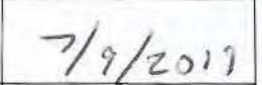


**Region 6 Compliance Assurance and Enforcement Division
INSPECTION REPORT**

Inspection Date(s):	5/29/2019		
Media:	Water		
Regulatory Program(s)	NPDES		
Company Name:	Coleman Livestock Auction Commission Company, Inc.		
Facility Name:	Coleman Livestock Auction		
Facility Physical Location:	1701 North Neches (31.84663, -99.42802)		
(city, state, zip code)	Coleman, TX 76834		
Mailing address:	P.O. Box 875		
(city, state, zip code)	Coleman, Texas 76834		
County/Parish:	Coleman County		
Facility Contact:	Sylvia Edington	Office Manager/Vice-President	
	colemanlivestockauction@web-access.net		
FRS Number:	N/A		
Identification/Permit Number:	TXU011238		
Media Number:	N/A		
NAICS:	11299		
SIC:	0219		
Personnel participating in inspection:			
Juan Ibarra	EPA Region-6 ECD-WA	Inspector	214-665-8493
Sylvia Edington	Coleman Livestock Auction	Vice-President	325-625-4193
Bobby Edington	Coleman Livestock Auction	Owner	325-625-4193
Richard Brown	Coleman Livestock Auction	Employee	325-625-4193
EPA Lead Inspector Signature/Date			
	{Inspector name}		Date
Supervisor Signature/Date			
	{Supervisor name}		Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

EPA Region 6 inspector, Juan Ibarra, arrived at the Coleman Livestock Auction at 0951 on 05/29/2019 for an unannounced inspection. I met with the facility Vice-President, Sylvia Edington, at the opening conference. I presented my credentials to Ms. Edington as I informed her that this was an EPA inspection to determine the facility's compliance with the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) Concentrated Animal Feeding Operation (CAFO) regulations. The scope of the inspection was a Compliance Evaluation Inspection. Following the opening conference, Mr. Brown, a facility employee accompanied me for the entirety of the inspection and gave me a tour of the site in a company vehicle. The Closing Conference was held with both Mr. and Mrs. Edington where I informed them of the results of the inspection and Areas of Concern.

FACILITY DESCRIPTION

Coleman Livestock Auction is an unpermitted facility that confines an average of approximately 1300 to 2000 head of cattle on a weekly basis for approximately 2 days per week. The cattle are kept in both open and covered pens during the confinement period. Hay is the primary feed, and the sale occurs on Wednesdays. Approximately 20 % of the pens are covered with a metal roof, and the drainage off the roof discharges onto the ground away from the pens. However, the roof drainage commingles with the open lot runoff coming off pens in pooled areas surrounding the facility.

The Coleman Livestock Auction confines and feeds over 1000 head of cattle for two days every week and, therefore, meets the Texas Commission on Environmental Quality's (TCEQ) definition of a large CAFO. The facility does not have a TCEQ CAFO permit, nor does it have any Runoff Control Structures (RCSs), although two areas of manure runoff ponding exist at the east and west ends of the pens. Additionally, lot scrapings are piled around most of the facility and within a pasture located adjacent to the facility.

Section II - OBSERVATIONS

Lack of a TCEQ CAFO Permit

Coleman Livestock Auction met the regulatory requirements for a large CAFO but did not have a CAFO permit as required by the TCEQ. Most weeks, according to the owners, the Livestock Auction ran approximately 2000 head of cattle. As an example of how cattle summary records are maintained, I took a photo of the 5/22/2019 summary sale sheet which showed the total number of cattle that went thru the sale barn to be 1272 (See Appendix 1. Photolog, photo 1).

Lack of Runoff Control Structures (RCSs) Resulting in Runoff Ponding

There were no properly designed, constructed, operated and maintained RCSs at the site. Cattle pen runoff, comingled with roofed drain runoff, accumulated in two ponded areas. One ponded area was in

a facility owned pasture located near the horse pen. This area had a caliche soil berm constructed in the northeast corner of the pasture to prevent runoff from entering the bar ditch located adjacent to Highway 84, which would thence flow toward Hords Creek located approximately 250 to 300 yards to the north. The other ponded area was located at the west end of the pens and remained in a ponded area located on the property. See the attached Photolog and Location of Significant Photos map.

