

## 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:                          | Pogue Construction Co., L.P.                                                                        |                                                |
| Facility Name:                         | New Elementary School #19 - Prosper I.S.D. - Prosper, TX (COM)                                      |                                                |
| Facility Physical Location:            | NW of Shawnee Trail and Caruth Drive                                                                |                                                |
| (city, state, zip code)                | Prosper, TX, 75078                                                                                  |                                                |
| Mailing address:                       | 1512 Bray Central Drive Suite 300                                                                   |                                                |
| (city, state, zip code)                | McKinney, TX, 76069                                                                                 |                                                |
| County/Parish:                         | Collin                                                                                              |                                                |
| Facility Phone Number                  | 972-529-9401                                                                                        |                                                |
| Facility Contact 1:                    | Mark Thompson                                                                                       | Superintendent (Pogue Construction)            |
|                                        | <a href="mailto:mthompson@pogueconstruction.com">mthompson@pogueconstruction.com</a> , 972-529-9401 |                                                |
| Facility Contact 2:                    | Cameron Litzkow                                                                                     | Assistant Project Manager (Pogue Construction) |
|                                        | <a href="mailto:Clitzkow@pogueconstruction.com">Clitzkow@pogueconstruction.com</a>                  |                                                |
| Facility Contact 3:                    | Patrick Garrett                                                                                     | EHS Manager (Pogue Construction)               |
|                                        | <a href="mailto:Pgarrett@pogueconstruction.com">Pgarrett@pogueconstruction.com</a> , 214-326-9614   |                                                |
| FRS Number:                            | N/A                                                                                                 |                                                |
| Identification/Permit Number:          | TXR1519PW                                                                                           |                                                |
| Media Identifier Number:               | N/A                                                                                                 |                                                |
| NAICS:                                 | 236220                                                                                              |                                                |
| SIC:                                   | 1542                                                                                                |                                                |
| Personnel participating in inspection: |                                                                                                     |                                                |
| Destinee Agwuna                        | 6EN-WR                                                                                              | Inspector/Enforcement Officer                  |
| EPA Lead Inspector<br>Signature/Date   |                                                                                                     |                                                |
|                                        | Destinee Agwuna                                                                                     | Date                                           |
| Supervisor<br>Signature/Date           |                                                                                                     |                                                |
|                                        | Anthony Loston                                                                                      | Date                                           |

## **Section I – INTRODUCTION**

### **PURPOSE OF THE INSPECTION**

U.S. EPA Region 6 inspector Destinee Agwuna arrived at the New Elementary School #19 - Prosper I.S.D. - Prosper, TX (COM) (herein after referred to as “New Elementary School #19”) on December 12, 2024, at approximately 10:30 AM for an unannounced Compliance Evaluation Inspection (CEI). Upon arriving at the site, the inspector checked-in at the construction trailer and conducted a pre-inspection meeting with superintendent Mr. Mike Thompson of Pogue Construction Co., L.P. (herein after referred to as Pogue Construction). The inspector presented her credentials to Mr. Thompson 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).

During the pre-construction meeting Mr. Thompson provided general site information including where inlets from the site discharge to (an outfall at the northwest and northeast corner of the site); contact information of the third-party consultant, Greenrise Technologies, (formerly known as Trinity Green Services, L.L.C.) who inspects and manages the site’s Stormwater Pollution Prevention Plan (SWPPP); and he identified Buddy Martin Erosion Control as the site’s erosion control service provider. Mr. Thompson also joined the inspector on approximately half of the inspection (initially opting to stay in the trailer but later located the inspector as she inspected the site).

The generation of this report is based on observations made by the inspector, information supplied by Pogue Construction representatives (the permittee), and records and reports maintained by the permittee, the state of Texas, and the U.S. EPA.

### **FACILITY DESCRIPTION**

The New Elementary School #19 is a commercial construction site owned by Prosper I.S.D and operated by Pogue Construction. The site is northwest of Shawnee Trail and Caruth Drive in Prosper, TX (denoted in **Aerial Image 1** below) with coordinates in the vicinity of Latitude 33°15'24.0"N, Longitude 96°49'37.4"W. The project site totals approximately 15.8 total acres of land and discharges to an unnamed tributary to Doe Branch in the Town of Prosper’s Municipal Separate Storm Sewer System (MS4).



**Aerial Image 1:** The New Elementary School #19 commercial construction site. The site is located within the approximate blue boundary lines depicted above (northwest of Shawnee Trail and Caruth Drive).

