

Texas Department of Agriculture Community Development Program

Environmental Review Record for

Project Name: Merkel – 7220301 - WWTP - CE-ERR

Responsible Entity: City of Merkel, Taylor County

State/Local Identifier: 7220301

Project Type: Sewer Improvements

Prepared by:

Cave Consulting

(214) 307-4161

info@texasenvironmentals.com



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FACTORS**

Authorization to Use Funds

Request Release of Funds

FONSI

COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
AND INTENT TO REQUEST RELEASE OF FUNDS

*Date of Notice Posting: **July 20, 2021***

Project Name: Merkel – 7220301 - WWTP - CE
State/Local Identifier: 7220301

Contact:

Mary Schrampfer, Mayor
City of Merkel
100 Kent St.
Merkel, TX 79536
[325-928-4911](tel:325-928-4911)
citysecretary@merkeltexas.com

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the **City of Merkel**.

REQUEST FOR RELEASE OF FUNDS

On or about **August 10, 2021**, the **City of Merkel**, will submit a request to the Texas Department of Agriculture (TDA) for the release of Community Development Block Grant funds under Section 104 (F) of Title I of the Housing and Community Development Act of 1974, as amended to undertake a project known as **Merkel – 7220301 - WWTP - CE** for the purpose of **reducing the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health.**

Project Location:

All work will occur in the City of Merkel, Taylor County, Texas at the following locations:

- Wastewater treatment plant located at 318 County Road 682 (32.484, -99.99821)
- Land Application Site 1 - located on 26.6 acres of property adjacent to the south side of the sludge ponds (32.4814, -99.99878)
- Land Application Site 2 - located on 21.5 acres of property adjacent to the east side of the sludge ponds (32.48315, -100.00172)
- Land Application Site 3 - located on 218 acres of property north of the sludge ponds (32.49214, -99.999)
- Land Application Site 4 - located on 181 acres of property north of Land Application Site 3 (32.49695, -99.99951)

IF FUNDS ALLOW:

- Lift Station 1 - on the south side of the I-20 Frontage Road near High Cotton Pkwy and N 1st St. (32.47395, -100.02809)
- Lift Station 2 - on the south side of the I-20 Frontage Road near CR 1236 and N. 1st St. (32.46922, -99.9909)
- Lift Station 3 - on the north side of the I-20 Frontage Road at the Alon gas station (32.46806, -99.98351)
- Lift Station 4 - on the northwest corner of the sludge ponds (32.48548, -99.99938)

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Sewer:

Contractor shall reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health. Contractor shall conduct sludge removal, install aeration equipment, electrical controls and all associated appurtenances.

If the pond can be drained it will be removed with a loader. If the pond cannot be drained the sludge will be pumped out using specialized pumping equipment and allowed to dry. Then it will be loaded onto a truck and hauled to the application site and spread uniformly. The amount of sludge applied per acre is determined through the TCEQ permitting process. After spreading the sludge is then plowed into the soil. 200 acres of farmland will be utilized for land application of the sludge removal and there will not be a sludge transmission line installed. This will be a temporary land use and there will be no permanent acquisition involved with this project.

Professional Services including Grant Administrator and Project Engineer activities.

IF FUNDS ALLOW:

Contractor shall perform SCADA improvements to four (4) lift stations in the City.

Project Issues: Endangered Species, Historical Properties, Floodplain Management and Wetlands Protection. Details in the Environmental Review Record (ERR).

Project size: Approximately 200 acres.

Funding:

Project will cost \$302,500 and will be paid for with \$275,000 in HUD CDBG grant funds administered by the Texas Department of Agriculture and \$27,500 in local funds.

FINDING OF NO SIGNIFICANT IMPACT

The **City of Merkel** has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the **City of Merkel, 100 Kent St., Merkel, TX**, and may be examined or copied weekdays 9 A.M to 4 P.M.). The ERR may also be accessed online at the following website <https://tinyurl.com/2xfy5k5x>.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the **City of Merkel, 100 Kent St., Merkel, TX 79536, Attn: Mary Schramper, Mayor, citysecretary@merkeltx.com**. All comments received by **August 9, 2021**, or within eighteen (18) days following this posting (whichever is later) will be considered by the **City of Merkel** prior to authorizing submission of a request for release of funds. Commenters should specify which part of this Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The **City of Merkel** certifies to TDA that **Mary Schrampfer** in their capacity as **Mayor** consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. TDA's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the **City of Merkel** to use Program funds.

OBJECTIONS TO RELEASE OF FUNDS

TDA will accept objections to its release of funds and the **City of Merkel's** certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the **City of Merkel**; (b) the **City of Merkel** has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by TDA; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Texas Department of Agriculture, ATTN: Environmental Specialist, CDBG_EnvReview@texasagriculture.gov. Potential objectors should contact TDA via email CDBG_EnvReview@texasagriculture.gov to verify the actual last day of the state objection period.

Mary Schrampfer, Mayor



Todd Cave <todd@caveconsulting.com>

Merkel – 7220301 - WWTP - EA

1 message

Todd Cave <todd@texasenvironmentals.com>
To: houston.robert@epa.gov

Fri, Jul 16, 2021 at 9:01 AM

Robert,

Attached is the FONSI which will be posted for the above project.

Please let me know if you have any questions.

Thanks!

Todd Cave, President
(214) 307-4161
texasenvironmentals.com



Merkel – 7220301 - WWTP - EA - FONSI - COVID - Google Docs.pdf
133K

Checklists

Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: Merkel – 7220301 - WWTP - CE

Responsible Entity: City of Merkel

Grant Recipient (if different than Responsible Entity):

State/Local Identifier: 7220301

Preparer: Cave Consulting, Inc.

Certifying Officer Name and Title: Mary Schrampfer, Mayor

Grant Recipient (if different than Responsible Entity):

Consultant (if applicable): Public Management, Inc.

Direct Comments to:

Mary Schrampfer, Mayor

City of Merkel

100 Kent St.

Merkel, TX 79536

[325-928-4911](tel:325-928-4911)

citysecretary@merkeltexas.com

Project Location:

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The project area involves an existing WWTP and surrounding crop land in the northern part of the City. The WWTP contains three (3) holding ponds and is not fenced while the crop land is described as being flat and is actively being utilized for harvesting activities. Above and below ground utilities are present in and around the area.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**Sewer:**

Contractor shall reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health. Contractor shall conduct sludge removal, install aeration equipment, electrical controls and all associated appurtenances.

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Professional Services including Grant Administrator and Project Engineer activities.

IF FUNDS ALLOW:

Contractor shall perform SCADA improvements to four (4) lift stations in the City.

Federal Involvement: HUD/CDB

State Involvement:

The project occurs on land or property owned a political subdivision of the State of Texas:

Name of Owner: City of Merkel.

Ground Disturbance:

This project involves ground-disturbing activities.

- The aerator installation at the WWTP will consist of two (2) poles in a diameter hole of 3 feet. There will also be 200 acres plowed to a depth of 6-8”.

Previous Land Use:

The WWTP and the farmland being used for waste disposal has been in place for years.

Historic Properties: Structures:

The project area or area of potential effects does not include buildings, structures, or designed landscape features (such as parks or cemeteries) that are 45 years of age or older.

The project area or area of potential effects is not within or adjacent to a property or district that is listed in or eligible for listing in the National Register of Historic Places.

There are no buildings, structures, and/or landscape features within the project area or area of potential effect that are 45 years of age or older.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

The facultative lagoon at the City of Merkel’s wastewater treatment plant (WWTP) aged and deteriorated, resulting in improper wastewater treatment and a threat to public health. The purpose of the project is to reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health.

Existing Conditions and Trends [24 CFR 58.40(a)]:

Merkel’s 2018 population was estimated to be 2,614, which is about 0.1% increase from the 2010 population of 2,590. The proposed improvements are not expected to affect population growth in the area.

The WWTP consists of a facultative lagoon and two stabilization ponds. The facultative lagoon is not providing adequate treatment due to sludge at the bottom. Improper treatment of the waste water is a potential health threat and may bring enforcement action by TCEQ.

9/01/20

Completing this project will help ensure the sewer system continues to function as designed.

Funding Information

Grant Number	HUD Program	Funding Amount
7220301	CDBG	\$275,000

Estimated Total HUD Funded Amount: \$275,000

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

Project will cost \$302,500 and will be paid for with \$275,000 in HUD CDBG grant funds administered by the Texas Department of Agriculture and \$27,500 in local funds.

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to Google Maps and a U.S. Military Air Bases map, the project is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. Review is in compliance with 24 CFR Part 51 Subpart D. (see Airport Hazards)
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	According to the GLO Coastal Barrier Map, the project is not located in a coastal barrier area. Review is in compliance with the Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]. (See Coastal Barriers)

<p>Flood Insurance</p> <p>Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to FEMA floodplain map #48441CD175F (effective date 1/6/12), a portion of one of the ponds and some of the property identified for possible sludge disbursement is within a 100 year floodplain (A).</p> <p>According to the project engineer, no work will occur within the floodplain as it is not allowed by TAC. Therefore, no work will occur within a floodplain which requires further action. See Floodplain Management</p> <p>The City of Merkel is participating in the National Flood Insurance Program. However, neither the Flood Disaster Protection Act of 1973 nor National Flood Insurance Reform Act of 1994 require this project to have insurance.</p> <p>Review is in compliance with the Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a] . (See Flood Insurance and Floodplain Management)</p>
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STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5

<p>Clean Air</p> <p>Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes No</p> <p><input type="checkbox"/> X</p>	<p>According to the EPA Texas County Nonattainment/Maintenance Status, Taylor County is not considered a Non-Attainment area for 8-Hour Ozone.</p> <p>Review is in compliance with the Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93. (See Clean Air)</p>
<p>Coastal Zone Management</p> <p>Coastal Zone Management Act, sections 307(c) & (d)</p>	<p>Yes No</p> <p><input type="checkbox"/> X</p>	<p>According to the GLO Coastal Zone Map, the project will not occur within a natural resource area (CNRAs).</p> <p>Review is in compliance with the Coastal Zone Management Act, sections 307(c) & (d). (See Coastal Zone Management)</p>
<p>Contamination and Toxic Substances</p> <p>24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No</p> <p><input type="checkbox"/> X</p>	<p>Onsite observation revealed no visual evidence of potential contaminated soil or the presence of hazardous facilities.</p> <p>After searching the following state/federal databases, potential sources of contamination which could pose a hazard or would restrict the intended uses of the property or to the occupants were identified:</p> <p>State Databases:</p> <ul style="list-style-type: none"> ● Industrial and Hazardous Waste (IHW); ● Petroleum Storage Tanks (PST); ● Leaking Petroleum Storage Tanks (LPST); ● Brownfield Site Assessments (BSA); ● State superfund (SF); ● Municipal Solid Waste Landfill Sites (MSWLF); and ● Radio Active Materials ● Superfund ● Voluntary Cleanup

		<ul style="list-style-type: none"> ● Closed and Abandoned Landfill Inventory (County). <p>Federal (NEPA Assist Databases):</p> <ul style="list-style-type: none"> ● National Priorities List (NPL); ● Resource Conservation and Recovery Act – Corrective Action (RCRAC); ● Resource Conservation and Recovery Act – Generator (RCRAG); ● Brownfield Management System (BF); ● Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) ● EPA - Cleanup Sites <p>Potential Sources of Contamination:</p> <ul style="list-style-type: none"> ● Three (3) RCRA facilities within 1 mile of the project site. ● One (1) CORRACTS facility within 1 mile of the project site. ● Two (2) LPST within ½ mile of the project site. ● One (1) PST on adjoining property to the project site. ● One (1) closed landfill within ½ mile of the Lift Station #1. <p>The City considered the necessity to have a ASTM Phase I Environmental Site Assessment completed and rejected the idea for the following reasons:</p> <ul style="list-style-type: none"> ● The RCRA facilities were all in compliance. ● The LPST's were inactive. ● The PST's were in compliance. ● There is no ground disturbance at Lift Station #1.
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		<ul style="list-style-type: none"> • There were no signs of contamination of the project area during an on-site review. • The project does not involve construction of a habitable structure. Therefore, if contaminants were present, exposure would be limited to excavation activities. <p>No impact from these facilities is expected.</p> <p>Review is in compliance with 24 CFR Part 50.3(i) & 58.5(i)(2).</p> <p>(See Contamination and Toxic Substances)</p>
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	On-site inspection, coordination with the USFWS and review of the TPWD County Species List revealed the following: USFWS: <u>Endangered Species:</u> There are a total of four (4) threatened (T), endangered (E) or Candidate (C) species that may occur or could potentially be affected by activities in the general project area. <ul style="list-style-type: none"> • Piping Plover (<i>Charadrius melodus</i>) • Red Knot <i>Calidris canutus rufa</i> • Sharpnose Shiner <i>Notropis oxyrhynchus</i> • Smalleye Shiner <i>Notropis buccula</i> <p>After review of the habitat requirements, it was determined that no habitat is present as all work will occur at existing wastewater facilities and in active agricultural fields which are regularly plowed.</p> <p><u>Critical Habitat:</u> None exists.</p> <p><u>Wildlife Refuges and Fish Hatcheries:</u> None exist.</p>

