

Region 6 - Enforcement & Compliance Assurance Division
INSPECTION REPORT

Inspection Date(s):	May 9, 2024	
Media Program:	Water	
Regulatory Program(s)	NPDES Stormwater/ CWA 402	
Company Name:	Tri Pointe Homes DFW, LLC	
Facility Name:	Painted Tree Village District South (Phase 1)	
Facility Physical Location:	Taylor Burk Dr and Painted Trail Dr	
(city, state, zip code)	McKinney, TX, 75071	
Mailing address:	6201 W Plano Pkwy STE 150	
(city, state, zip code)	Plano, TX, 75093	
County/Parish:	Collin	
Facility Phone Number	817-410-1037	
Facility Contact 1:	Bruce French	Vice President (Tri Pointe Homes DFW, LLC)
	Bruce.French@TriPointeHomes.com	
Facility Contact 2:	Jeremy Boucher	Consultant (EnviroServe)
	jboucher@enviroserve.co	
FRS Number:	N/A	
Identification/Permit Number:	TXR1582KY	
Media Identifier Number:	N/A	
NAICS:	236117	
SIC:	1521	
Personnel participating in inspection:		
Destinee Agwuna	6EN-WR	Inspector/Enforcement Officer
Carol Johnson	6EN-WS	Inspector/Enforcement Officer
Sharron Crayton	6EN-WS	Inspector/Enforcement Officer
EPA Lead Inspector Signature/Date		7/1/2024
	Destinee Agwuna	Date
Supervisor Signature/Date		
	Anthony Loston	Date

Section I – INTRODUCTION

PURPOSE OF THE INSPECTION

U.S. EPA Region 6 inspectors Destinee Agwuna, Carol Johnson, and Sharron Crayton arrived at Painted Tree on May 9, 2024, at approximately 9:15 AM for an unannounced Compliance Evaluation Inspection (CEI). The inspectors met with Construction Manager, Mr. JB Giddens at the construction trailer near the intersection of Wyler Drive and Marilanda Road. We presented our credentials to Mr. Giddens and informed him 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 Tri Pointe Homes DFW, LLC 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.

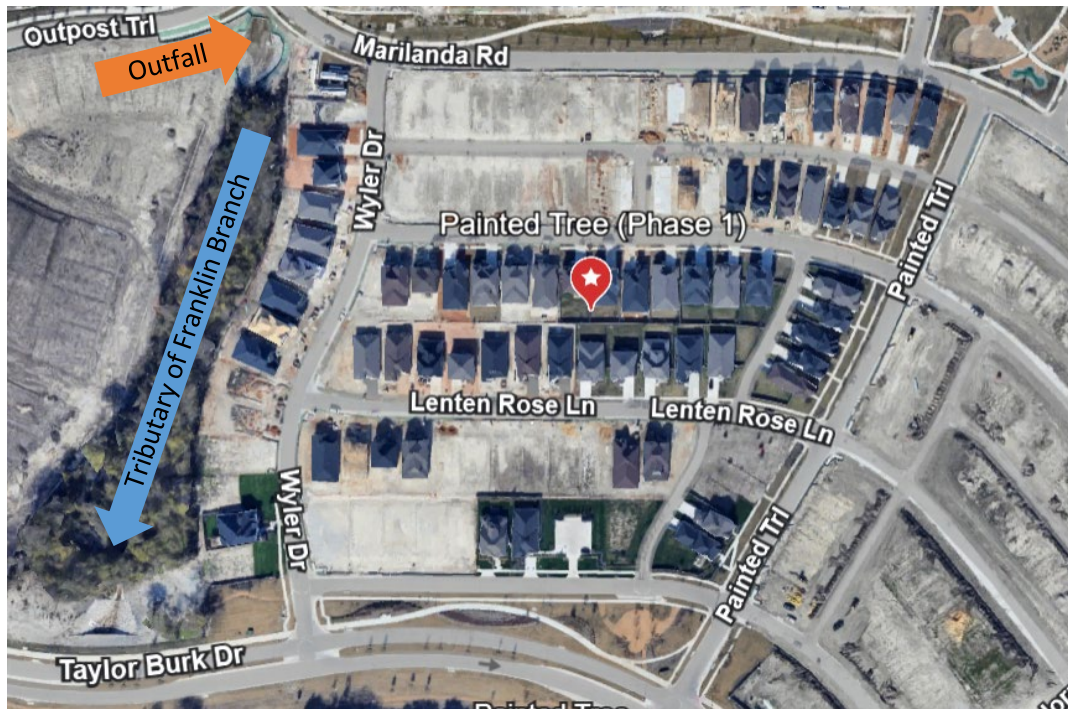
FACILITY DESCRIPTION

Painted Tree is a residential construction site consisting of three separate districts (the Village District, Lakeside 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 Tri Pointe Homes DFW, LLC in the Village District Phase 1 (TCEQ permit number: TXR1582KY), which was in the building phase of construction at the time of inspection.