## Section II - OBSERVATIONS

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

- The Construction Site Notice (CSN) was not observed at the time of inspection. However, at a later date, Ms. Stephanie Hale (Production Manager of Greenrise Technologies) provided a photo of the CSN posted on-site (**Appendix 1, Photo 13**) as described in Section IV of this report.
- The construction trailer was located along the west perimeter of the site (**Appendix 1, Photos 1-3**). The SWPPP, including the site map were not available for review at the time of inspection. Mr. Thompson advised the inspector that the SWPPP documentation was managed off-site by Greenrise Technologies. At a later date, the inspector received a digital copy of the SWPPP as described in Section IV of this report.
- A street sweeper was observed near the construction trailer (**Appendix 1, Photos 1 and 3**).
- The material storage area was located near the construction trailer along the western perimeter of the site (**Appendix 1, Photos 1 and 3-4**). Shipping storage containers and other construction materials were also stored sporadically throughout the site along the paved areas (**Appendix 1, Photos 6-7 and 10-12**).

- Silt fencing was observed around the perimeter of the site (**Appendix 1, Photos 5-6**).
- Three (3) large Amerimix<sup>®</sup> continuous mixers were observed along the northern parking lot of the site (**Appendix 1, Photo 7**). There was containment immediately surrounding the concrete mixers. There were also smaller mixers north of the structure (school building) near the curb (**Appendix 1, Photo 8**).
- Inlet protection was observed on all but one (1) inlet (**Appendix 1, Photo 6**).
- 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

- A significant amount of exposed sediment was observed throughout the construction site (**Appendix 1, Photos 1, 4, 6-8, 10-12**). There were no Best Management Practices (BMPs) present to minimize the amount of soil exposed during construction activities as required by Part IV Section A.3 of the CGP.
- Sediment/sediment track-out was observed on the paved areas throughout the site (**Appendix 1, Photo 1, 8, 10-12**).
- One (1) curb inlet along the northern parking lot did not have inlet protection installed (**Appendix 1, Photo 6**). This inlet was located within approximately 20-30 feet of multiple ripped Quikrete Stucco bags. Stucco powdered mix was also observed on the ground along the northern parking lot island (**Appendix 1, Photos 11-12**).
- Stucco debris and/or mortar washout was discarded and comingled with the dirt (sediment) near the Amerimix<sup>®</sup> mixers (northern parking lot) (**Appendix 1, Photo 7**). These materials were within approximately 10 feet of an inlet. In addition, pallets stored directly on top of the curb inlet protection (with noticeable trash and other debris immediately at the mouth of the inlet) was also observed (**Appendix 1, Photo 9**).

### Section IV – FOLLOW UP

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

- Upon request, on December 20, 2024, a digital copy of the SWPPP, including an up-to-date site map and the last five (5) inspection reports were provided by Ms. Hale of Greenrise Technologies.
- On January 3, 2024, a photo of the CSN was emailed by Ms. Hale of Greenrise Technologies (**Appendix 1, Photo 13**).

### Section V – LIST OF APPENDICES

Appendix 1, Photograph Log – 13 photos, with 12 photos taken on 12/12/2024 and one (1) photo taken on 1/3/2025

## Appendix 1

### Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 1

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: View of the construction trailer, material storage area, and a street sweeper located along the western perimeter of the site. Also pictured is uncontained sediment throughout the west perimeter of the site. This photo was taken at the construction entrance near the intersection of Bancroft Drive and Beverly Drive.

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



Pogue Construction Co., L.P.  
New Elementary School #19 - Prosper I.S.D - Prosper, TX (COM)  
Permit #: TXR1519PW  
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 2

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: Up close view of the construction trailer located along the western perimeter of the site.

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



Pogue Construction Co., L.P.  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 3

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: Up close view of the street sweeper located near the blue and white construction trailer, along the western perimeter of the site. Also pictured is the material storage area (shipping containers).

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 4

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: Up close view of the material storage area located near the construction trailer along the western perimeter of the site.