		<p><u>Wetlands in the National Wetlands Inventory:</u></p> <p>According to the USFWS Wetlands Inventory Map, a portion of one of the ponds are near designated wetland and some of the property identified for possible sludge disbursement contain identified wetlands.</p> <p>According to the project engineer, no work will occur within the wetland as it is not allowed by TAC.</p> <p>Mitigations would include all TAC requirements for land application. Which includes a 200ft buffer zone from the wetland or plowing sludge into the soil, and no sludge application on slopes greater than 8%.</p> <p>TPWD: <u>Migratory Birds</u></p> <p>The habitat for no migratory birds exists in the project area as all work will occur at existing wastewater facilities and in active agricultural fields which are regularly plowed. Therefore, there will be no impacts to migratory birds.</p> <p>The proposed project would have “no effect” on federally listed species or critical habitat and no impact on state-listed species.</p> <p>Review is in compliance with the Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402. (See Endangered Species)</p>
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<p>Explosive and Flammable Hazards</p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The proposed HUD-assisted project does not include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries) and does not include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion.</p> <p>Moreover, according to HUD, 24 CFR Part 51 Subpart C refers to habitable structures and does not apply to temporary workers. Therefore, this project is in compliance with 24 CFR 51 C.</p> <p>The review is in compliance with 24 CFR Part 51 Subpart C. (See Explosive and Flammable Hazards)</p>
<p>Farmlands Protection</p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project does not include activities that could convert agricultural land to non-agricultural land.</p> <p>Review is in compliance with the Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658. (See Farmlands Protection)</p>

<p>Floodplain Management</p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to FEMA floodplain map #48441CD175F (effective date 1/6/12), a portion of one of the ponds and some of the property identified for possible sludge disbursement is within a 100-year floodplain (A).</p> <p>According to the project engineer, no work will occur within the floodplain as it is not allowed by TAC. Therefore, no work will occur within a floodplain which requires further action.</p> <p>Review is in compliance with Executive Order 11988, particularly section 2(a); 24 CFR Part 55. (See Floodplain Management)</p>
<p>Historic Preservation</p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the Texas Historical Commission:</p> <p><u>Above-Ground Resources</u></p> <p>No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.</p> <p><u>Archeology Comments</u></p> <p>No identified historic properties, archeological sites, or other cultural resources are present or affected. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present.</p>

		<p>Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.</p> <p>According to the HUD Tribal Directory Assessment Tool, there are five (5) tribes with an interest in the County.</p> <p>Comment letters were sent out on June 8, 2021. No comments were received.</p> <p>Review is in compliance with the National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800. (See Historical Preservation)</p>
<p>Noise Abatement and Control</p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project does not involve a noise sensitive use such as a residential structure, school, hospital, nursing home, library, etc.</p> <p>Review is in compliance with the Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B. (See Noise Abatement and Control)</p>
<p>Sole Source Aquifers</p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes No</p> <p><input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>The project does not involve land use conversion. According to the EPA Sole Source Aquifer Map, the project is not near a sole source aquifer.</p> <p>Review is in compliance with the Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149. (See Sole Source Aquifers)</p>

Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the USFWS Wetlands Inventory Map, a portion of one of the ponds are near designated wetland and some of the property identified for possible sludge disbursement contain identified wetlands.</p> <p>According to the project engineer, no work will occur within the wetland as it is not allowed by TAC.</p> <p>Mitigations would include all TAC requirements for land application. Which includes a 200ft buffer zone from the wetland or plowing sludge into the soil, and no sludge application on slopes greater than 8%.</p> <p>Review is in compliance with Executive Order 11990, particularly sections 2 and 5. (See Wetlands Protection)</p>
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the Texas Wild and Scenic and Inventory Rivers map, the project is not within a one (1) mile proximity of a designated Wild, Scenic River; Study River or a river segment that potentially qualifies as a national wild, scenic or recreational river area.</p> <p>Review is in compliance with the Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c). (See Wild and Scenic Rivers)</p>
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>No adverse environmental impacts were identified in any other compliance review portion of this project's total environmental review.</p> <p>All work will occur at existing WWTP and existing cropland either owned by the City or within an easement.</p> <p>Review is in compliance with Executive Order 12898. (See Environmental Justice)</p>

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>Review of Google Maps and onsite photos indicated that the project is in conformance with local development plans and no special permit or change in zoning will be required as the project involves improving existing sewer facilities which are already in conformance with local plans.</p> <p>The project is in compliance with surrounding land uses and there will be no change in land use as the sewer facilities have been in existence for years.</p> <p>The project does not constitute an activity that would contribute to urban sprawl as it involves improving existing sewer facilities.</p> <p>There will be no long-term impact of the project on the visual character of its surroundings and ultimately, on the residents, users and/or visitors of the project as the project involves improving existing sewer facilities.</p>

<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>3</p>	<p>According to the National Seismic Hazard map, the project area is in a low hazard area.</p> <p>The project will not be affected by a high water table as construction activities will occur well above the water line.</p> <p>No unusual soil conditions were identified during an onsite review of the project area and there was no visible evidence of soil problems or filled ground.</p> <p>No soil studies have been conducted. However, the project engineer has determined that the soil is suitable for the project and unsuitable soil conditions are not expected to affect the project.</p> <p>The project involves sewer facility improvements within existing ROW and does not include activities that could convert agricultural land to non-agricultural land. Therefore, the project will not significantly affect soils that may be better suited for natural resource management activities such as farming, forestry, unique natural area preservation, etc.</p> <p>Onsite observations and review of on-site photos revealed no steep slopes as the project area is relatively flat.</p> <p>There was no visual indication of previous slides or slumps in the project area, such as tilted trees or fences, that would affect this project. Therefore the project will significantly affect or be affected by slope conditions.</p> <p>Onsite inspection revealed no evidence of sedimentation and standard erosion controls will be installed. Therefore, no erosion or sedimentation is expected to result from this project.</p> <p>Because the project may involve site clearance, the removal of soil and some native grasses, which could contribute to soil erosion, will likely occur.</p>
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		<p>Based upon on-site observation, there was no indication of cross-lot runoff or swales. There were also no indications of active rills, gullies or evidence of filled ground in the project area.</p> <p>The project involves improving existing sewer facilities which will not have an impact on stormwater disposal and treatment.</p> <p>There is no public storm sewer available in the project area. Instead, streets, bar ditches and culverts are utilized to control stormwater runoff.</p> <p>The project itself will not cause or substantially contribute to off-site pollution by stormwater run-off, leaching of chemicals, or other pollutants nor will it significantly affect or be affected by drainage and stormwater conditions as standard BMP's will be utilized.</p>
Hazards and Nuisances including Site Safety and Noise	3	<p>On-site observations, review of onsite photos and aerial photos revealed that the project will not be affected by natural hazards, but will be affected by man-made hazards during construction: (Above and Below Ground Utilities).</p> <p>No unusual conditions were found at the site and review of state and federal hazmat databases indicated that the site has not been used as a dump, sanitary landfill or mine waste disposal area.</p> <p>There was no indication of contaminated soil or, fill/vent pipes, pipelines, drainage structures and there are no air pollution generators which would adversely affect the site.</p> <p>The project will not be affected by any nuisances as it involves improving existing sewer facilities which have been in existence for years and does not constitute a place where people will live, study or work.</p> <p>The project itself is not a noise-generating facility in a noise-sensitive area. Therefore, no such facility will be affected by this project.</p>

		Potential negative impacts of Hazards and Nuisances will be reduced as state mandated dig tests will be performed as necessary..
Energy Consumption	3	The project does not involve constructing an energy using activity. However, during construction, energy consumption is expected to slightly increase, but should not significantly impact existing supplies.

Environmental Assessment Factor	Impact Code	Impact Evaluation
SOCIOECONOMIC		
Employment and Income Patterns	1	<p>The project involves improving existing sewer facilities which will result in no changes in employment and income patterns, will not significantly increase or decrease employment opportunities and will create conditions favorable to commercial, industrial or institutional operation or development by helping ensure adequate sewer service is available in affected neighborhoods in the community for potential employees.</p>
Demographic Character Changes, Displacement	2	<p>After reviewing project area photos, it was concluded that the project will not have a measurable effect on the demographic character of the area, will not severely alter residential, commercial or industrial uses and will not destroy or harm any community institution, such as a church.</p> <p>The proposed will not cause the relocation or displacement of any residence or business or adversely affect planned development, businesses, residences, or neighborhoods near the project area.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	<p>Based upon review of on-site and aerial photos, the project will not directly serve or be affected by educational or cultural facilities and according to Google Maps, no such facilities are located within the project area.</p> <p>Potential negative impacts will be reduced as appropriate site safety requirements and traffic controls will be added to contracts as necessary.</p>
Commercial Facilities	2	<p>The project includes sewer facility improvements which will not directly affect or be affected by commercial facilities and, according to Google Maps, no such facilities exist in the project area.</p>
Health Care and Social Services	2	<p>Based upon review of the contract performance statement, onsite photos and Google Maps, the project includes sewer system improvements which will not directly affect or be affected by health care or social services facilities and there are no such facilities in the general project area.</p>

Solid Waste Disposal / Recycling	3	<p>Based upon review of the contract performance statement, onsite photos and Google Maps, the project will not directly serve a solid waste facility and there are no such facilities in the project area.</p> <p>In addition, the project does not involve a housing or commercial development. Therefore, consideration of adequate solid waste disposal/recycling, as it pertains to these activities, does not apply.</p> <p>It is anticipated that waste associated with the project will be generated during construction. The contractor will be responsible for disposing of the waste in accordance to state laws, including those pertaining to hazardous materials.</p> <p>Due to the small amount of waste anticipated to be produced, existing landfill capacities in the area are expected to be adequate.</p>
Waste Water / Sanitary Sewers	1	<p>The project does not involve a housing or commercial development. Therefore, consideration of adequate sewer service, as it pertains to these activities, does not apply.</p> <p>As a result of the project, adequate sewer service will encourage commercial and residential sustainability and growth.</p>
Water Supply	1	<p>The project does not involve a housing or commercial development and will not directly serve a public safety facility. Therefore, water supply, as it pertains to these activities, does not apply.</p> <p>The project involves improving existing sewer facilities which could prevent raw sewage spills which could contaminate the water supply.</p>

