

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Zak Covar, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

June 11, 2014

Mr. Jason Proffitt, Plant Manager  
Image Materials, Incorporated  
2301 FM 718  
Aurora TX 76078-5431

Re: Complaint Investigation at: Image Materials  
2301 FM 718, Aurora, Wise County, Texas  
TCEQ ID No.: WN0224N; RN101838688; CN600414015

Dear Mr. Proffitt:

On March 24, 2014, Mr. J. Gary Sinclair, Jr. of the Texas Commission on Environmental Quality (TCEQ) DFW Region Office conducted a complaint investigation of the above-referenced location to evaluate compliance with applicable requirements for air quality. No violations were documented during the investigation. However an additional issue was identified which requires your attention. Please see the enclosed Summary of Investigation Findings for details.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Mr. Sinclair in the DFW Region Office at 817/588-5854.

Sincerely,

A handwritten signature in cursive script that reads "Luke W. Jones".

Luke W. Jones  
Air Compliance Team Leader  
DFW Region Office

LWJ/tap

RECEIVED

AUG 01 2014

TCEQ  
CENTRAL FILE ROOM



## Summary of Investigation Findings

### IMAGE MATERIALS

2301 FM 718

AURORA, WISE COUNTY, TX 76078

Investigation #

1159354

Investigation Date: 03/24/2014

Additional ID(s): WN0224N

No Violations Associated to this Investigation

### ADDITIONAL ISSUES

#### Description

Item 1

#### Additional Comments

During the investigation conducted on March 24, 2014, the potential for dust nuisance conditions was observed at Image due to vehicular traffic on unpaved in-plant roads. In order to minimize the potential for dust nuisance conditions, it is necessary to ensure that dust emissions are controlled as needed to prevent dust from affecting surrounding properties.

**Texas Commission on Environmental Quality****Investigation Report**

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

**Customer: Image Construction, Inc.**

**Customer Number: CN600414015**

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**Regulated Entity Name: IMAGE MATERIALS**

**Regulated Entity Number: RN101838688**

**Investigation #** 1159354

**Incident Numbers**

196395

**Investigator:** GARY SINCLAIR

**Site Classification**

**Conducted:** 03/24/2014 -- 03/24/2014

**SIC Code:** 1442

**Program(s):** AIR QUALITY NON PERMITTED

**Investigation Type:** Compliance Investigation

**Location:** --- 2301 FM 718, AURORA, TX, 76078 ---

**Additional ID(s):** WN0224N

**Address:** 2301 FM 718,  
AURORA, TX, 76078

**Local Unit:** REGION 04 - DFW METROPLEX

**Activity Type(s):** AIRCOMPL - AIR CMPL - AIR  
COMPLAINT INV

**Principal(s):**

Role	Name
RESPONDENT	IMAGE CONSTRUCTION INC

**Contact(s):**

Role	Title	Name	Phone
Participated in Investigation	PLANT MANAGER	MR JASON PROFFITT	Cell (940) 300-0455 Work (817) 430-0339

**Other Staff Member(s):**

Role	Name
Investigator	LACY PAKEBUSCH
Office System Administrative Supervisor	LUKE JONES
QA Reviewer	RYAN RECTOR

**Associated Check List**

<u>Checklist Name</u>	<u>Unit Name</u>
AIR COMPLAINT INVESTIGATION	CMPL

**Investigation Comments:**

**INTRODUCTION**

On March 24, 2014, Mr. J. Gary Sinclair Jr., Environmental Investigator, of the Texas Commission of Environmental Quality (TCEQ), Dallas/Fort Worth (DFW) Region Office-Air Section, conducted an Air Quality Complaint (AIR-CMPL) Investigation at Image Materials ('Image', 'regulated entity', 'site') located at 2301 Farm-to-Market Road (FM) 718, Aurora, Wise County, Texas. Image Construction, Inc. owns Image.

The investigation is in response to a complaint filed on March 4, 2014. The complainant alleged that vehicle traffic from Image is causing large amounts of dust to travel on the complainant's property making it difficult to enjoy outside activities. The complaint was filed under Incident Number (No.) 196395.

On March 10, 2014, Mr. Sinclair contacted the complainant, via telephone, to inform the complainant of the investigation and to discuss information about the complaint that was filed. Ms. Lacy Pakebusch, Environmental Investigator, TCEQ, DFW Region Office, Air Section and Mr. Jason Proffitt, Plant Manager of Image, participated in this investigation.

This was an unannounced investigation because it was initiated by a complaint.