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



Pogue Construction Co., L.P.  
New Elementary School #19 - Prosper I.S.D - Prosper, TX (COM)  
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 5

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: View of silt fencing along the west perimeter of the site.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 6

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**Location:** NW of Shawnee Trail and Caruth Drive

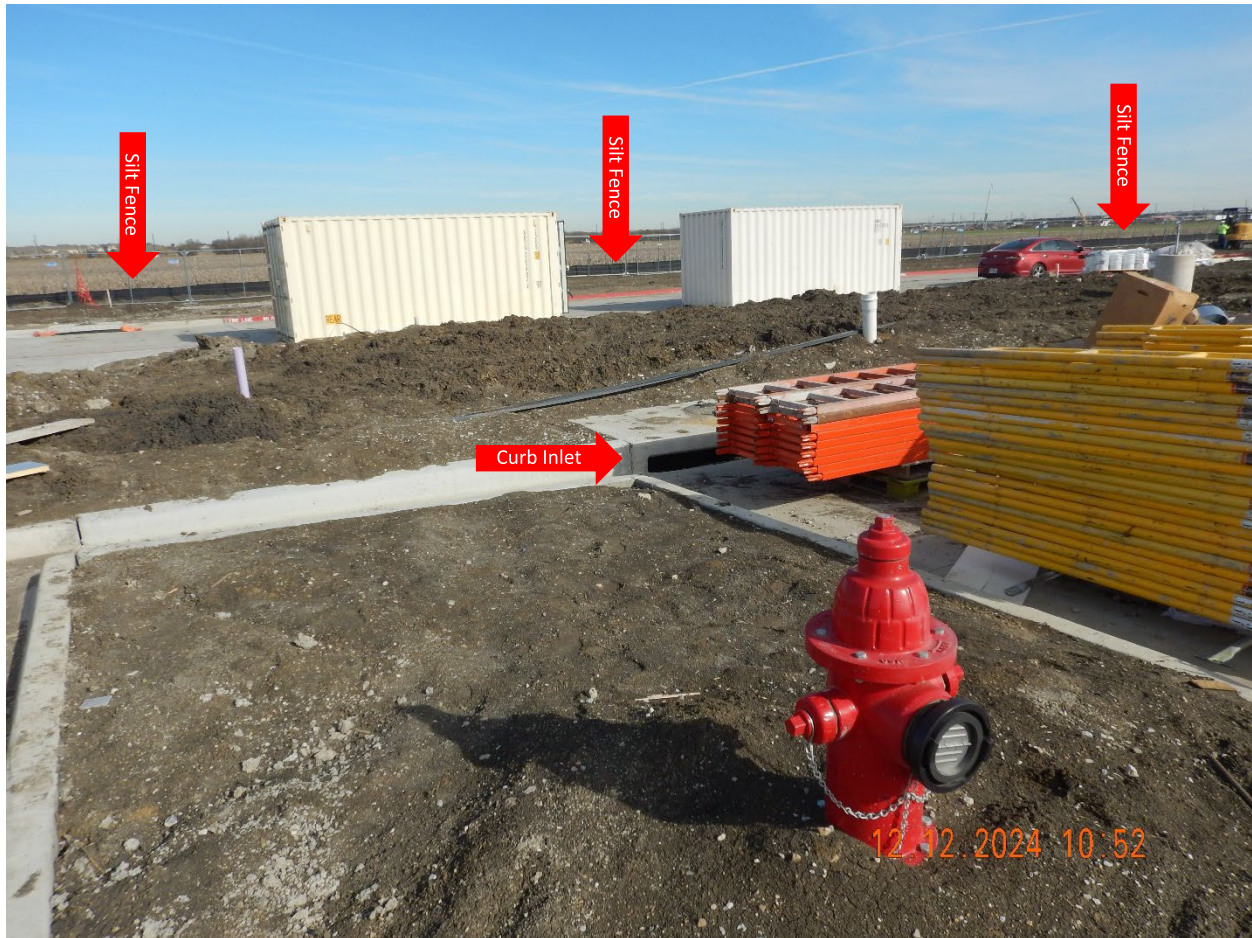
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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: View of silt fencing installed along the north perimeter of the site. Also pictured is a curb inlet with no BMPs installed, surrounded by exposed sediment. Shipping containers and site materials were stored along the pavement and parking spaces.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 7

Location: NW of Shawnee Trail and Caruth Drive

Town: Prosper

County: Collin

State: TX



Description: View of three (3) large Amerimix® continuous mixers along the northern parking lot within a wood containment/barrier. Also pictured is discarded stucco debris and/or mortar mix comingled with the sediment (approximately 10-20 feet from an inlet as shown in Photo 9).

