

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	December 12, 2024	
Media Program:	Water	
Regulatory Program(s)	NPDES Stormwater/CWA 402	
Company Name:	Toll Bros., Inc.	
Facility Name:	Wandering Creek at Brookhollow	
Facility Physical Location:	East 1 st Street between Coit Road and Custer Road	
(city, state, zip code)	Prosper, TX 75078	
Mailing address:	2555 SW Grapevine Pkwy Suite 100	
(city, state, zip code)	Grapevine, TX 76051	
County/Parish:	Tarrant	
Facility Phone Number	817-329-3111	
Facility Contact 1:	Gary Fuller 661-877-8522, gfuller@tollbrothers.com	Construction Manager (Toll Bros., Inc.)
Facility Contact 2:	David "Mike" Boswell 817-329-7973, mboswell@tollbrothers.com	Vice President Land Development (Toll Bros., Inc.)
Facility Contact 3:	John Vroom jvroom@tollbrothers.com	Storm Water Compliance Manager (Toll Bros., Inc.)
FRS Number:	N/A	
Identification/Permit Number:	TXR1519LV and TXR1527SB	
Media Identifier Number:	N/A	
NAICS:	237210 and 236115	
SIC:	6552 and 1521	
Personnel participating in inspection:		
Destinee Agwuna	6EN-WR	Inspector/Enforcement Officer
EPA Lead Inspector Signature/Date	DESTINEE AGWUNA Digitally signed by DESTINEE AGWUNA Date: 2024.12.20 12:14:32 -06'00'	12/20/2024
	Destinee Agwuna	Date
Supervisor Signature/Date	ANTHONY LOSTON Digitally signed by ANTHONY LOSTON Date: 2024.12.23 12:43:54 -06'00'	
	Anthony Loston	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

U.S. EPA Region 6 inspector Destinee Agwuna arrived at Wandering Creek at Brookhollow in Prosper, TX on December 12, 2024, at approximately 9:05 AM for an unannounced Compliance Evaluation Inspection (CEI). After inspecting the site, the inspector met with the construction manager Mr. Gary Fuller by the construction/sales trailer near the intersection of Williamsburg Place and Arden Road. The inspector presented her credentials to Mr. Fuller and informed him that a stormwater inspection was being performed to determine site 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 observations made by the inspector, information supplied by Toll Bros., Inc. representatives (the permittee), and records and reports maintained by the permittee, the state of Texas, and the U.S. EPA.

FACILITY DESCRIPTION

Wandering Creek at Brookhollow is a residential construction site operated by Toll Bros., Inc. The site is located off East 1st Street between Coit Road and Custer Road in Prosper, TX (denoted in **Aerial Image 1** below). Coordinates to the site are in the vicinity of Latitude 33°13'55.3" North, Longitude 96°44'29.0" West. The project site totals 73.92 acres of land being developed with 52.98 acres of land being disturbed for homebuilding construction activities. The site discharges to Rutherford Branch to Wilson Creek (Segment #0821C), in the Town of Prosper's Municipal Separate Storm Sewer System (MS4).

At the time of inspection, the site was still primarily in the development phase of construction (TPDES Permit #: TXR1519LV), with approximately two (2) lots in the homebuilding phase of construction (TPDES Permit #: TXR1527SB). This inspection report focuses on the overall site conditions, though most observations were made in areas covered by TPDES Permit #: TXR1519LV.



Aerial Image 1: The Wandering Creek at Brookhollow residential construction site. The site is located within the approximate blue boundary lines depicted above (south of East 1st Street between Coit Road and Custer Road in Prosper, TX).

Section II - OBSERVATIONS

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

- The construction site was still primarily in the development phase of construction with homebuilding observed on only two (2) lots. At the time of inspection, Mr. Fuller advised the inspector that the lots under development were pending substantial completion and homebuilding would commence on the remaining lots, once approved.
- Two (2) Large Construction Site Notices (CSNs) issued by the TCEQ were observed on-site at the time of inspection. The first CSN (TPDES Permit #: TXR1519LV) was observed east of the

intersection of East 1st Street and Williamsburg Place (**Appendix 1, Photos 1-2**), effective February 8, 2023, for coverage under the CGP. The other Large CSN (TPDES Permit #: TXR1527SB) was observed by the construction/sales trailer near the intersection of Williamsburg Place and Arden Road (**Appendix 1, Photos 3-4**), effective September 9, 2024, for coverage under the CGP.

- According to Mr. Fuller, the Storm Water Pollution Prevention Plan (SWPPP) was stored and managed off-site. As a result, the inspector was unable to review any documentation at the time of inspection.
- The site was primarily paved streets and exposed sediment with minimal to no Best Management Practices (BMPs) present along the lots.
- Silt fencing was installed along the perimeter of the site (**Appendix 1, Photo 8**).
- Silt fencing, erosion control blanket(s), and a rock check dam were installed near the outfall at the southeast corner of the site (**Appendix 1, Photos 5-7**).
- The outfall at the southeast corner of the site had minimal to no sediment buildup with relatively clear water in Rutherford Branch (**Appendix 1, Photo 6**).
- Inlets throughout the site had BMPs installed (**Appendix 1, Photos 10, 13, and 14**).
- Multiple areas of concern (AOCs) were observed as described below in Section III of this report with photos included in Appendix 1.