Public Safety - Police, Fire and Emergency Medical	2	<p>The project does not involve a housing or commercial development and will not directly serve a public safety facility. Therefore, adequate police, fire and emergency medical access, as it pertains to these activities, does not apply.</p> <p>Review of onsite-photos and Google Maps indicated no public safety facilities in or near the general project area.</p>
Parks, Open Space and Recreation	2	<p>The project does not involve a housing development. Therefore, adequate access to parks, open space and recreation, as it pertains to housing, does not apply.</p> <p>According to on-site inspection and Google Maps no such facilities exist in the project area.</p>
Transportation and Accessibility	2	<p>The project does not involve a housing or commercial development. Therefore, adequate access to transportation facilities and parking, as it pertains to these activities, does not apply.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	<p>Review of Google Maps and onsite photos indicated that there are no natural features (bluffs or cliffs) or public or private scenic areas near the project site.</p> <p>According to the EPA Sole Source Aquifer Map, the project is not near a sole source aquifer.</p>
Vegetation, Wildlife	2	<p>The project will not create problems by introducing nuisance or non-indigenous species of vegetation that may be ecologically disruptive, be invasive, threaten survival of indigenous plant habitats, or disrupt agricultural or silvicultural activities as only native plants will be used.</p> <p>The project will not damage or destroy existing remnant or endemic plant communities, especially those containing nationally, regionally or locally rare species (e.g., prairie grasslands, ice-age disjuncts, local soil-type endemics, etc.) as none exist in the project area.</p> <p>The project will not damage or destroy plant species that are legally protected by state or local ordinances as none exist in the project area.</p> <p>There is no potential that the project will damage or destroy trees in the project area as there are no trees in the project area.</p> <p>The project will create special hazards for animal life as ground soil, native grasses and small trees which serve as habitat for some species, may be removed during construction. However, the disturbance is expected to be minimal and most affected animal life should be able to relocate on adjacent properties.</p> <p>The project will not impact migratory birds as their habitat does not exist in the project area.</p> <p>The project site does not host species that are monitored or listed by local, state, tribal or the federal government.</p>

		<p>The project will not damage or destroy existing wildlife habitats (e.g., removal or blockage of wildlife corridors, such as a riparian buffer) as none exist in the project area.</p> <p>The project will not include excessive grading that will alter the groundwater level and thus cause death of trees and ground cover which in turn diminishes animal habitat as no such grading is included in this project.</p> <p>The project will not damage game fish habitat or spawning grounds as none exist in the project area.</p> <p>During construction, storm drainage could be disrupted. However, any disruption is expected to be minimal as drainage controls will be incorporated into the construction contract where needed.</p> <p>The project will not create conditions favorable to the proliferation of pest species as it is anticipated that only native plants/soils will be utilized in the project as native grasses and landscaping will be utilized.</p> <p>The project will not create conditions (e.g., generate excessive noise or introduce pesticide usage) that could harm or harass wildlife species that are nationally, regionally or locally rare or protected by state or local ordinance as none exist in the project area.</p>
Other Factors		None Identified.

Additional Studies Performed: None

Field Inspection (Date and completed by): Morgan Verette, Public Management, Inc. - 3/2/21

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

Sources:

- US Census
- Google Maps
- Aerial Photos
- Onsite Observation
- Military Bases in the Continental United States
- General Land Office Coastal Barrier Map
- NEPA Assist
- Closed and Abandoned Landfills - Regional COG
- TCEQ - CQR
- General Land Office Coastal Zone Map
- USFWS IPAC Report and Official Species List
- TPWD County Species List
- FEMA floodplain map
- HUD Tribal Directory
- EPA Sole Source Aquifer Map
- USFWS Wetland Mapper
- Texas Wild and Scenic and Inventory Maps
- National Seismic Hazard Map

Agencies:

- USFWS - 6/15/21
- Texas Historical Commission - 6/4/21
- Apache Tribe of Oklahoma - 6/8/21
- Comanche Nation, Oklahoma - 6/8/21
- Delaware Nation, Oklahoma - 6/8/21
- Tonkawa Tribe of Indians of Oklahoma - 6/8/21
- Wichita and Affiliated Tribes - (Wichita, Keechi, Waco & Tawakonie), Oklahoma - 6/8/21

List of Permits Obtained:

- None

Public Outreach [24 CFR 50.23 & 58.43]:

The public was given the following opportunities to comment:

- During Application Process
- During FONSI comment period (July-August 2021)

Cumulative Impact Analysis [24 CFR 58.32]:

Project Size and Beneficiaries

The total area of disturbance will be 200 acres and will impact two thousand five hundred seventy (2,570) persons, of which one thousand three hundred ninety (1,390) or fifty-four percent (54%) are of low- to moderate-income.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

BUILD

- 1. Address sewer facilities in a different area of the City.** The City considered addressing different sewer facilities in the City and concluded that those identified in this project are the most critical to address. However, it is possible that additional sewer facilities will be replaced if funding allows, but a reevaluation of the environmental assessment would be required. (viable if adequate funding becomes available)

BUILD/PROPOSED

- 2. Construct the project as proposed.** The City has determined that the project, as proposed, is the best solution to the sewer issue. (viable)

No Action Alternative [24 CFR 58.40(e)]:

- 3. A no action alternative was considered.** The sewer system is currently not functioning properly and could pose a health hazard to the community if not addressed. (Not Viable)

Summary of Findings and Conclusions:

Resource Study Area

Based on review of the performance statement in the grant contract with TDA, the relevant resource study area (RSA) is the City of Merkel and the area served by the sewer system to be improved with this project.

The Context

The project area is within an agricultural area of the community. The WWTP work will occur within existing ROW and the land application will require no acquisition. The sewer system is owned and operated by the City.

The City shall lower sludge levels in the facultative lagoon to reduce the threat to public health. The City shall install aeration equipment, electrical controls and all associated appurtenances. If the pond can be drained it will be removed with a loader. If the pond cannot be drained the sludge will be pumped out using specialized pumping equipment and allowed to dry. Then it will be loaded onto a truck and hauled to the application site and spread uniformly.

With the aid of federal grant funds, the City has been able to upgrade other infrastructure in the City. In addition, planning studies have been commissioned which will help the City better allocate their funds for such projects.

Cumulative Effects

The project will have direct or indirect impacts to the following:

- Sewer service
- Public Health

Using a trends method to analyze the cumulative effects on the resources over time along with consultation with federal, state authorities, the City and the project engineer, the effect or cumulative stresses was determined for the RSA.

- Sewer service
 - The WWTP should be able to stay in compliance with TCEQ permit requirements.
- Public Health
 - Proper wastewater treatment will help ensure any clean discharge that meets TCEQ permit requirements.

Foreseeable Actions

It has been determined that addressing the sewer system in the project area will occur.

Conclusion

It was concluded that the project will have minimal cumulative impacts to the resources within the RSA, given past, current, and reasonably foreseeable actions. It was determined that, as proposed, the project will result in no significant impact to the environment.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Endangered Species	<ul style="list-style-type: none">• Mitigations must include all TAC requirements for land application which includes a 200ft buffer zone from the wetland or plowing sludge into the soil, and no sludge application on slopes greater than 8%.
Historic Properties	<ul style="list-style-type: none">• Above-Ground Resources: If historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties. TDA should also be contacted.• Archeology Comments: If cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains. TDA should also be contacted.
Floodplain Management	<ul style="list-style-type: none">• No work may occur within a floodplain.
Wetlands Protection	<ul style="list-style-type: none">• No work may occur within or impact a wetland.• A 200ft buffer zone from the wetland or plowing sludge into the soil, and no sludge application on slopes greater than 8% must be established.

The Mayor and staff will assure that this plan, as modified and described above, is executed and necessary language will be included in all agreements with participating parties. These parties will also take an active role in monitoring the construction process to ensure no unnecessary impacts occur nor unnecessary risks are taken.

Determination:

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: 7/16/2021

Name/Title/Organization: Todd Cave, Cave Consulting, Inc.

Certifying Officer Signature: _____ Date: 7/19/2021

Name/Title: Mary Schrampfer, Mayor

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Project Information



city of merkel texas 2018 population



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About 2,430,000 results (0.83 seconds)

Merkel / Population (2018)

2,614 (2018)



Sources include: United States Census Bureau

[Feedback](#)



[Explore more](#)



city of merkel texas 2010 population



All



News



Images



Maps



Videos



More

Tools

About 1,380,000 results (0.71 seconds)

2,590

Merkel is a **town** in Taylor County, **Texas**, United States. The **population** was 2,590 at the **2010 census**.



[https://en.wikipedia.org > wiki > Merkel,_Texas](https://en.wikipedia.org/wiki/Merkel,_Texas)

[Merkel, Texas - Wikipedia](https://en.wikipedia.org/wiki/Merkel,_Texas)



About featured snippets



Feedback



Todd Cave <todd@caveconsulting.com>

Merkel – 7220301 - WWTP - CE

Morgan Verette <mverette@publicmgt.com>
To: Todd Cave <todd@texasenvironmentals.com>

Wed, Jun 2, 2021 at 4:40 PM

Todd, please see below from the engineer.

Not sure if plowing a cultivated field qualifies as a ground disturbance? We will have up to 200 acres plowed to a depth of 6-8".

Ground disturbance will not take place at the WWTP.



Morgan Verette
Project Manager
Public Management, Inc.
P.O. Box 4161
Abilene, Texas 79608
682-205-1058 xt33
Planning | Financing | Management

[Quoted text hidden]

Description and Budget

EXHIBIT A
PERFORMANCE STATEMENT
CITY OF MERKEL

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income (LMI) persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the target area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The facultative lagoon at the City of Merkel's wastewater treatment plant (WWTP) aged and deteriorated, resulting in improper wastewater treatment and a threat to public health.

The Contractor certifies that the activity (ies) carried out under this contract will meet the National Objective of benefitting LMI persons with at least 51% of the beneficiaries qualifying as LMI.

ACTIVITIES

Water/Sewer Improvements Contractor shall reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health. Contractor shall conduct sludge removal, install aeration equipment, electrical controls and all associated appurtenances. Installation shall take place at the wastewater treatment plant located at 318 County Road 682, Merkel, Texas.

These activities shall benefit two thousand five hundred seventy (2,570) persons, of which one thousand three hundred ninety (1,390) or fifty-four percent (54%) are of low- to moderate-income.

Engineering

Contractor shall ensure that the amount of Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

General Administration

Contractor shall ensure that the amount of Department funds expended for all eligible project-related administration activities, including the required annual program compliance and fiscal audit does not exceed the amount specified for administration in the Budget.

EXHIBIT B
BUDGET
CITY OF MERKEL

<u>Project Activities</u>	<u>Contract Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
03J Water/Sewer Improvements - Total	\$244,750	\$27,500	\$272,250
Water/Sewer Improvements-Construction	\$205,250	\$27,500 ¹	\$229,750
Water/Sewer Improvements-Engineering	\$39,500	\$0	\$39,500
21A General Program Administration - Total	\$30,250	\$0	\$30,250
TOTALS	\$275,000	\$27,500	\$302,500

Source of Other Funds:
1 – City of Merkel, General Fund

DS
SB

COMMUNITY NEEDS ASSESSMENT

LIST OF ALL IDENTIFIED COMMUNITY NEEDS / PROBLEMS

Community Need	Specific Project to Address Need
1. Facultative lagoon has sludge build up	Install aeration equipment to reduce sludge
2. Aging outfall line to sewer plant	Replace outfall line
3. Loss of water and pressure in distribution system	Replace 2" lines and loop the system
4. Lack of community planning	Prepare studies to reach community development objectives

COMMUNITY NEEDS ASSESSMENT QUESTIONNAIRE:

Describe the jurisdiction's current supply of affordable housing (Public Housing, Section 8 assisted, RHS assisted, HOME program assisted, TDHCA assisted, Local Housing Development Corp. assisted, etc.).

The Housing Authority of Merkel administers both public housing and Section 8 voucher program. The housing authority owns and manages 1 project which contains 24 affordable rental units. It also administers 20 Section 8 housing vouchers.

Describe the applicant's past efforts to increase the supply of affordable housing.

Modernization of PHA units; HOME program 9 units (owner-occupied).

Describe any future efforts that the applicant plans to undertake to increase the supply of affordable housing.

None identified.

Describe any instances where the applicant has applied for affordable housing funds and did not receive the funding.

None

Describe any instances, within the past five years, where the applicant has not accepted funds for affordable housing.

None

Describe the applicant's efforts, within the past three years, to provide infrastructure improvements through the issuance of general obligation or revenue bonds.

The City has not used general obligation or revenue bonds in recent years. Infrastructure improvements have been financed through local revenues, certificates of obligation and RD/TWDB loans.

FAIR HOUSING ACTIVITIES

Any locality receiving TxCDBG monies must certify that it will affirmatively further fair housing. Using the below drop-down box, please identify the activities presently undertaken to affirmatively further fair housing and which new activities will be undertaken if an award is made by TxCDBG. Localities should be aware that, in the event of funding, these fair housing efforts will be monitored. Other activities may be eligible, and the applicant should contact TDA to determine eligibility.

