

U.S. EPA Headquarters Enforcement Division
1200 Pennsylvania Avenue NW, Washington, DC 20004
INDUSTRIAL FACILITY STORMWATER INSPECTION CHECKLIST

Inspection Date	May 13, 2024 (access denied) & May 14, 2024 (photos from public right-of-way)	
Time on 5/13/2024	Entry: 2:15 PM	Exit: 2:20 PM
Time on 5/14/2024	Entry: 3:45 PM	Exit: 4:15 PM
Weather Conditions	Weather conditions similar on both days – 80's°F and sunny	
Media/Program	Water – CWA § 301, 402 – Industrial SW/NEC	
Operator Name:	Tenbusch Inc.	
Facility or Site Name:	Tenbusch Inc.	
Permit ID or Tracking #:	Unknown	
SIC Code:	5084 – Industrial Machinery and Equipment. Unverified, this is based on the description of services on the Facility's website (https://www.tenbusch.com/).	
Facility Address:	780-A North Kealy Avenue	
(city, state, zip code)	Lewisville, TX 75057	
Geographic Coordinates:	33.052338°, -96.992383°	
Mailing address:	780B N. Kealy Ave	
(city, state, zip code)	Lewisville, TX 75057	
County:	Dallas County	
Regular Days/Hours of Operation:	Unknown since access was denied and there were no discussions with Facility representatives	
# of Employees at location:	Unknown since access was denied and there were no discussions with Facility representatives	
Size of Facility (in acres):	Approximately 0.45 acres total with approximately 0.25 acres of outdoor activity	
Receiving Water(s):	Prairie Creek, approximately 300' north of the Facility, and unnamed tributary to Prairie Creek, directly south and east of the Facility	
Date facility est. @ location:	Unknown since access was denied and there were no discussions with Facility representatives	
Onsite Representatives:		
Name: Al Tenbusch	Title: Owner	Phone: (972) 221-2304
	Email: info@tenbusch.com	
Authorized Official:	Contacted? ☒ Yes ☐ No	
Name: Al Tenbusch	Title: Owner	Phone: (972) 221-2304
	Email: info@tenbusch.com	
Additional Personnel Participating in Inspection:		
Name: N/A	Title: N/A	
Inspector(s):	Title:	Company:
Taylor Fontaine	Lead Inspector	Eastern Research Group, Inc.
Mariah Papac	Inspector	Eastern Research Group, Inc.
Ivy Koberlein	Inspector	Environmental Protection Agency, Headquarters
Sharron Crayton	Inspector	Environmental Protection Agency, Region 6

Inspection Report Author:		
Name: Taylor Fontaine	Signature: <i>Taylor Fontaine</i>	Date: June 26, 2024
Supervisor Review:		
Name:	Signature: <i>Carol Johnson</i>	Date: 07/10/2024

SECTION I – INTRODUCTION

Purpose of the Inspection

The purpose of the inspection was to determine compliance with the industrial stormwater requirements under §§ 301 and 402(p) of the Clean Water Act (CWA) and its implementing regulations found at 40 Code of Federal Regulations (CFR) Part 122.26. The inspection was unannounced and consisted of interviewing Facility representatives, recording field observations, and taking photographs to document site conditions throughout the Facility at the time of the inspection.

Opening Conference

- 1) Brief narrative documenting those present, introductions, presentation of credentials, and explanation of the purpose of the inspection.

On May 13, 2024, a U.S. Environmental Protection Agency (EPA) contractor, Eastern Research Group, Inc. (ERG), attempted to conduct an industrial stormwater non-filer inspection at Tenbusch Inc. (Tenbusch) located in Lewisville, Texas (Facility). Ivy Koberlein of EPA Headquarters, Sharron Crayton of EPA Region 6, and Taylor Fontaine and Mariah Papac of ERG (collectively, EPA Inspection Team) met with the Facility representative, Al Tenbusch. The EPA Inspection Team presented their credentials and explained that it was EPA's understanding that the Facility did not have an industrial stormwater permit. The EPA Inspection Team explained they were onsite to conduct a Clean Water Act stormwater inspection, which includes observing the current operations of the Facility and assessing the potential for stormwater discharges from the Facility. After the EPA Inspection Team presented their credentials, the Facility representative promptly denied access to the Facility and asked that the EPA Inspection Team leave the premises, which they did. The EPA Inspection Team returned on May 14, 2024 to take photographs from the public right of way.

The weather on May 13th and 14th, 2024 was sunny and approximately 82°F. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA)¹, the Dallas, Texas area received 0.18 inches of rain the day prior to the inspection and 0.72 inches of rain the day of the initial inspection, on May 13th. There was only trace amounts of reported rainfall on May 14th.

