

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 7, 2022

Mr. Wade Bartley  
Commissioner  
Hopkins County Pct. 3  
PO Box 288  
Sulphur Springs, TX 75483

Re: Notice of Compliance with Notice of Violation (NOV) dated November 30, 2021  
Hopkins County Pct. 3 Dump Site, CR 3518, Dike (Hopkins County), Texas  
Investigation No.: 1789124; Regulated Entity No.: 111373577

Dear Mr. Bartley:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Tyler Regional Office has received adequate compliance documentation to resolve the alleged violation documented during the investigation of the above-referenced regulated entity conducted on October 5 and 13, 2021. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality 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, please feel free to contact Craig Connor at the Tyler Regional Office at 903-535-5113.

Sincerely,

A handwritten signature in black ink that reads "Michelle M. Baetz".

Michelle M. Baetz, Air/Waste Section Manager  
Tyler Region Office  
Texas Commission on Environmental Quality  
MMB/crc



Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 30, 2021

**CERTIFIED MAIL 9171 9690 0935 0211 8174 25**  
**RETURN RECEIPT REQUESTED**

Mr. Wade Bartley  
Commissioner  
Hopkins County Pct. 3  
PO Box 288  
Sulphur Springs, TX 75483

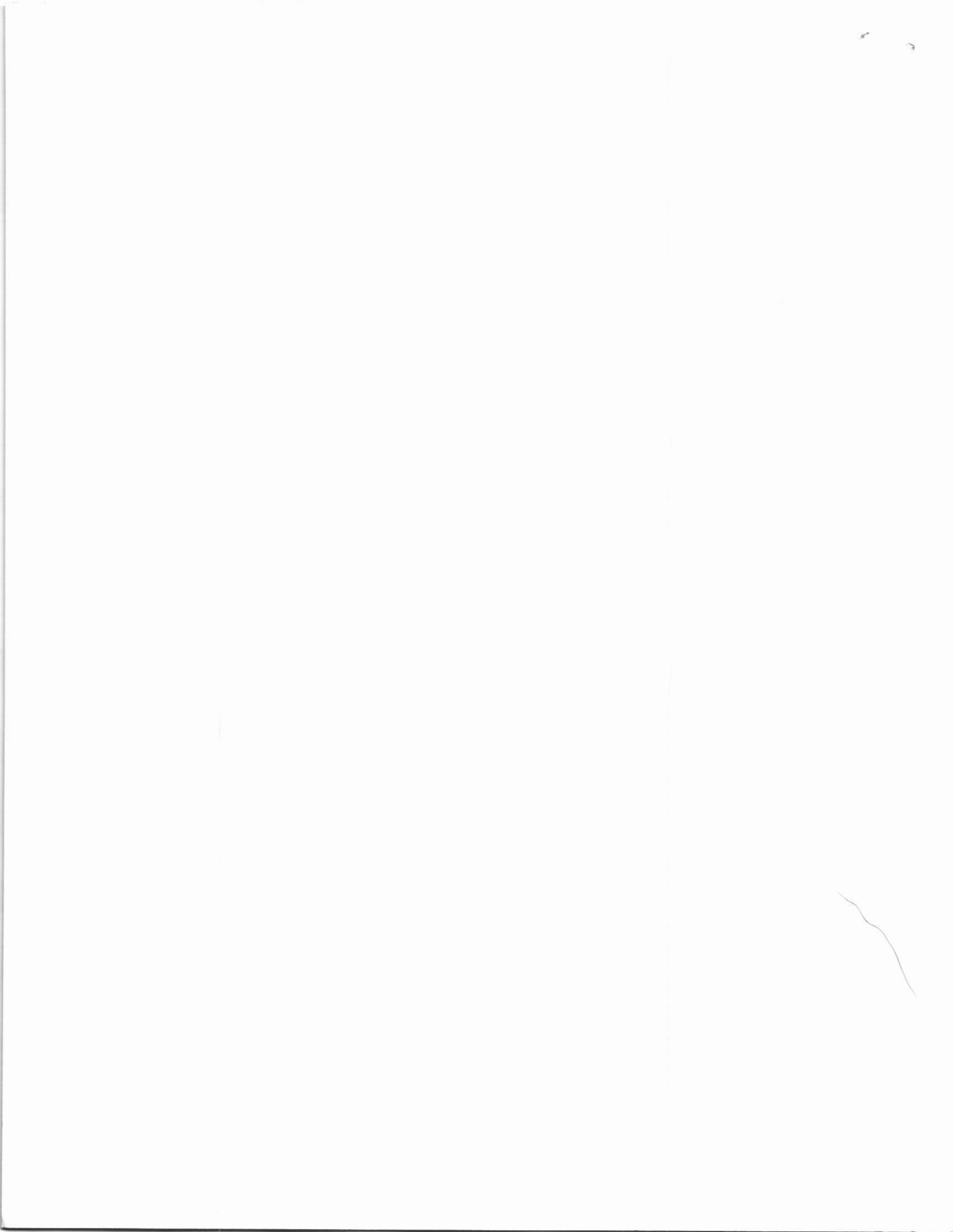
Re: Notice of Violation for Compliance Evaluation Investigation at:  
Hopkins County Pct. 3 Dump Site, CR 3518, Dike (Hopkins County), Texas  
Investigation No.: 1774595; Regulated Entity No.: 111373577