Activity(ies)				
Passing a Fair Housing Ordinance	Undertaken	<input checked="" type="checkbox"/>	To be Undertaken	<input type="checkbox"/>
Establishing a local complaint and monitoring process	Undertaken	<input checked="" type="checkbox"/>	To be Undertaken	<input type="checkbox"/>
Designating a Fair Housing Month	Undertaken	<input type="checkbox"/>	To be Undertaken	<input checked="" type="checkbox"/>

CITIZEN PARTICIPATION DETERMINED THE NEEDS IN THIS APPLICATION BY:

Did the applicant provide reasonable advance notice for citizen participation?

☒ Yes ☐ No

List all opportunities where citizens, especially low-to-moderate income citizens of the target area, were given to participate in the determination of these needs:

Assessment Type: Public Hearing

Assessment Date: 1/28/2019

Date of resolution authorizing application submission: 2/28/2019

DESCRIPTION OF THE NEED(S) ADDRESSED IN THIS APPLICATION

Provide a brief description of the needs addressed in this application. Identify the service(s) / problem(s) being addressed. Describe the problem(s) in terms of deficiencies.

The City of Merkel is served by a waste water treatment plant (WWTP) with an aged and deteriorated facultative lagoon, resulting in a potential threat to public health.

PROJECT SUMMARY

The Project Summary consists of 4 parts **for each target area and/or activity**: 1) Summarize Problem(s) and 2) Location and acquisition 3) Detailed Actions to address Problems and 4) Disclosure of non-TxCDBG funds.

1. Summarize the problem(s) to be addressed within the application by target area.

The WWTP consists of a facultative lagoon and two stabilization ponds. The facultative lagoon is not providing adequate treatment due to sludge at the bottom. Improper treatment of the waste water is a potential health threat and may bring enforcement action by TCEQ.

2. Identify the location of each activity/target area and any acquisition activity.

The spelling and capitalization of the Target Area name(s) listed here must match Table 1. e.g. "Green Acres" should not appear elsewhere as "green acres subdivision".

Target Area

City-wide, City of Merkel, Tx

Activity

Sewer Improvements (O3J)

On:

From:

To:

-OR-

Provide a brief description of the location of the activity/target area.

The WWTP is on CR700, Northeast of the City, Merkel, Taylor County, Texas

Has acquisition of the project site(s) been completed, in progress or will need to be acquired? ☐ Yes ☒ No

3. Identify the action(s) to resolve the problem(s) and their anticipated outcomes. Include specific materials and quantities.

The City shall lower sludge levels in the facultative lagoon to reduce the threat to public health. The City shall install aeration equipment, electrical controls and all associated appurtenances. These activities shall benefit two thousand five hundred seventy (2570) persons, of which one thousand three ninety (1390) or fifty-four percent (54%) are low to moderate income.

4. Disclose source(s) and use(s) of **non-TxCDBG** funds:

Source of Funds	Amount	Use of Funds	
City of Merkel	\$27,500.00	Construction activities	x

ADDITIONAL PROJECT INFORMATION

1. Are there any persons with a reportable financial interest to disclose? ☒ Yes ☐ No

Full Name	Amount	Interest Type	SAM Exp. Date	
A & J Howco Services Inc.	\$30,250.00	Grant Administration Services	8/30/19	x
Jacob & Martin Ltd	\$39,500.00	Engineering Services	11/28/19	x

2. Is any Force Account labor (construction, engineering and/or administrative) anticipated for completion of the project as grant and/or match? ☐ Yes ☒ No

TABLE 1 Add a separate Target Area for each activity or colonia target area.

Identify ALL activities and beneficiaries for the entire application below. Refer to the Application Guide for instructions.

Target Area Name: City-Wide, City of Merkel, Taylor County, Texas											
Activity Description	Act #	Ttl Benes	LMI Benes	LMI%	TxCDBG Const.	TxCDBG Eng.	TxCDBG Acq.	Other Const.	Other Eng.	Other Acq.	Activity Total
Sewer Improvements	03J	2,570	1,390	54.09	205,250	39,500	0	27,500	0	0	272,250
General Program Administration (use Construction columns)	21A	2,570	1,390	54.09	30,250	0	0	0	0	0	30,250
TARGET AREA SUBTOTALS:		2,570	1,390	54.09%	235,500	39,500	0	27,500	0	0	302,500
APPLICATION TOTALS:		2,570	1,390	54.09%	235,500	39,500	0	27,500	0	0	302,500

County Code	Census Tract (6 digit)	1	2	3	4	5	6	7	8	9	10
441	0136.00	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Beneficiary Identification InformationAre any of the beneficiaries receiving a direct benefit? (e.g. First-time Service)? ☐ Yes ☒ No☐ A TxCDBG survey was used to identify beneficiaries for this activity.☒ LMISD information was used to identify beneficiaries for this activity. ☒ City-wide Benefit ☐ County-wide Benefit ☐ Other Census Designated Unit

Provide the number of beneficiaries identified through each of the following methods for this activity:

TxCDBG Survey: 0 LMISD Data: 2,570 Area Benefit: 0 Housing Activity: 0 Limited Clientele: 0

TABLE 2 - BUDGET JUSTIFICATION OF RETAIL COSTS

Activity Description	HUD Act #	Materials/Facilities/Services	\$/Unit	Unit	Quantity	Construction	Acquisition	Total
Sewer Improvements	03J	Mixing & Aeration Equipment	\$200,000.00	LS	1	\$200,000	\$0	\$200,000
Sewer Improvements	03J	Electrical and Controls	\$32,750.00	LS	1	\$32,750	\$0	\$32,750
						\$232,750	\$0	\$232,750



James A. Phillips
 Signature of Registered Engineer/Architect Responsible For Table 2

2/18/19

Date:

(325) 695-1070

Phone Number

aphillips@jacobmartin.com

Email

Justification for the identified project service area.

The proposed project will benefit the sewer customers by improving the ability of the WWTP to meet effluent limits.

Location Maps / Drawings

Merkel – 7220301 - WWTP - CE-E...
33 views

All changes saved in Drive

Add layer

Share

Preview

WWTP Improvements

Individual styles

Land Application Site 1

Land Application Site 2

Land Application Site 3

Land Application Site 4

Aerator/Mixer Installation

SCADA (if funds allow)

Individual styles

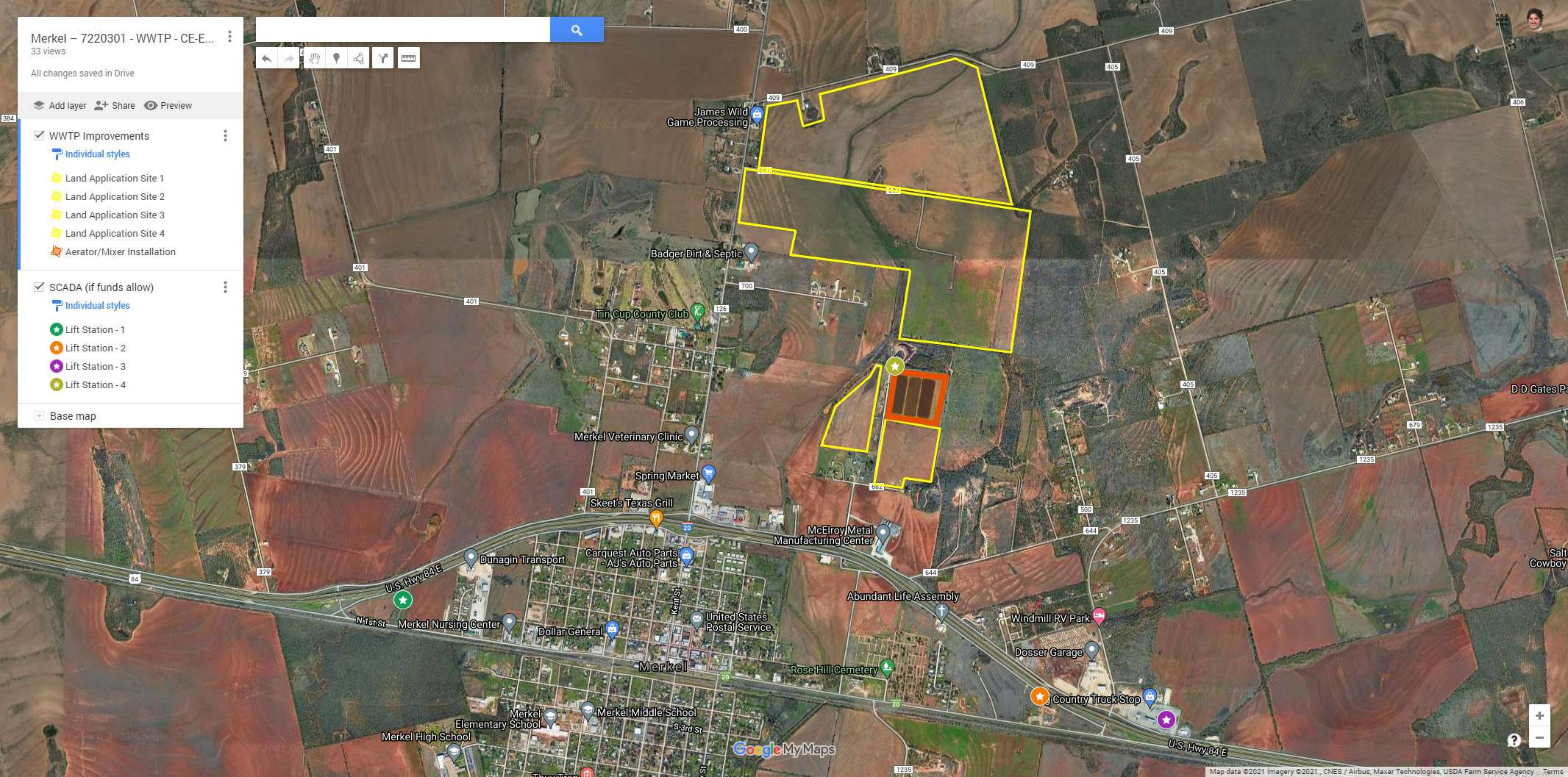
Lift Station - 1

Lift Station - 2

Lift Station - 3

Lift Station - 4

Base map



Merkel – 7220301 - WWTP - CE-E...
33 views

All changes saved in Drive

Add layer

Share

Preview

✓ WWTP Improvements

Individual styles

Land Application Site 1

Land Application Site 2

Land Application Site 3

Land Application Site 4

Aerator/Mixer Installation

✓ SCADA (if funds allow)