- 2) Credentials presented to: Al Tenbusch

¹Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

FACILITY'S OPERATION & PRODUCT DESCRIPTION

Description of business and industrial activities occurring throughout the site. (Include operator's description and note any documentation that further establishes SIC code (permit applications, reports, business registries, website...)).

According to the Facility's website, Tenbusch Inc. designs and manufactures heavy equipment for sale. Since the EPA Inspection Team was denied entry, the Team was unable to verify indoor and/or outdoor operations.

Other industrial facilities owned/operated by same business entity? Yes x No Describe: N/A

SECTION II – OBSERVATIONS**SITE EVALUATION**

Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
Loading/Unloading Operations	This could not be completed/verified due to the denial of access to the Facility.
Industrial Manufacturing/Processing Operations	This could not be completed/verified due to the denial of access to the Facility.
Industrial Machinery & Equipment Storage	From the public right-of-way, the EPA Inspection Team observed a forklift and four (4) cranes at the Facility [refer to <u>Appendix B, Photograph Log (Photographs 11 through 13)</u>].
Storage of Industrial Materials or Products	From the public right-of-way, the EPA Inspection Team observed miscellaneous materials (e.g., metal piping) stored outside in uncovered piles [refer to <u>Appendix B, Photograph Log (Photographs 3, 5, and 12)</u>].
Liquid Storage (e.g., Tanks, Liquid Storage Drums)	From the public right-of-way, the EPA Inspection Team observed four (4) 55-gallon drums containing unknown substances in the southwestern portion of the Facility. The EPA Inspection Team was unable to verify if the drums were located on pallets or staged and stored directly on the vegetative ground [refer to <u>Appendix B, Photograph Log (Photograph 11)</u>].
Waste Storage/Disposal Areas (solid and/or hazardous)	This could not be completed/verified due to the denial of access to the Facility.
Waste Treatment Facilities (e.g., Pretreatment Systems)	This could not be completed/verified due to the denial of access to the Facility.
Fueling Stations/Equipment Maintenance Areas & Cleaning Areas	This could not be completed/verified due to the denial of access to the Facility.

SITE EVALUATION	
Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
Sediment & Erosion Controls	This could not be completed/verified due to the denial of access to the Facility.
Spills/Leaks Handling	This could not be completed/verified due to the denial of access to the Facility.
Outside Shelters	☐ Temporary (Date Established _____) ☐ Permanent This could not be completed/verified due to the denial of access to the Facility.
Evidence of non-stormwater sources/discharges (allowable if permitted under MSGP)?	Evidence of non-stormwater sources/discharges was not observed.
Evidence of process wastewater sources/discharges?	This could not be completed/verified due to the denial of access to the Facility.

OUTFALL, STORMWATER DISCHARGE & RECEIVING WATER OBSERVATIONS	
Number and description of each potential Stormwater Discharge Point from the Facility	This could not be completed/verified due to the denial of access to the Facility.
Evidence of pollutants migrating offsite (stains, deposits, ponding) at discharge points, into receiving waters or in MS4	This could not be completed/verified due to the denial of access to the Facility.
Evidence of Non-stormwater Discharges leaving site (authorized or unauthorized)	None observed at the Facility.
Description of general gradients/slopes onsite, all apparent discharge points, and discharge pathway from Facility to	This could not be completed/verified due to the denial of access to the Facility. However, the EPA Inspection Team observed an unnamed tributary to Prairie Creek located directly to the south and east of the Facility [refer to <u>Appendix B, Photograph Log (Photographs 4, 7, 8, 9, 14 through 17)</u>].

OUTFALL, STORMWATER DISCHARGE & RECEIVING WATER OBSERVATIONS	
Receiving Water or MS4 (storm drains, channel, swale, ditches, driveway, pipes, & etc.)	

SECTION III – AREAS OF CONCERN

- 1) The EPA Inspection Team could not verify all areas due to the denial of access to the Facility. At the time of the inspection, the EPA Inspection Team identified the following at the Facility:
 - a. The Facility is engaged in machinery manufacturing (SIC Code 5084 – Industrial Machinery and Equipment).
 - b. The EPA Inspection Team observed an unnamed tributary to Prairie Creek located directly to the south and east of the Facility [refer to Appendix B, Photograph Log (Photographs 4, 7, 8, 9, 14 through 17)].
 - c. A facility search in the compliance database (Central Registry Query) maintained by the Texas Commission of Environmental Quality (TCEQ), yielded no search records for Tenbush Inc. Note: The searches included, but was not limited to the name, address, and county of the facility.

SECTION IV – LIST OF APPENDICES

Appendix A – Aerial Location

Appendix B – Photograph Log