Painted Tree (Village District Phase 1) is located northwest of Taylor Burk Drive and Painted Trail Drive in McKinney, TX (denoted in **Aerial Image 1** below). Coordinates to the site are in the vicinity of Latitude 33°13'40.4" North, Longitude 96°39'26.6" West. The area operated by Tri Pointe Homes totals 80 acres with approximately 34 acres of land to be disturbed for Phase 1. The site discharges to Franklin Branch.



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



Aerial Image 1: The Painted Tree (Village District Phase 1) constructions site. The area of inspection is within the boundary of Marilanda Road, Painted Tail, Taylor Burk Drive, and Wyler Drive. Aerial from Google Maps Imagery, 2023.

Section II - OBSERVATIONS

The following points of discussion are derived from on-site visual observations on May 9, 2024:

- The construction site is located immediately east of an outfall and tributary (near the intersection of Outpost Trail and Marilanda Road) that feeds into Franklin Branch (**Aerial Image 1**).
- There was evidence of a recent discharge of sediment at the outfall/tributary near the intersection of Outpost Trail and Marilanda Road at the time of inspection. Because the site has many operators developing and building simultaneously, multiple operators are likely responsible for the sediment discharge (**Appendix 1, Photo 1**).
- During the opening conference the construction manager, Mr. Giddens, advised the inspectors that the large Construction Site Notice (CSN) would be located at either the intersection of Taylor-Burk Drive and Wyler Drive or at the intersection of Taylor-Burk Drive and Painted Trail. The CSN was not observed at either intersection or any other location on-site at the time of inspection.
- Mr. Giddens was unable to provide a physical copy of the Stormwater Pollution Prevention Plan (SWPPP), an updated site map, or inspection reports for the Village District Phase 1 (TCEQ permit number: TXR1582KY) at the time of inspection. SWPPP booklets for other phases of construction were available in the construction trailer on May 9, 2024 (**Appendix 1, Photo 2**).

- We 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 May 9, 2024 Compliance Evaluation Inspection (CEI) and from documentation provided by the permittee's environmental consultant, Mr. Jeremy Boucher on May, 17, 2024 (see section IV).

- The TCEQ Large Construction Site Notice (CSN) was not posted on-site as required by Section E.3.c of the CGP at the time of inspection.
- The SWPPP, site map(s), and inspection reports for the Village District, Phase 1 was not available on-site at the time of inspection and no notice was posted to describe the location of the SWPPP as described in Part III Section D.1 of the CGP.

Wyler Drive:

- We observed sections of damaged silt fence and worn erosion control blankets along the front of some lots. **(Appendix 1, Photos 3-4)**, allowing sediment to discharge onto the street.

Eddington Drive:

- We observed sediment on the sidewalk and street due to ineffective BMPs **(Appendix 1, Photo 5)**.
- We observed improperly installed inlet protection (i.e., the inlet protection had a large gap in the middle, allowing materials such as trash and sediment to enter the inlet) **(Appendix 1, Photos 6-7)**.
- We observed blowable trash and building materials not properly contained **(Appendix 1, Photo 8)**.
- We observed uncontained stockpiles of sediment due to damaged or missing BMPs **(Appendix 1, Photo 9)**.
- We observed sections of missing or damaged erosion control blanket along the lots **(Appendix 1, Photo 10)**.

Section IV – FOLLOW UP

The following information was received by the EPA after leaving the site on May 9, 2024:

- Upon request, a digital copy of the SWPPP, including an updated site map and inspection reports were emailed by Mr. Jeremy Boucher (Stormwater Consultant with EnviroServe) on May 17, 2024. No areas of concern were noted upon reviewing the provided documentation.