Individual styles

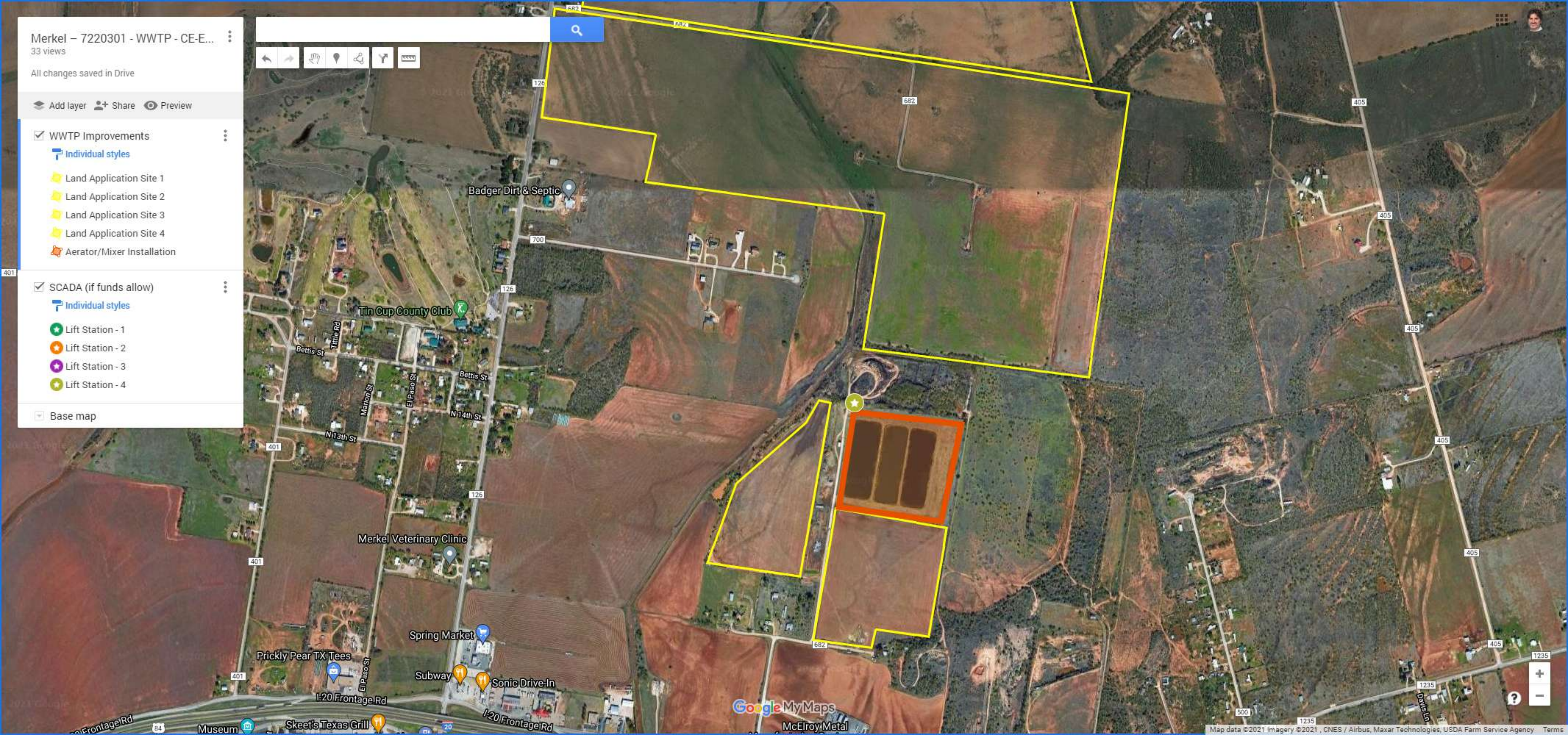
Lift Station - 1

Lift Station - 2

Lift Station - 3

Lift Station - 4

Base map



Merkel – 7220301 - WWTP - CE-E...
33 views

All changes saved in Drive

Add layer

Share

Preview

WWTP Improvements

Individual styles

Land Application Site 1

Land Application Site 2

Land Application Site 3

Land Application Site 4

Aerator/Mixer Installation

SCADA (if funds allow)

Individual styles

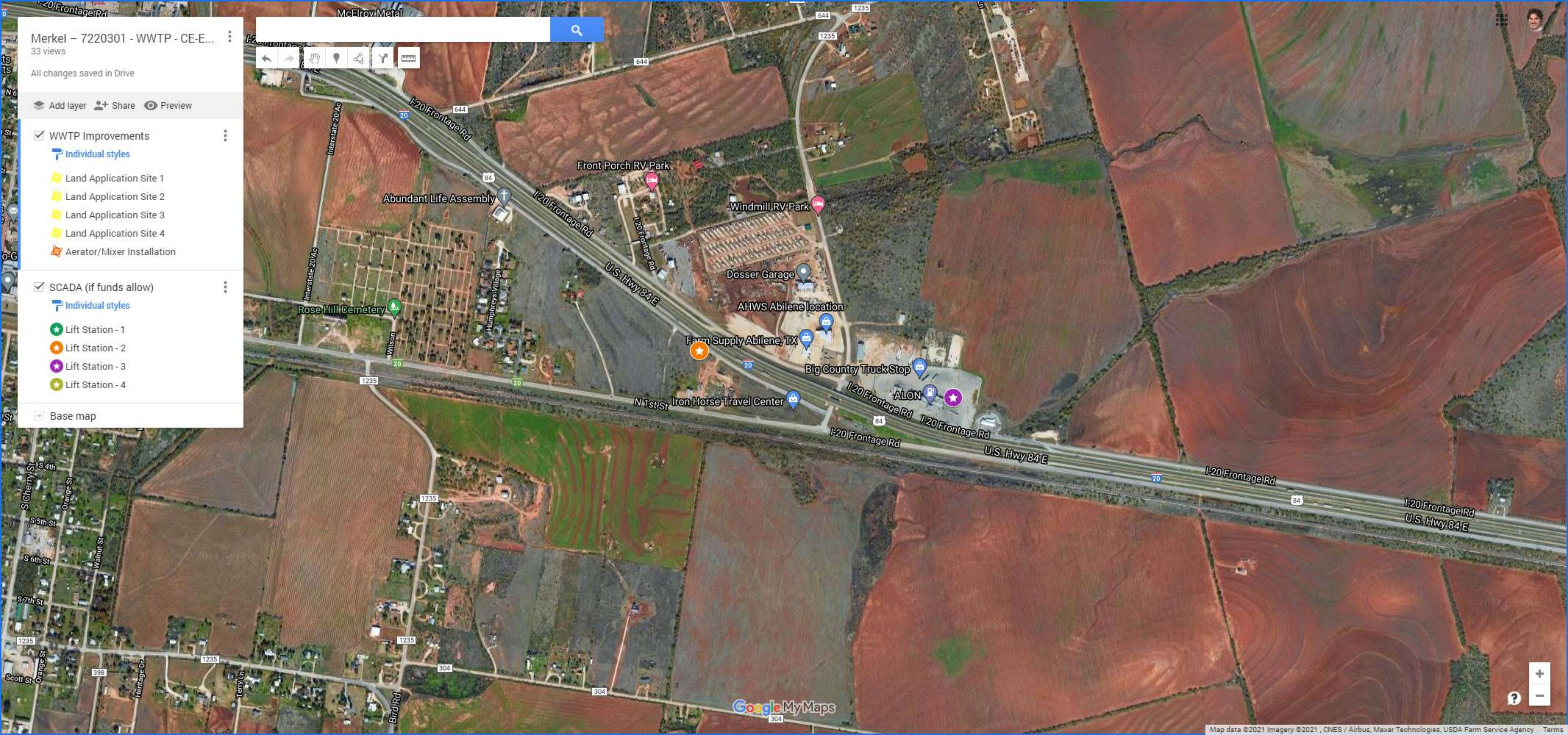
Lift Station - 1

Lift Station - 2

Lift Station - 3

Lift Station - 4

Base map



Merkel – 7220301 - WWTP - CE-E...
33 views

All changes saved in Drive

Add layer

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WWTP Improvements

Individual styles

Land Application Site 1

Land Application Site 2

Land Application Site 3

Land Application Site 4

Aerator/Mixer Installation

SCADA (if funds allow)

Individual styles

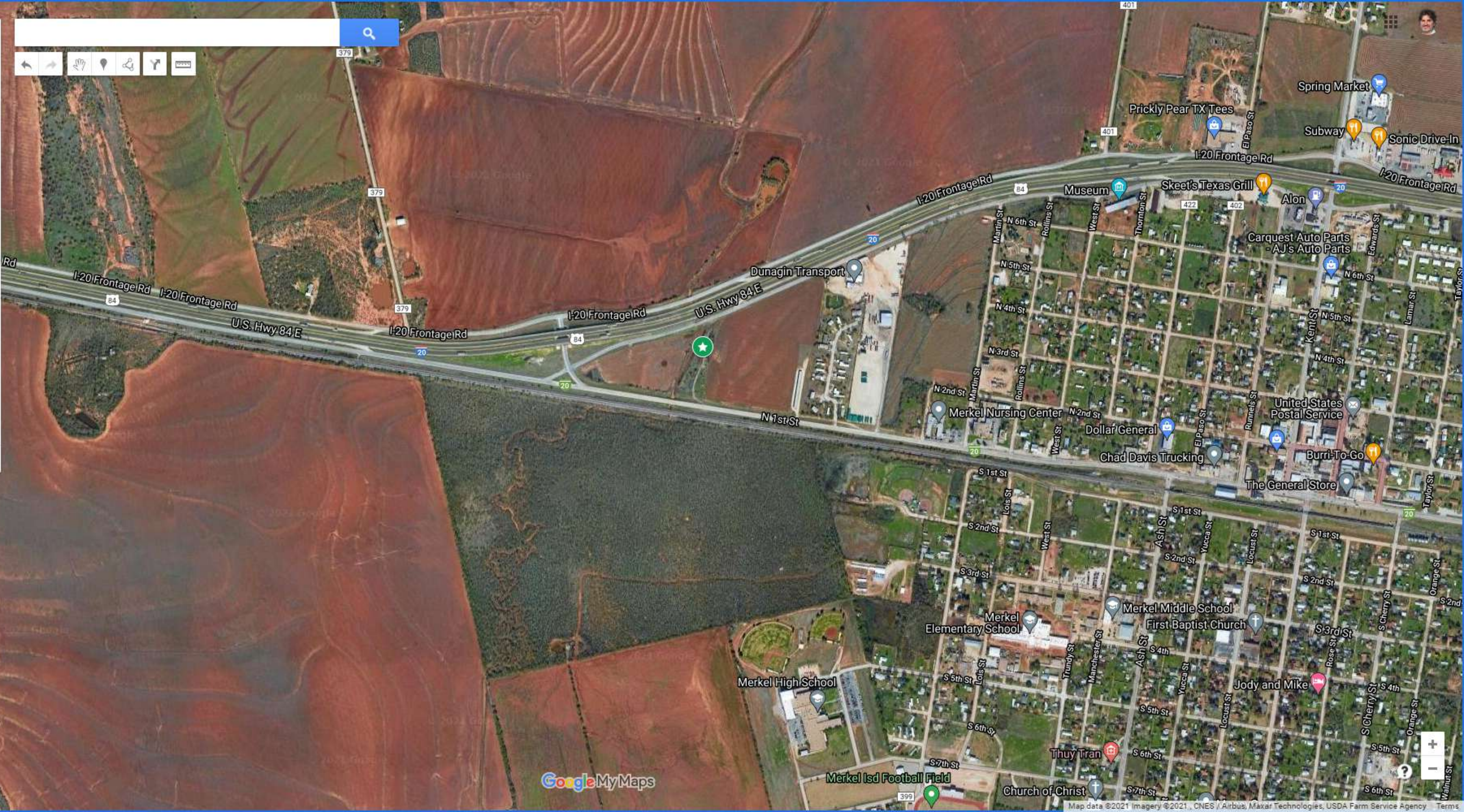
Lift Station - 1

Lift Station - 2

Lift Station - 3

Lift Station - 4

Base map



Merkel – 7220301 - WWTP - CE-E...
33 views

All changes saved in Drive

Add layer

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Preview

☒ WWTP Improvements

Individual styles

Land Application Site 1

Land Application Site 2

Land Application Site 3

Land Application Site 4

Aerator/Mixer Installation

☒ SCADA (if funds allow)

