiple lots throughout the site (**Appendix 1, Photo 10**).
- I observed sections of damaged BMPs (silt fence and erosion control blanket) along the front of some lots (**Appendix 1, Photos 11-12**).

Section IV – FOLLOW UP

The following information was received by the EPA after leaving the site on August 12, 2024:

- Upon request, a digital copy of the SWPPP, including an up-to-date site map and inspection reports were emailed by Mr. Marcos Rodriguez (Client Manager with Merit Professional Services) between August 16, 2024, and September 5, 2024.
- On September 4, 2024, I performed a follow up site visit to the Southgate Homes construction trailer for a more thorough review of the on-site SWPPP. The purpose of this site visit was to gather information regarding the dates and frequency of the available inspection reports, cross reference the information provided digitally by Mr. Marcos Rodriguez, and to get a better understanding of when construction began. This site visit was not an inspection of site conditions. No areas of concern were identified during this visit.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 12 photos taken on 8/12/2024

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 1

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: The Large Construction Site Notice (CSN) (TXR1538MP) posted near the intersection of Bluejack Rd and Marilanda Rd.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

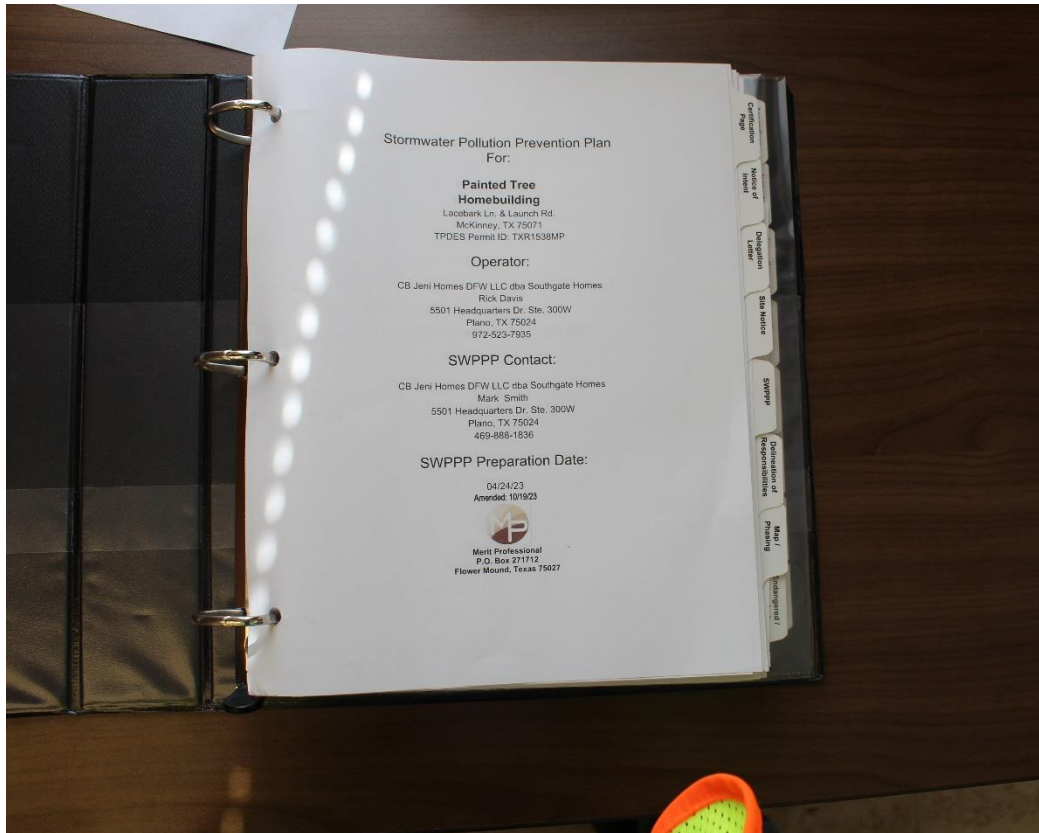
Photo no. 2

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: The SWPPP located in the construction trailer near the intersection of Bastrop St and Chisos Red Rd.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