Improper Manure Stockpiling

On the day of my inspection, I observed that manure had been temporarily stored around the perimeter of the cattle pen holding areas and within a large pasture located on the north side of the livestock auction site. Manure was stockpiled throughout the site and adjacent pasture without appropriate best management practices. Land application of these manure lot scrapings needed to be implemented at the appropriate agronomic rate for beneficial crop nutrient utilization.

Hay and Commodities Storage

On the day of my inspection I observed that the hay and other feed commodities were stored within a covered barn area.

Records Review

The only records maintained by the facility were related to the weekly animal sales. There were no records for CAFO manure production, manure removal or any other best management practices. The facility did not have a nutrient management plan (NMP).

Section III – AREAS OF CONCERN

The following Areas of Concern were discussed with Mr. and Ms. Edington during the closing conference:

1. Coleman Livestock Auction operates a large cattle livestock auction CAFO without a TCEQ permit.
2. The facility did not have a properly designed, constructed, operated and maintained RCS to contain all site generated production area process wastewater.
3. Manure was not being managed according to NRCS Best Management Practices. Piles of manure were stored around most of the pen perimeter and within a pasture (in large piles) located on the north side of the pens. There were no manure management practices in effect.
4. The facility did not have a nutrient management plan.

Section IV – LIST OF APPENDICES

Appendix 1 – Photo Log – 9 photos taken 05/29/2019 and 1 aerial image of significant photo locations

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 1

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas

Sex	NumHead	Amount	Avg Amt	Weight	Avg Wt	Commission
STEER	323	250,419.00	775.29	214,495	664	8,584.29
HFR	436	322,543.00	739.78	273,720	628	10,970.32
COW	326	241,461.53	740.68	339,730	1,042	8,338.84
BULL	186	158,841.12	853.98	147,735	794	5,287.12
CALF	1	0.00	0.00	0	0	6.00
Totals:	1,272	973,264.65		975,680		33,185.77

Photo File Name: DSCN4647.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: An example of the weekly cattle sale summary log for the week of 5/22/2019 showed a total head count of 1272.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 2

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4651.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: Approximately 20% of the cattle pens (sorting yard) was covered by roof. The roof drained via an overhead metal channel to the right, outside of the open pens, but later this storm water commingled with the runoff from the open pens to the right of the roofed area thus generating process wastewater.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 3

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4652.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: Cattle pen runoff (process wastewater) from the east side of the cattle pens ran into an open area adjacent to the parking lot, thence toward a pasture (shown in photo 4).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 4

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4656.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: Cattle pen runoff (process wastewater) from the east side of the cattle pens ran north into an open area adjacent to the parking lot, thence toward a pasture where it had pooled as shown. Also, note the pile of manure on the left side of the photo. Numerous piles of manure were haphazardly stored around the entire pen perimeter.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 5

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4663.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: The facility constructed a berm in their pasture (as seen in the foreground), located north of the auction barn parking lot to help prevent the ponded production area process wastewater (that discharged from the pens into the pasture) from entering the bar ditch located next to Hwy 84. Hwy 84 was located approximately 50 feet to the left of this photo and the view was toward the south.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 6

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4664.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: The ponded production area process wastewater (that discharged from the pens into the pasture) that was contained by the constructed berm shown in photo 5. The view was toward the west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 7

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4665.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: A close-up photo of the piles of manure located in the pasture to the north of the cattle pens. A significant amount of lot scrapings (manure) was stored in this area. The view was toward the west.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Photograph Log

Photo No. 8

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4668.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: A close-up photo of the piles of manure located in the pasture to the north of the cattle pens. A significant amount of lot scrapings (manure) was stored in this area. Note the Coleman Livestock Auction pens in the background. The view was toward the southeast.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Photograph Log

Photo No. 9

Location: Coleman Livestock Auction		
City: Coleman	County: Coleman	State: Texas



Photo File Name: DSCN4670.JPG

Date of Photo: 05/29/2019

Time of Photo: N/A

Photographer: Juan Ibarra

Description: Standing at the far west end of the pens (looking east) where the process wastewater had ponded. No discharge of process wastewater to navigable waters was observed at the time of the inspection. Note the manure piles stored in this area and the cattle pens in the background.

Significant Photo Locations at Coleman Livestock Auction