Individual styles

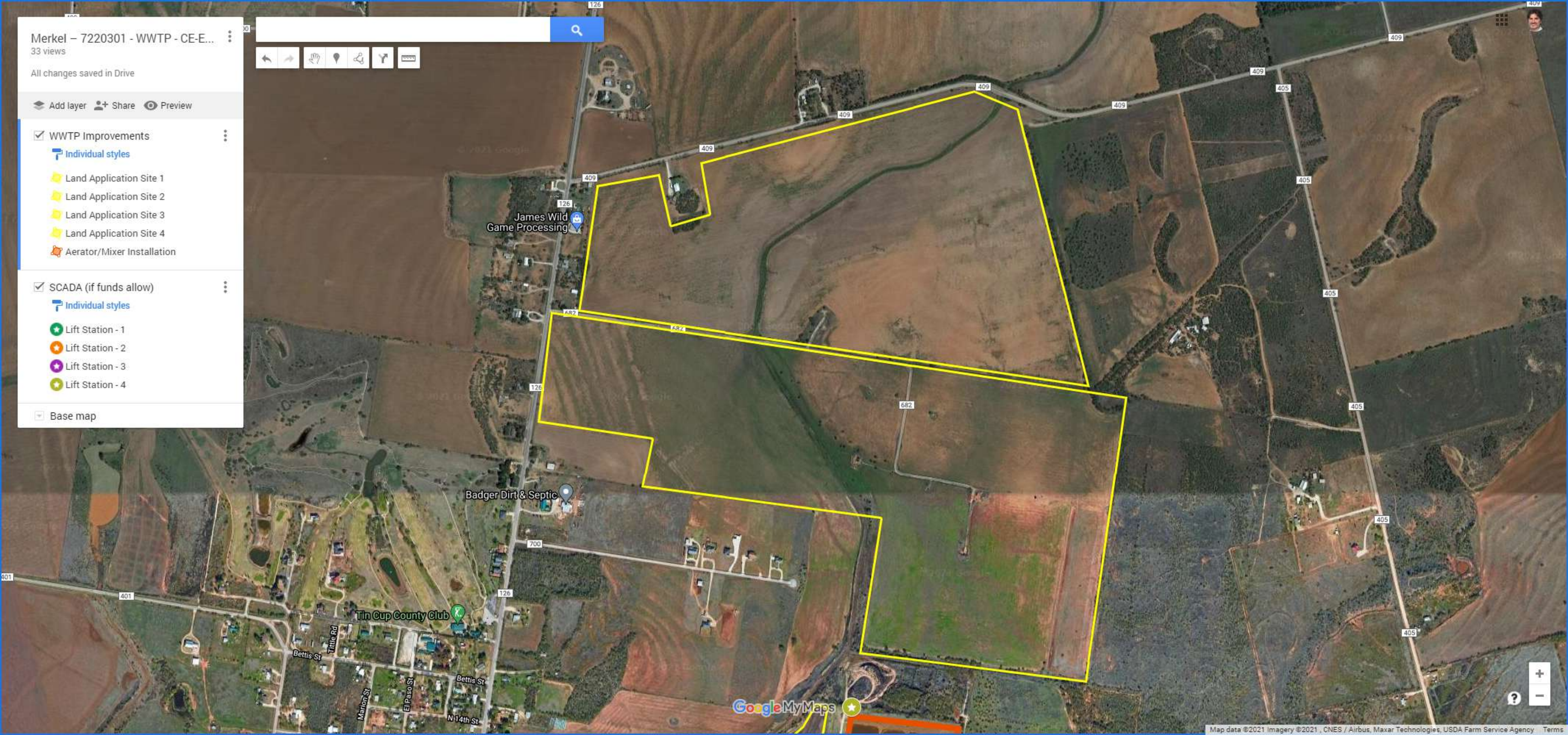
Lift Station - 1

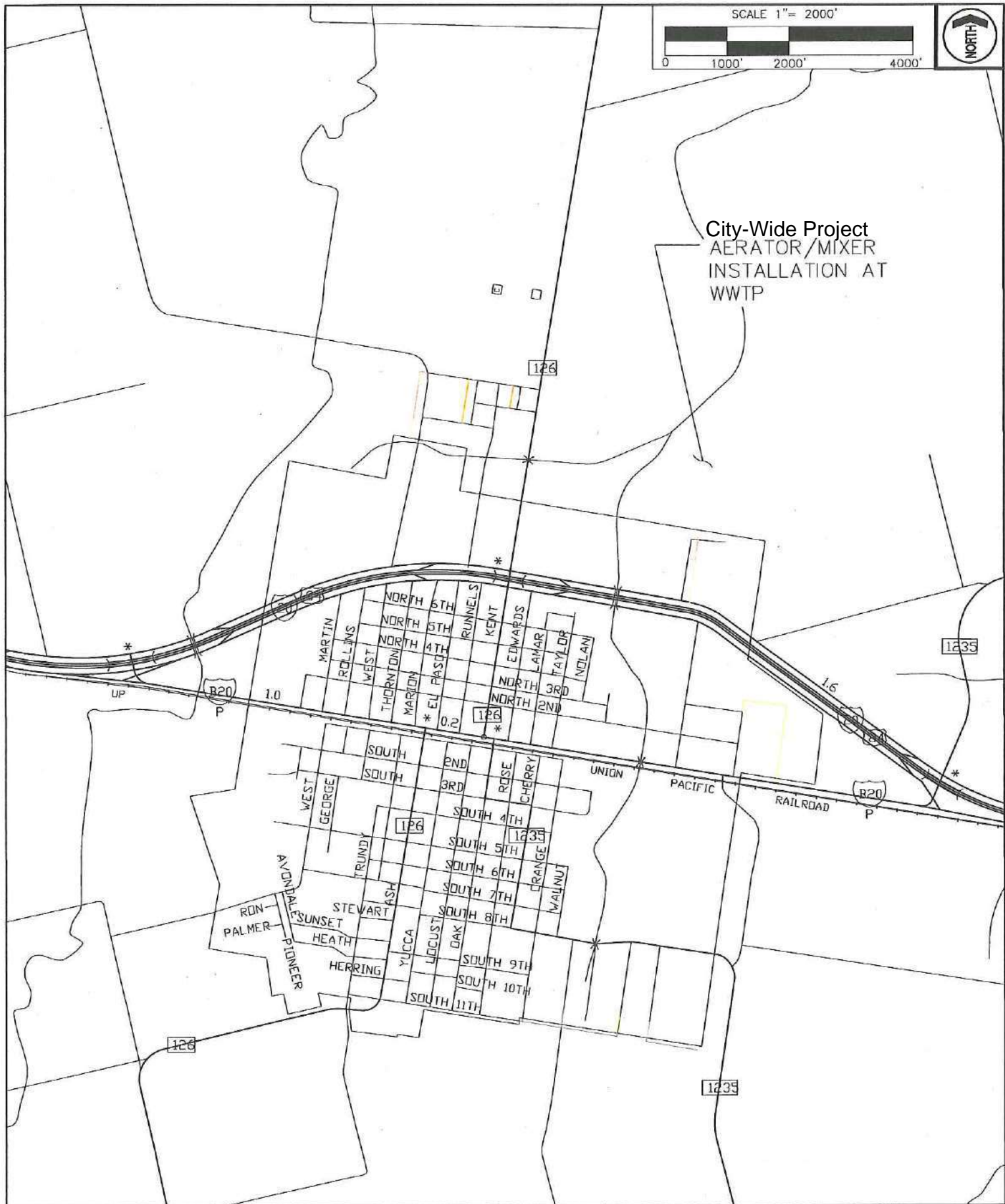
Lift Station - 2

Lift Station - 3

Lift Station - 4

☐ Base map





City-Wide Project
AERATOR/MIXER
INSTALLATION AT
WWTP

SCALE	1" = 2,000'
PROJECT #	19114
DESIGNED	
DRAWN	JAP
CHECKED	JAP

CITY OF MERKEL
2019/2020 TDA-CDBG APPLICATION

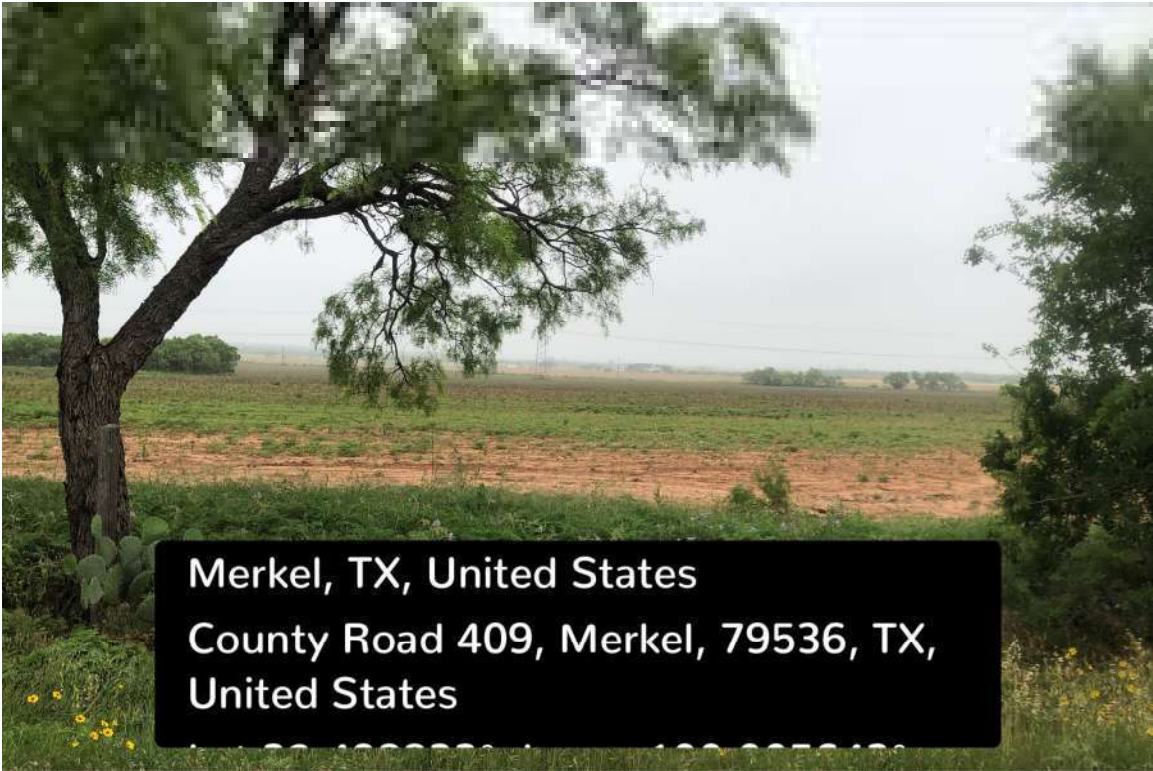
PROJECT MAP



3465 CURRY LANE
ABILENE, TX 79606
325-695-1070
1509 SANTA FE DR, STE 204
WEATHERFORD, TX 76086
817-594-9660
FIRM# F-2448

Pictures

CR 409 looking South





Merkel, TX, United States
County Road 409, Merkel, 79536, TX,
United States



Merkel, TX, United States
Merkel, 79536, TX, United States
Lat 32.483146°, Long -99.999428°
03/02/21



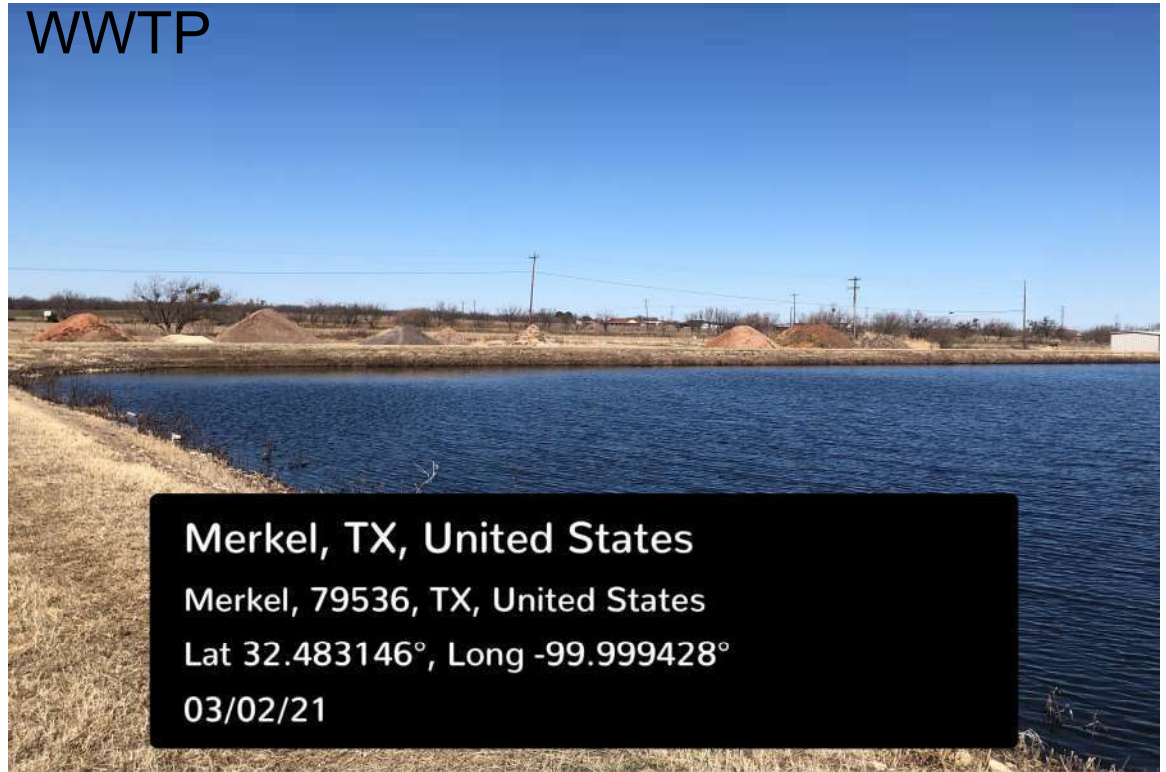
Merkel, TX, United States
County Road 409, Merkel, 79536, TX,
United States