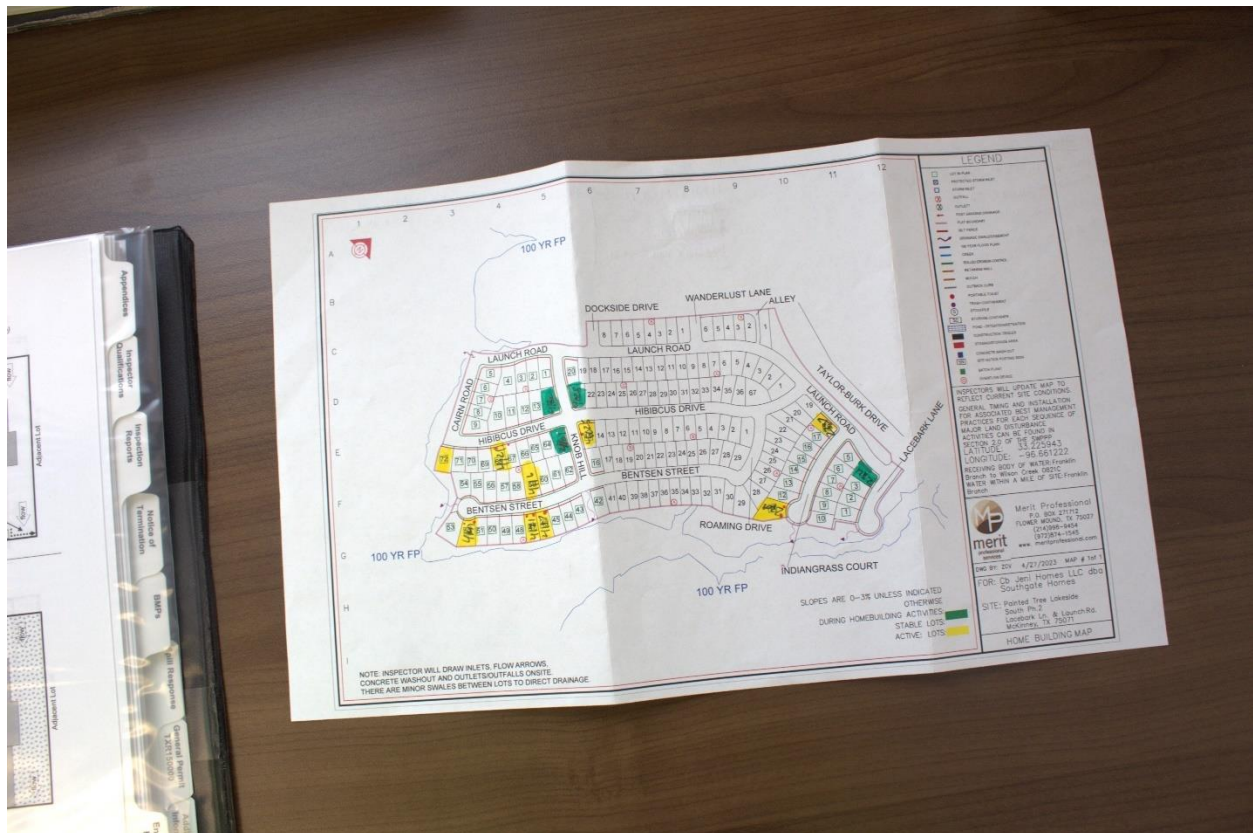
Photo no. 3

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: The site map located in the SWPPP on-site. Current site conditions were not reflected on the site map.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