Section III – AREAS OF CONCERN

- Approximately 75-85% of the lots throughout the site did not have BMPs installed to contain sediment and dirt piles (**Appendix 1, Photos 8-14 and 17-18**). The interior lots (i.e. lots not along the site's perimeter boundary line) did not have any BMPs installed except for the two (2) lots covered under TPDES Permit #: TXR1527SB on Williamsburg Place.
- Sediment and sediment track-out was observed on the paved areas throughout the site, which is located within the Town of Prosper's MS4 (**Appendix 1, Photos 8, 12, and 14**).
- Some of the inlet protection throughout the site were heavily silted with sediment (**Appendix 1, Photo 14**).
- Some sections of the silt fencing around the perimeter of the site needed maintenance (**Appendix 1, Photo 16**).
- Improper disposal or storage of a ripped mortar mix bag was observed near the curb on Harrison Lane (**Appendix 1, Photo 15**).
- Some blowable trash was observed along the lots (**Appendix 1, Photos 17-18**).
- Trash, including a discarded pallet and wood materials were observed near the CSN east of the intersection of East 1st Street and Williamsburg Place (**Appendix 1, Photo 1**).
- Dumped trash was observed at the southeast corner of the site near the rock check dam (**Appendix 1, Photo 19**). The inspector was unable to definitively determine the source of the dumped trash.

Section IV – FOLLOW UP

The following information was received by the U.S. EPA after leaving the site on December 12, 2024:

- Upon request, a digital copy of the SWPPP for TXR1519LV and TXR1527SB, including an up-to-date site map and the last five (5) inspection reports were emailed by Mr. Mike Boswell (Vice President Land Development of Toll Bros., Inc.) on December 16, 2024.

- On December 20, 2024, at 9:30 AM via Zoom, a closing conference was conducted by the inspector with Toll Bros., Inc. personnel, which included Mike Boswell (Vice President of Land Development), Gary Fuller (Construction Manager), John Vroom (Storm Water Compliance Manager), and Scott Myers (Construction Manager). During this call, the inspector summarized the site observations, explained the contents of the forthcoming report, and advised that pending enforcement could not be determined at this time.

Section V – LIST OF APPENDICES

Appendix 1: Photograph Log – 19 photos taken on 12/12/2024

Appendix 1

Photograph Log



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 1

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: The large CSN (TPDES Permit #: TXR1519LV) covering land development activities posted east of the intersection of East 1st Street and Williamsburg Place. Also pictured is trash, including a discarded pallet and wood materials.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