#### Daily Narrative

On March 24, 2014, the investigators arrived at the complainant's property at 11:00 a.m. Mr. Sinclair spoke with the complainant about the dust. The complainant stated that when trucks drove on Image's private dirt road, dust would travel onto the complainant's property. Mr. Sinclair did not observe dust affecting the complainant's property during the time of the investigation. The investigators departed the complainant's property at approximately 11:10 a.m.

Mr. Sinclair surveyed the area around Image and did not observe any vehicle traffic on the private dirt road. Mr. Sinclair did not observe dust being generated on-site or leaving the site. Mr. Sinclair noted there was a potential for dust from the on-site roads to impact off-property receptors.

The investigators arrived at Image, and Mr. Sinclair spoke with Mr. Proffitt, regarding the potential for dust. Mr. Proffitt stated that the dirt road is used approximately 2-3 times a week, but has not been used in the past few weeks. Mr. Sinclair inquired about dust suppression techniques at the site, and Mr. Proffitt stated that there is a dedicated water truck, to this site that is used as needed; approximately 3-4 times a day in the summer. During the investigation on-site, Mr. Sinclair did not notice vehicle traffic on the private dirt road or dust being generated on-site. The investigators departed the area at 11:30 a.m.

Mr. Sinclair did not confirm nuisance conditions caused by dust emissions from vehicle traffic at Image. Mr. Sinclair did observe the potential for nuisance conditions to exist. It is necessary to ensure that dust emissions are controlled as needed to prevent dust from affecting surrounding properties.

#### Exit Interview

During the on-site investigation, Mr. Sinclair informed Mr. Proffitt of the complaint and stated nuisance conditions were not observed at this time. Mr. Sinclair informed Mr. Proffitt that the potential for dust nuisance conditions was observed and dust suppression techniques should be used.

#### GENERAL FACILITY AND PROCESS INFORMATION

##### Process Description

Image Materials removes sand and gravel from a pit filled with water, and processes it through a series of screens. No crushing is involved.

#### BACKGROUND

##### Compliance History

Customer: CN600414015, Image Construction, Inc.

Classification: Satisfactory

Rating: 0.80

Publication Date: September 1, 2013

Regulated Entity: RN101838688, Image Materials

Classification: Satisfactory

Rating: 0.80

Publication Date: September 1, 2013

##### Current Enforcement Action

**IMAGE MATERIALS - AURORA**

**3/24/2014 Inv. # - 1159354**

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No violations were alleged as a result of this investigation.

Agreed Orders, Court Orders and Other Compliance Agreements

A review of the files at the TCEQ DFW Regional Office indicates that there have been no orders issued for this regulated entity relating to air quality in the five years prior to this investigation.

Prior Enforcement Issues

A review of the files at the TCEQ DFW Regional Office indicates that there are no prior enforcement issues for this regulated entity relating to air quality in the five years prior to this investigation.

Complaints

A review of the files at the TCEQ DFW Regional Office indicates there have been no prior complaints for this regulated entity relating to air quality in the five years prior to this investigation.

**ADDITIONAL INFORMATION**

Conclusions and Recommendations

Dust generated on site or leaving the site was not observed during the investigation, and nuisance conditions were not confirmed. An additional issue was noted, because dust caused by vehicle traffic has the potential to cause nuisance conditions. A copy of the report will be sent to the complainant and an alleged source letter with an additional issue will be sent to Image.

Additional Issues

During the investigation conducted on March 24, 2014, the potential for dust nuisance conditions was observed at Image. In order to minimize the potential for dust nuisance conditions, it is necessary to ensure that dust emissions are controlled as needed to prevent dust from affecting surrounding properties.

**No Violations Associated to this Investigation**

**Additional Issues**

**Description**

Item 1

**Additional Comments**

During the investigation conducted on March 24, 2014, the potential for dust nuisance conditions was observed at Image due to vehicular traffic on unpaved in-plant roads. In order to minimize the potential for dust nuisance conditions, it is necessary to ensure that dust emissions are controlled as needed to prevent dust from affecting surrounding properties.

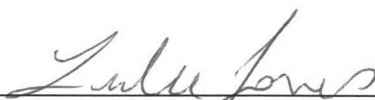
Signed

  
Environmental Investigator

Date

5/20/14

Signed

  
Supervisor

Date

5/20/14

**Attachments: (in order of final report submittal)**

☐ Enforcement Action Request (EAR)

☒ Letter to Facility (specify type) : ASC w/Owner

☐ Investigation Report

☐ Sample Analysis Results

☐ Manifests

☐ Notice of Registration

☐ Maps, Plans, Sketches

☐ Photographs

☐ Correspondence from the facility

☐ Other (specify) :  
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