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



Pogue Construction Co., L.P.  
New Elementary School #19 - Prosper I.S.D - Prosper, TX (COM)  
Permit #: TXR1519PW  
Inspection Date: 12/12/2024

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 8

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: View of a mixer north of the structure (school building). Also pictured is uncontained sediment and sediment track-out on the paved areas.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 9

Location: NW of Shawnee Trail and Caruth Drive

Town: Prosper

County: Collin

State: TX



Description: View of the curb inlet located near the discarded stucco debris/mortar mixing materials shown in Photo 7. Also pictured is hardened mixing materials and pallets stored directly on top of the curb inlet protection (with noticeable trash and other debris immediately at the mouth of the inlet).

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 10

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: View of exposed sediment, sediment track-out, building materials, a mixer, and a full roll-off dumpster north of the school (building).

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 11

Location: NW of Shawnee Trail and Caruth Drive

Town: Prosper

County: Collin

State: TX



Description: View of a curb inlet at the north parking lot with no BMPs installed. Approximately 20-30 feet to the east are multiple ripped Quikrete® (Stucco) bags and powdered stucco debris/mix discarded on the ground (reference Photo 12 for an additional view). Also note the white utility truck as a reference point for showing approximate distance from the curb inlet to the Quikrete® (Stucco) bags/stucco debris/mix in Photo 12.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 12

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**Location:** NW of Shawnee Trail and Caruth Drive

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**Town:** Prosper

**County:** Collin

**State:** TX

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Description: View of multiple ripped Quikrete® Stucco bags and stucco debris/mix discarded on the northern parking lot island near the curb (approximately 20-30 feet from an uncovered curb inlet to the west). Also pictured is exposed sediment, sediment on the paved areas, building materials (e.g. wood pallets, wood materials, etc.), and the white utility truck as a reference point for Photo 11.

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

## Appendix 1: Photograph Log

Photo no. 13

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**Location: NW of Shawnee Trail and Caruth Drive**

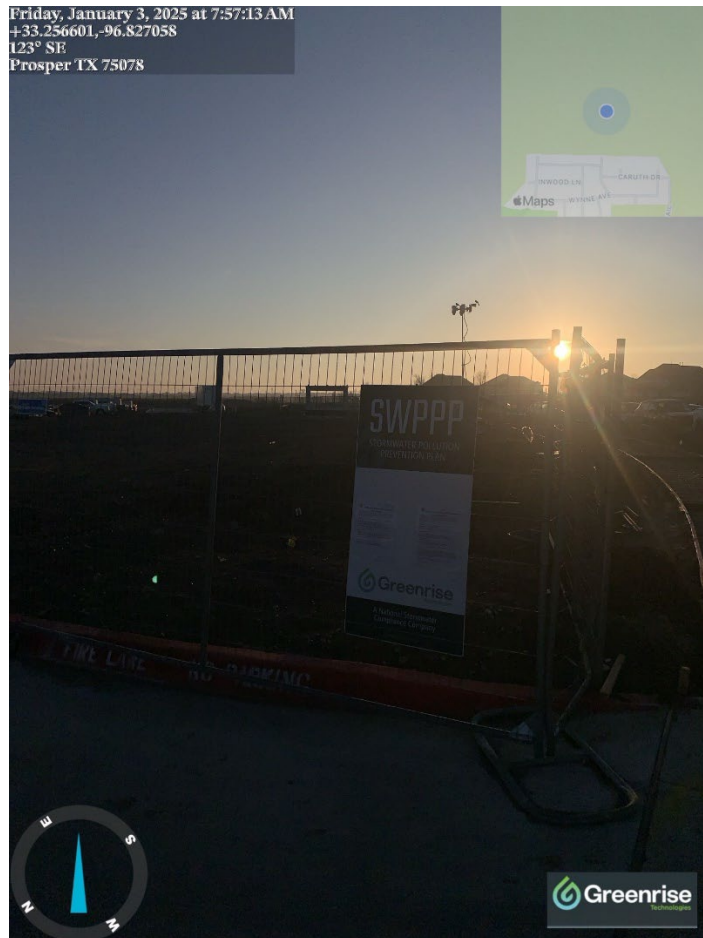
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**Town: Prosper**

**County: Collin**

**State: TX**

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Description: View of a photo of the CSN posted in the vicinity of 33.256601 (north), -96.827058 (west). This photo was taken by Stephanie Hale of Greenrise Technologies on January 3, 2025, and emailed to the inspector on the same date.

Date of Photo: 1/3/2025      Photographer: Stephanie Hale (Greenrise Technologies)