Merkel, TX, United States
Merkel, 79536, TX, United States
Lat 32.483146°, Long -99.999428°
03/02/21



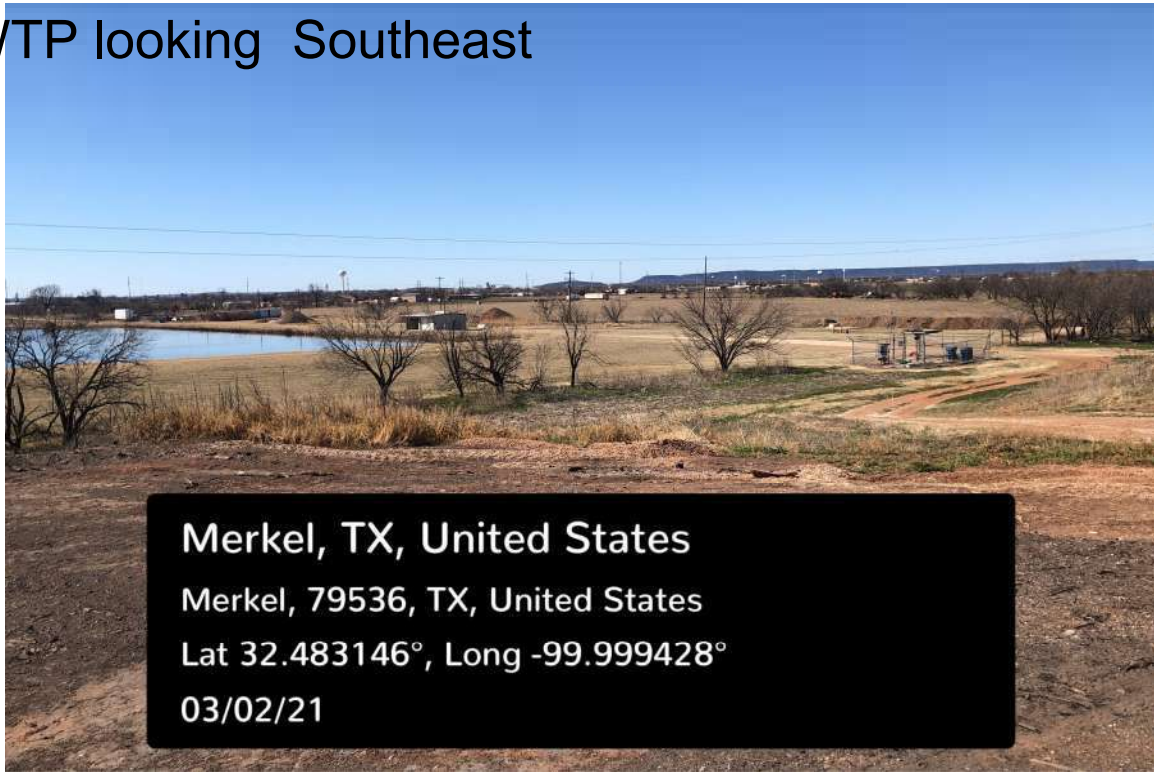
Merkel, TX, United States
Merkel, 79536, TX, United States
Lat 32.483146°, Long -99.999428°
03/02/21



WWTP

Merkel, TX, United States
Merkel, 79536, TX, United States
Lat 32.483146°, Long -99.999428°
03/02/21

WWTP looking Southeast



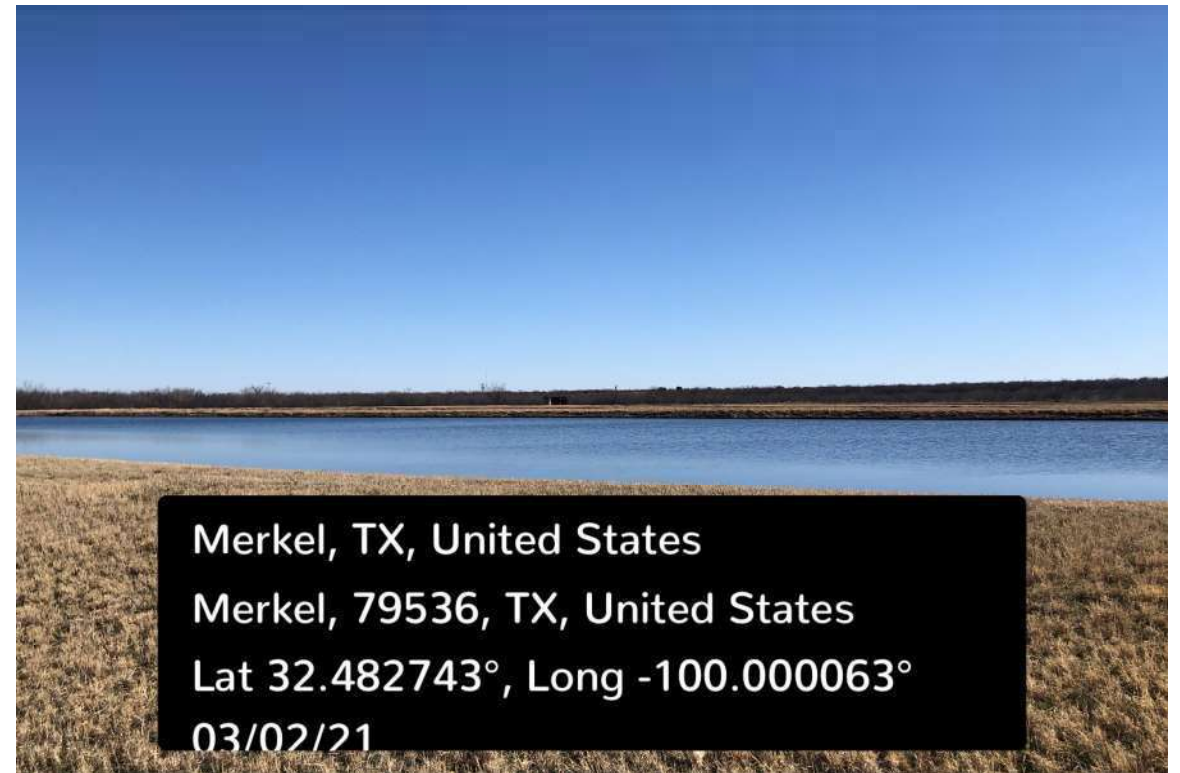
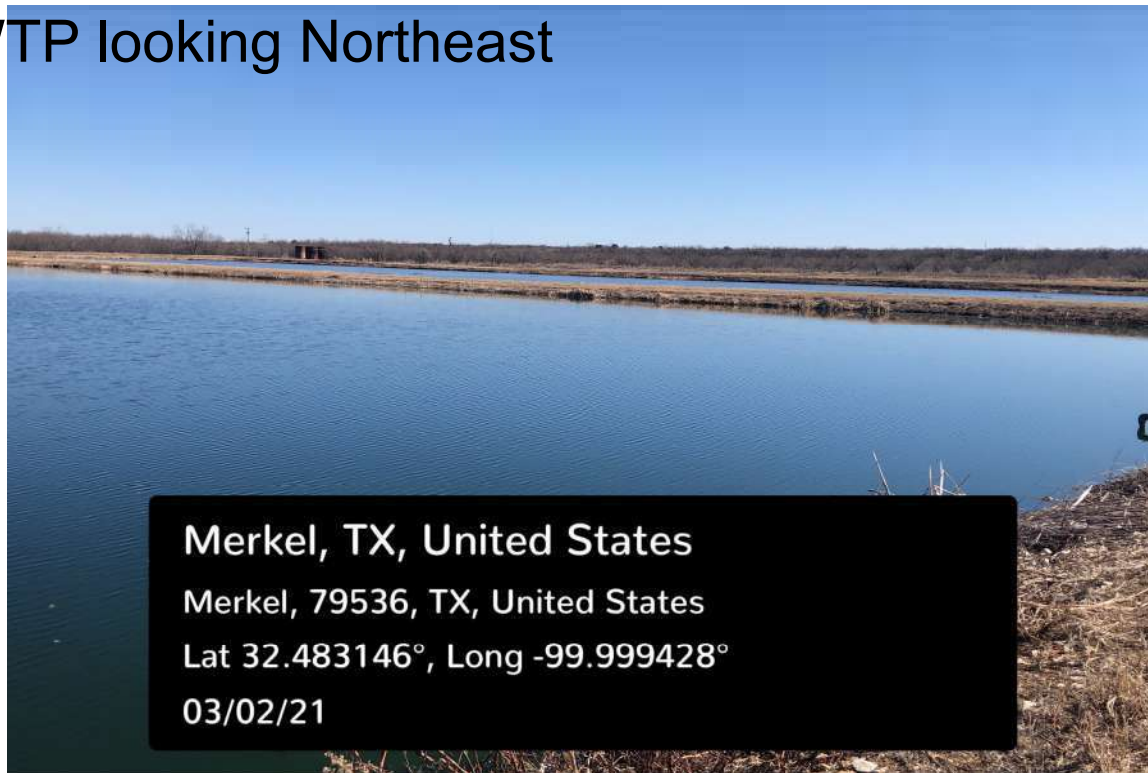
Merkel, TX, United States
Merkel, 79536, TX, United States
Lat 32.483146°, Long -99.999428°
03/02/21

WWTP Looking Southeast

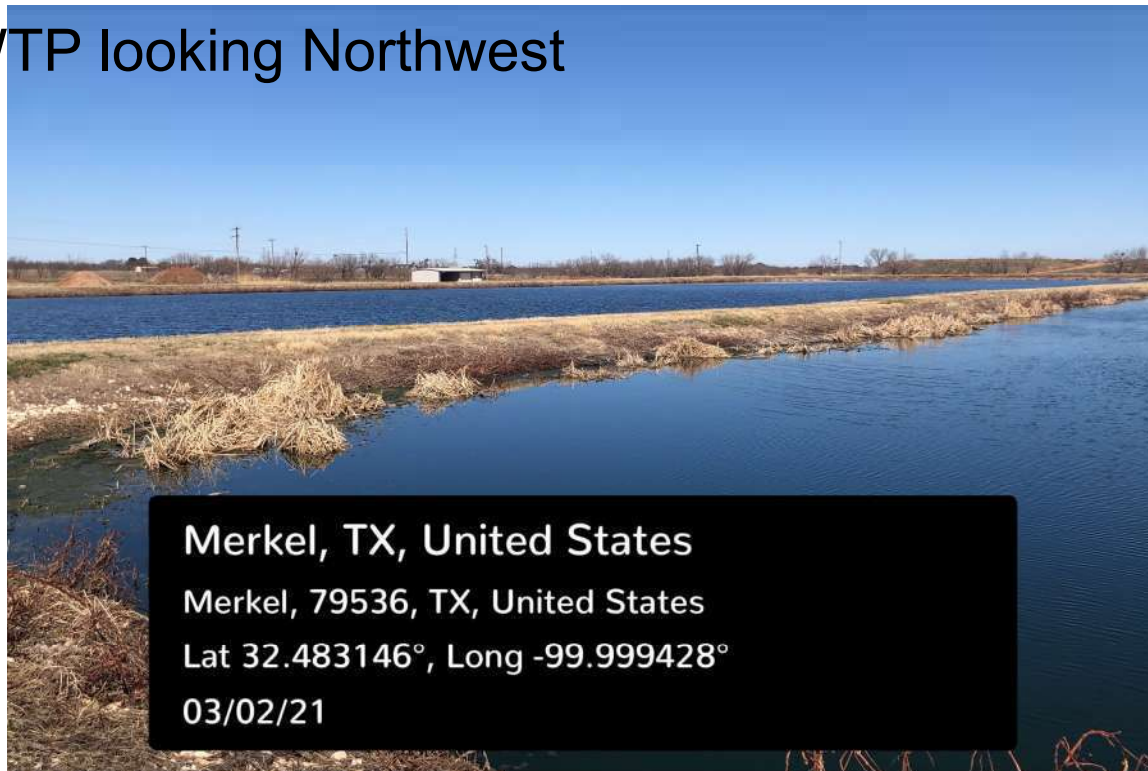


Merkel, TX, United States
Merkel, 79536, TX, United States
Lat 32.483146°, Long -99.999428°
03/02/21

WWTP looking Northeast



WWTP looking Northwest



WWTP looking North



WWTP looking West



WWTP looking South





Merkel, TX, United States

Merkel, 79536, TX, United States

Lat 32.482743°, Long -100.000063°

03/02/21

WWTP looking East



Merkel, TX, United States

Merkel, 79536, TX, United States

Lat 32.482743°, Long -100.000063°

03/02/21

On-Site Checklist

Field Observation Report

Project Name: Merkel #7220301

ERR #: 7220301

Date of Field Visit: 3/2/2021

General Information

County	Taylor
City	Merkel, TX
GPS Site Location	

Ecological Site Information

General site description (residential, commercial, forested, grassland, etc.):

Grassland

Water bodies present? If yes, describe (pond, lake, creek, river, wetland, etc.):

No

Special or unique vegetation features?