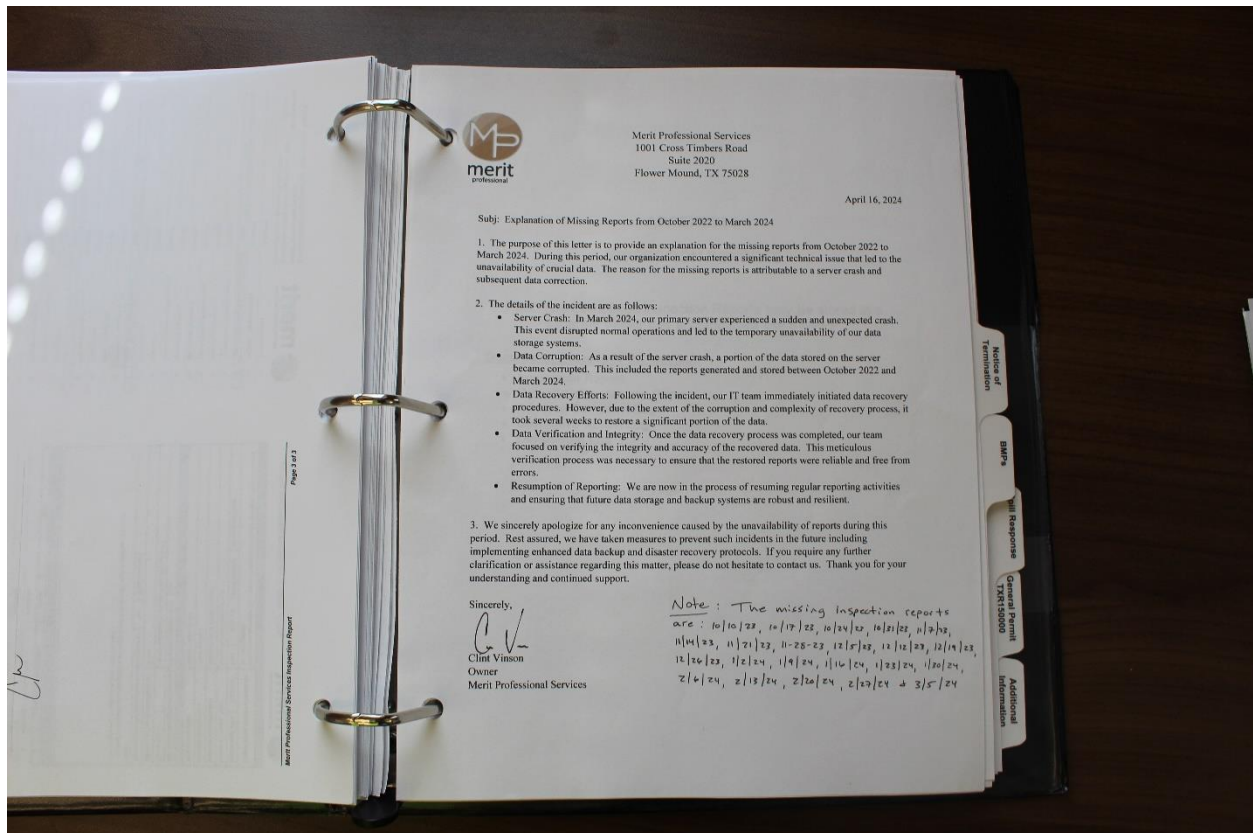
Photo no. 4

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: An "Explanation for Missing Reports from October 22, 2022, to March 2024" document in the SWPPP. A note at the bottom of the page includes all dates for which there are missing inspection reports (October 10, 2023 through March 5, 2024).

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 5

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Uncontained stockpiles due to damaged/ineffective BMPs on Hibiscus Dr.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 6

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Uncontained stockpiles due to damaged/ineffective BMPs on Bentsen St.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 7

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Exposed sediment due to damaged and missing BMPs on Indian Grass Dr.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 8

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Inlet protection that is not in effective operating condition on Indian Grass Dr.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 9

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Inlet protection that has gaps and is heavily silted and/or blocked with sediment and grass.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 10

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Cement or mortar mix disposed of directly on a lot on Indian Grass Dr.

Date of Photo: 08/12/2024 Photographer: Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 11

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Damaged silt fence along Hibiscus Dr.

Date of Photo: 08/12/2024 **Photographer:** Destinee Agwuna



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 12

Location: Lacebark Ln & Launch Rd

City: McKinney

County: Collin

State: TX



Description: Damaged silt fence along Bentsen Dr.

Date of Photo: 08/12/2024 **Photographer:** Destinee Agwuna