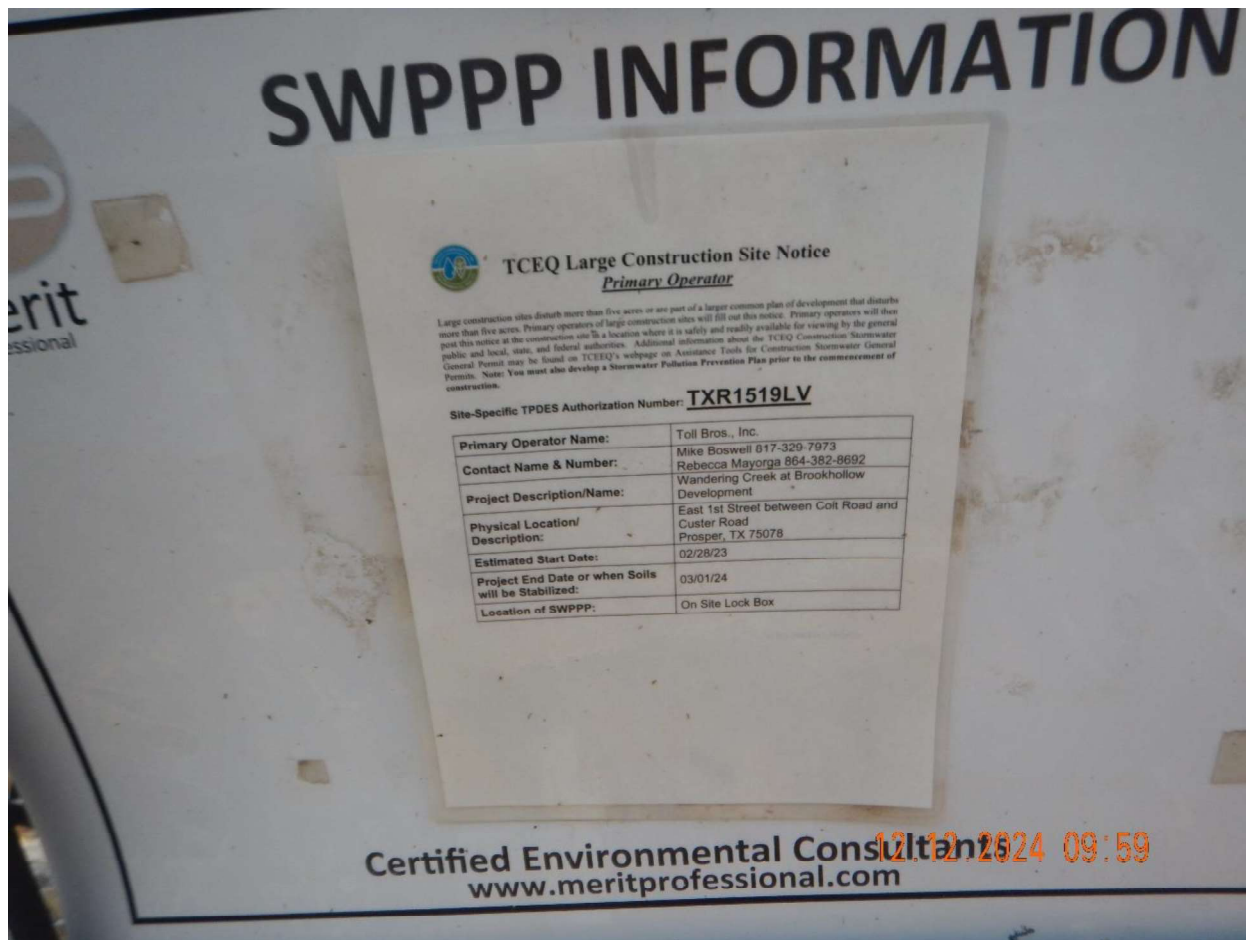
Photo no. 2

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Closer view, of the large CSN (TPDES Permit #: TXR1519LV), posted east of the intersection of East 1st Street and Williamsburg Place. Toll Bros., Inc., is listed as the primary operator with coverage effective February 8, 2023, and an estimated start date of February 28, 2023.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 3

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: The large CSN (TPDES Permit #: TXR1527SB) covering home building activities posted by the construction/sales trailer near the intersection of Williamsburg Place and Arden Road.

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



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 4

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Closer view, of the large CSN (TPDES Permit #: TXR1527SB) by the construction/sales trailer. Toll Bros., Inc., is listed as the primary operator with coverage effective September 9, 2024, and an estimated start date of September 18, 2024.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 5

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: View of the silt fence and erosion control blanket installed near the outfall that discharges into Rutherford Branch (southeast corner of the site). Also pictured is concrete debris on top of portions of the erosion control blanket.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 6

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Closer view, of the outfall that discharges into Rutherford Branch, at the southeast corner of the site. The soil along the sloped bank had erosion control blanket installed. The outfall had minimal to no sediment buildup and the water of Rutherford Branch appeared relatively clear at the time of inspection.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 7

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Silt fencing and a rock check dam observed near the southeast corner of the site, just north of the outfall (not pictured).

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



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 8

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: View of silt fencing installed along the perimeter of the site. Also pictured is exposed sediment along the lots and sediment trackout on the street near the intersection of Watson Drive and Kinney Street.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 9

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Exposed sediment and dirt piles along the lots on Harrison Lane. At the time of inspection, dirt trenches were observed along Harrison Lane, which were associated with utilities being installed (on this street).

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 10

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Exposed sediment and dirt piles along the lots near the intersection of Harrison Lane and Arden Road. The pictured inlet protection had evidence of sediment buildup, likely due to the amount of exposed sediment on the lots throughout the site. Also pictured are the two (2) lots with active homebuilding (TPDES Permit # TXR1527SB) and the construction/sales trailer.

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



Toll Bros., Inc./Wandering Creek at Brookhollow
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 11

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Exposed sediment and large uncontained dirt piles on Kinney Street.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 12

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Exposed sediment, uncontained dirt piles, and sediment/sediment track-out on the street near Jefferson Drive.

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



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 13

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Large uncontained dirt piles and exposed sediment on Jefferson Drive and Williamsburg Place. Inlet protection was observed at the curb inlet.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 14

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Inlet protection heavily silted with sediment on Watson Drive, likely rendering the BMP ineffective due to water flow restriction(s). Exposed sediment was also noted along the lots.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 15

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: A ripped mortar bag observed near the curb on Harrison Lane.

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



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 16

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: A section of silt fencing in need of maintenance near the southwest corner of the site on Kinney Street.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 17

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Blowable trash including bottles, cans, and other plastic debris observed on the lots along Harrison Lane.

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



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 18

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Blowable trash observed on the lots and near the inlet on Harrison Lane.

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



Toll Bros., Inc./Wandering Creek at Brookhollow
Permit #: TXR1519LV & TXR1527SB
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 19

Location: East 1st Street Between Coit Road and Custer Road

Town: Prosper

County: Collin

State: TX



Description: Dumped trash and materials observed near the rock check dam (also pictured in Photo no. 5). The inspector was unable to definitively determine the source of the dumped trash.

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