Dear Mr. Bartley:

On October 5 and 13, 2021, Mr. Craig Connor of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for solid waste. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by December 30, 2021, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Tyler Region Office at 903-535-5100 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Tyler Region Office within 10 days from the date of this letter. At that time, Ms. Michelle Baetz will schedule a violation review meeting to be conducted *within 21 days from the date of this letter*. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of

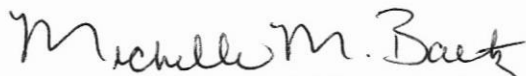


Mr. Wade Bartley  
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November 30, 2021

Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Connor in the Tyler Region Office at 903-535-5113.

Sincerely,

  
Michelle M. Baetz, Air/Waste Section Manager  
Tyler Region Office  
Texas Commission on Environmental Quality

MMB/crc

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

HOPKINS COUNTY PRECINCT 3 DUMP SITE  
COUNTY ROAD 3518  
DIKE, HOPKINS COUNTY, TX 75437

Investigation #  
1774595  
Investigation Date: 10/05/2021

Additional ID(s):

### OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 796210      Compliance Due Date: 12/30/2021  
30 TAC Chapter 330.15(c)

**Alleged Violation:**

Investigation: 1774595

Comment Date: 11/22/2021

Failure to properly dispose of unauthorized materials at Hopkins County Pct. 3 Dump Site on CR 3518, Dike, Texas. Specifically, during an onsite investigation conducted on October 5 and 13, 2021, at Hopkins County Pct. 3 Dump Site on CR 3518, Dike, Texas, County Commissioner confirmed that waste resulting from the illegal burning of solid waste had been buried at the site. 30 TAC 330.15(c) states a person may not cause, suffer, allow, or permit the dumping or disposal of Municipal Solid Waste without the written authorization of the commission.

**Recommended Corrective Action:** Hopkins County must remediate the Hopkins County Pct. 3 Dump Site where unauthorized disposal of solid waste has occurred. The material removed must be properly disposed at an authorized facility. In addition, Hopkins County must prevent any future unauthorized disposal of waste by implementing control measures and any necessary training to employees. Hopkins County must submit written and photographic documentation demonstrating areas where unauthorized disposal of waste has occurred has been remediated and measures Hopkins County will implement to prevent any future unauthorized disposal of waste.

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

February 28, 2022

Mr. Wade Bartley  
Commissioner  
Hopkins County Pct. 3  
PO Box 288  
Sulphur Springs, TX 75483

Re: Notice of Compliance with Notice of Violation (NOV) dated November 30, 2021  
Hopkins County Pct. 3 Yard, CR 3564, Dike (Hopkins County), Texas  
Investigation No.: 1789124; Regulated Entity No.: 102867868

Dear Mr. Bartley:

This letter is to inform you that the Texas Commission on Environmental Quality (TCEQ) Tyler Regional Office has received adequate compliance documentation on December 14, 2021, to resolve the alleged violations documented during the investigation of the above-referenced regulated entity conducted on October 5 and 13, 2021. Based on the information submitted, no further action is required concerning this investigation.

The Texas Commission on Environmental Quality 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, please feel free to contact Craig Connor at the Tyler Regional Office at 903-535-5113.

Sincerely,

A handwritten signature in black ink, appearing to read "Vern H. Mattheis, P.G.", written over a light blue horizontal line.