Section V – LIST OF APPENDICES

Appendix 1 – Photo Log – 10 photos taken on 5/9/2024

Appendix 1

Photograph Log



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 1

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Evidence of a sediment discharge at the outfall immediately east of the site near the intersection of Outpost Trail and Marilanda Road.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

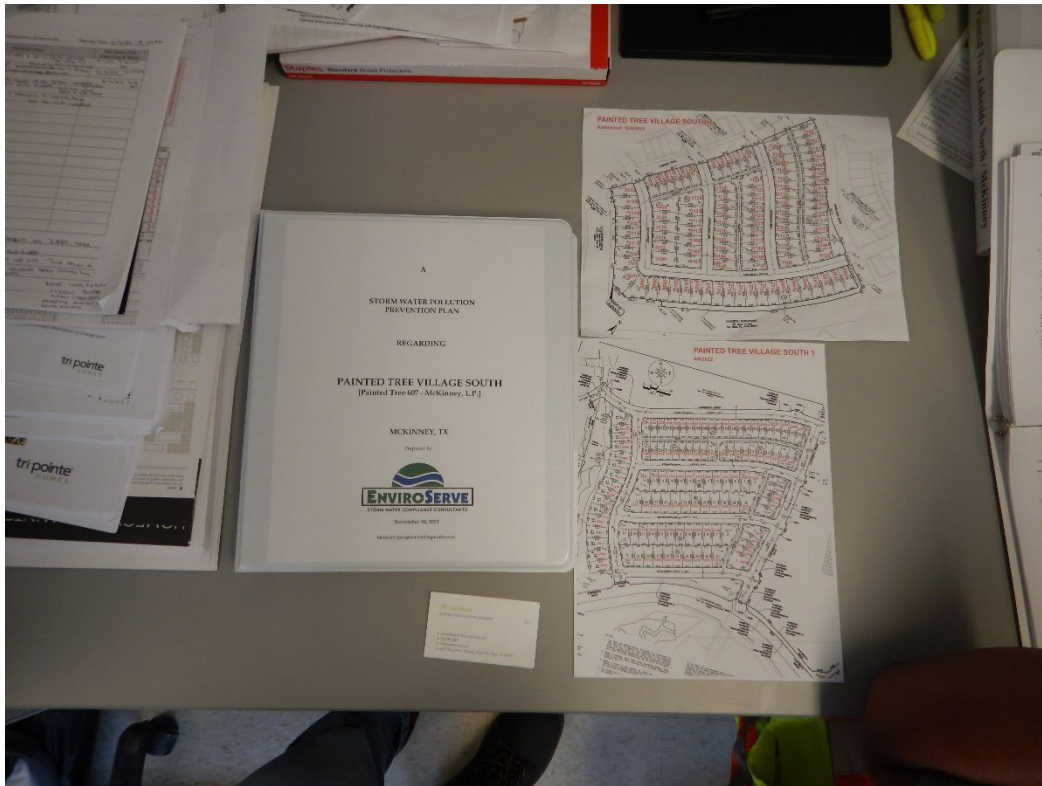
Photo no. 2

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Site maps and the Storm Water Pollution Prevention Plan (SWPPP) provided by the construction manager Mr. Giddens for phase 2 of construction. Mr. Giddens was unable to provide the SWPPP, site maps, and inspection reports for Phase 1 at the time of inspection. The phase 1 documentation was obtained digitally from environmental consultant Mr. Boucher on 5/17/2024.

Date of Photo: 05/09/2024 Photographer: Destinee Agwuna



Tri Pointe Homes DFW, LLC / Painted Tree

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 3

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Section of damaged silt fence and worn erosion control blanket along Wyler Drive.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 4

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Zoomed in photo of the damaged section of silt fence and worn erosion control blanket along Wyler Drive. Also picture is evidence of sediment discharged from the lot onto the street/MS4 near the curb.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 5

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Ineffective BMPs on Eddington Drive allowing sediment to discharge from the lot onto the sidewalk and street near the intersection of Wyler Drive and Eddington Drive.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 6

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Inlet protection on Eddington Drive with a large gap in the middle.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 7

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Additional photo demonstrating the large gap in the inlet protection on Eddington Drive, allowing for debris and other materials to enter the inlet.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 8

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Building materials and blowable trash (i.e., plastic water bottles and beer cans) discarded directly on a lot on Eddington Drive. No permanent or temporary trash bins was observed at the time of inspection.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Appendix 1: Photograph Log

Photo no. 9

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney
TX

County: Collin

State:



Description: Uncontained stockpile of sediment on Eddington Drive. The pictured erosion control blanket is worn and not in effective operating condition.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton

Appendix 1: Photograph Log

Photo no. 10

Location: Northwest of Taylor Burk Drive and Painted Trail Drive

City: McKinney

County: Collin

State: TX



Description: Missing section of erosion control blanket along a lot on Eddington Drive, near an inlet. The inlet protection is full of sediment.

Date of Photo: 05/09/2024 Photographer: Sharron Crayton