Vern H. Mattheis, P.G.  
Waste Work Leader  
Tyler Region Office  
VHM/crc

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 30, 2021

**CERTIFIED MAIL 9171 9690 0935 0211 8174 32**  
**RETURN RECEIPT REQUESTED**

Mr. Wade Bartley  
Commissioner  
Hopkins County Pct. 3  
PO Box 288  
Sulphur Springs, TX 75483

Re: Notice of Violation for Compliance Evaluation Investigation at:  
Hopkins County Pct. 3 Yard, CR 3564, Dike (Hopkins County), Texas  
Investigation No.: 1774590; Regulated Entity No.: 102867868

Dear Mr. Bartley:

On October 5 and 13, 2021, Mr. Craig Connor of the Texas Commission on Environmental Quality (TCEQ) Tyler Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for solid waste, used oil petroleum storage tanks, scrap tires, and recycling. Enclosed is a summary which lists the investigation findings. During the investigation, certain outstanding alleged violations were identified for which compliance documentation is required. Please submit to this office by December 30, 2021, a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violations.

In the listing of alleged violations, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Tyler Region Office at 903-535-5100 or the Central Office Publications Ordering Team at 512-239-0028.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violations documented in this notice. Should you choose to do so, you must notify the Tyler Region Office within 10 days from the date of this letter. At that time, Ms. Michelle Baetz will schedule a violation review meeting to be conducted *within 21 days from the date of this letter*. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the enclosed Summary of

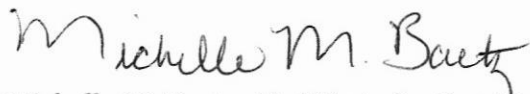


Mr. Wade Bartley  
Page 2  
November 30, 2021

Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Connor in the Tyler Region Office at 903-535-5113.

Sincerely,



Michelle M. Baetz, Air/Waste Section Manager  
Tyler Region Office  
Texas Commission on Environmental Quality

MMB/crc

Enclosure: Summary of Investigation Findings

## Summary of Investigation Findings

HOPKINS COUNTY PRECINCT 3

Investigation #

1774590

Investigation Date: 10/05/2021

, HOPKINS COUNTY,

Additional ID(s): 30160

### OUTSTANDING ALLEGED VIOLATION(S)

Track No: 796186 Compliance Due Date: 12/30/2021

30 TAC Chapter 111.201

5C THSC Chapter 382.085(b)

**Alleged Violation:**

Investigation: 1774590

Comment Date: 11/22/2021

Failure to prohibit the burning of unauthorized materials at Hopkins County Pct. 3 Yard on CR 3564, Dike, Texas. Specifically, during an onsite investigation conducted on October 5 and 13, 2021, at Hopkins County Pct. 3 Yard on CR 3564, Dike, Texas, a burned pile of prohibited items was observed. Items found in the burned pile consisted of, but were not limited to metal scraps, plastic materials, and wood, and was one cubic yard. 30 TAC 111.201 prohibits the burning of unauthorized materials.

**Recommended Corrective Action:** Hopkins County must prevent any future burning of unauthorized materials by implementing control measures and any necessary training to employees. Hopkins County must submit written measures Hopkins County will implement to prevent any future unauthorized burning of waste.

Track No: 796188 Compliance Due Date: 12/30/2021

30 TAC Chapter 330.15(c)

**Alleged Violation:**

Investigation: 1774590

Comment Date: 11/22/2021

Failure to properly dispose of unauthorized materials at Hopkins County Pct. 3 Yard on CR 3564, Dike, Texas. Specifically, during an onsite investigation conducted on October 5 and 13, 2021, at Hopkins County Pct. 3 Yard on CR 3564, Dike, Texas, a waste pile comprised of plastic pipe, garbage, metal scraps, tires, construction waste, and brush and two piles of tires were discovered in addition to a burned pile. 30 TAC 330.15(c) states a person may not cause, suffer, allow, or permit the dumping or disposal of Municipal Solid Waste without the written authorization of the commission.

**Recommended Corrective Action:** Hopkins County must remediate areas at the Hopkins County Pct. 3 Yard where unauthorized disposal of solid waste has occurred. The material removed must be properly disposed at an authorized facility. In addition, Hopkins County must prevent any future unauthorized disposal of waste by implementing control measures and any necessary training to employees. Hopkins County must submit written and photographic documentation demonstrating areas where unauthorized disposal of waste has occurred has been remediated and measures Hopkins County will implement to prevent any future unauthorized disposal of waste.