No

Special wildlife habitat?

None

Observed wildlife:

Birds, squirrels

National, state, or locally designated park or natural reserve at, or adjacent to, project site?

No

Hazardous Material Issues

Yes/No	Does the project include any of the following activities (indicate all that apply)?
No	Structure demolition operations or structure modifications.
No	If yes, is there potential for the building to contain asbestos or lead-based paint?
No	Pipeline and underground utility installation or adjustments.
No	De-watering.
Yes	Purchase of new ROW or easement.
No	Trenching, drilled shafts, cuts or other excavations.

Project Site Survey

(Yes/No)	Specific concerns identified on, or adjacent to, project area:
Yes	aboveground storage tanks
No	underground storage tanks

No	vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground
Yes	electrical and transformer equipment
No	If yes, are there signs of leaking transformers oil (PCBs) on the ground?
No	injection wells, cisterns, sumps, dry wells flooring, drains, or walls stained by substances other than water or emitting foul odors
No	vats, 55-gallon drums (labeled/unlabeled), canisters, barrels, bottles, etc.
No	surface dumping of trash, garbage, refuse, rubbish, debris half exposed/buried, landfill, stockpiling, storage, etc.
No	damaged or discarded automotive or industrial batteries
No	stained, discolored, barren, exposed or foreign (fill) soil
No	dead, damaged or stressed vegetation
Yes	oil sheen or films on surface water, seeps, lagoons, ponds, or drainage basins
No	pits, ponds, or lagoons associated with waste treatment or waste disposal
No	changes in drainage patterns from possible fill areas
No	security fencing, protected areas, placards, warning signs
No	dead animals possibly due to contamination
No	other concerns (<i>Describe below</i>):
Miscellaneous Observations	
(Yes/No)	Other compliance factors identified on, or adjacent to, project area:
No	Historic age buildings
No	Refineries
No	Airports, runway strips
No	Educational facilities
No	Commercial facilities
No	Healthcare facilities
No	Social services facilities

Describe any "Yes" answers indicated above:

The project at the WWTP lagoons consist of land application which will require a temporary easement. There is an above ground storage tank and overhead utilities within the project area. None of these are anticipated to be an issue.

Any additional information:

Morgan Verette
Project Manager

3/2/2021
Date

COMPLIANCE CHECKLIST BACKUP

Airport Hazards

Merkel – 7220301 - WWTP - CE-E...

13 views

All changes saved in Drive

Add layer

Share

Preview

✕

airport

Abilene Regional Airport

Arledge Field-F56

Avenger Field

Winters Municipal Airport

Aeroportul Stonewall County

Flying B Ranch Airstrip-35tx

Coleman Municipal Airport

J Bar WC Ranch Airport-54TS

Colorado City Airport (T88)

Abilene VORTAC ABI 113.7

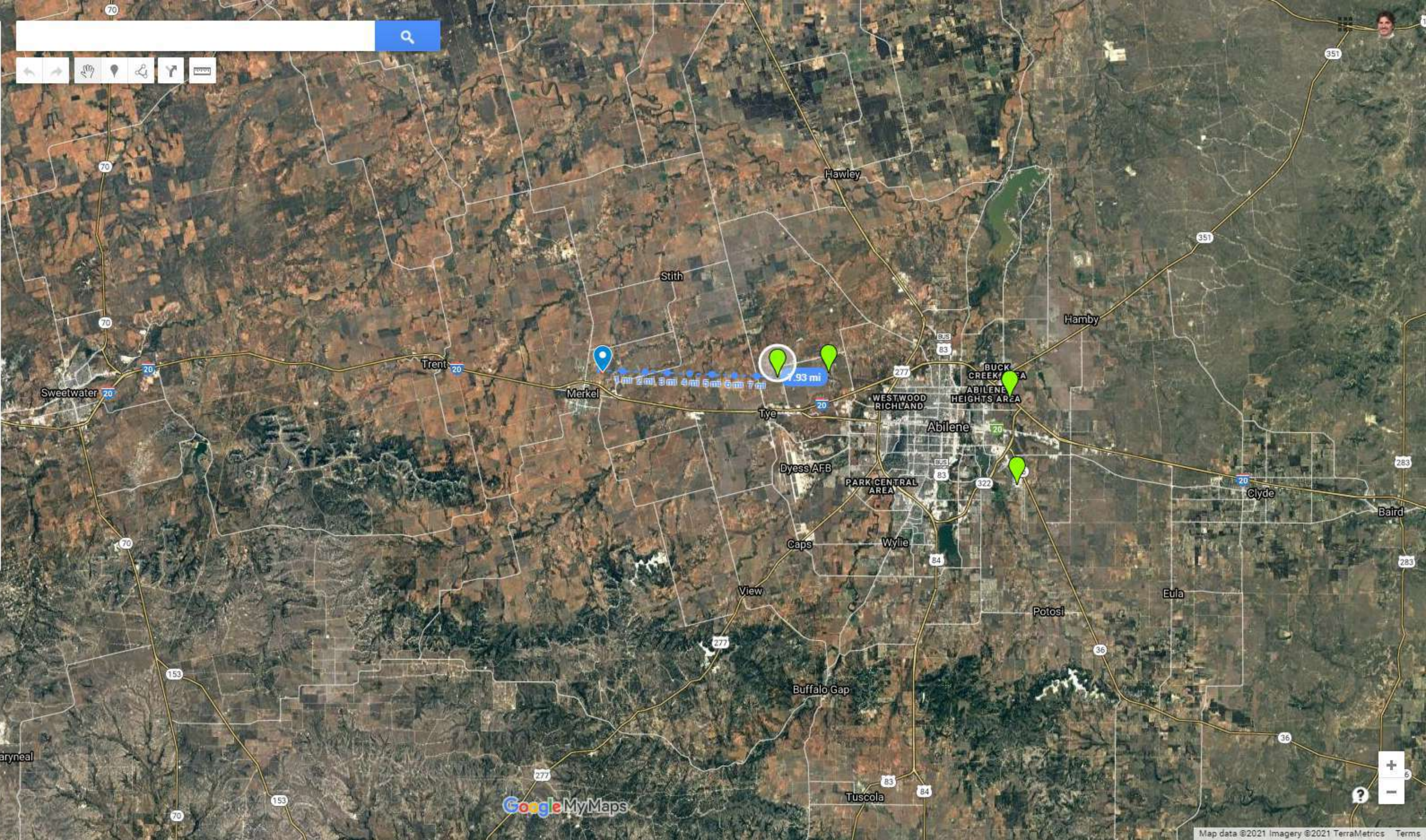
☒ WWTP Improvements

Individual styles

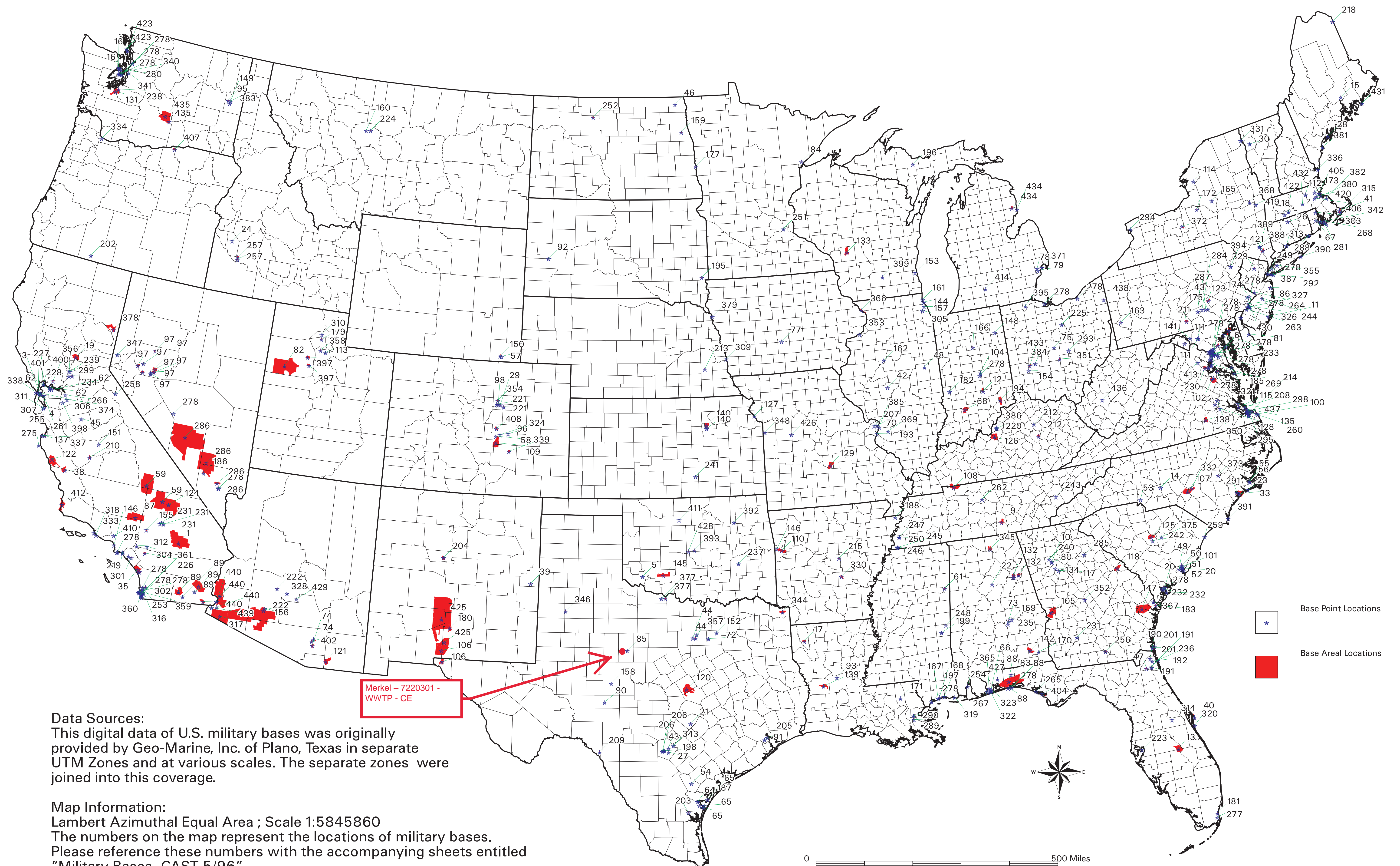
Aerator/Mixer Installation

Point 2

Base map



Military Bases in the Continental United States



Data Sources:

This digital data of U.S. military bases was originally provided by Geo-Marine, Inc. of Plano, Texas in separate UTM Zones and at various scales. The separate zones were joined into this coverage.

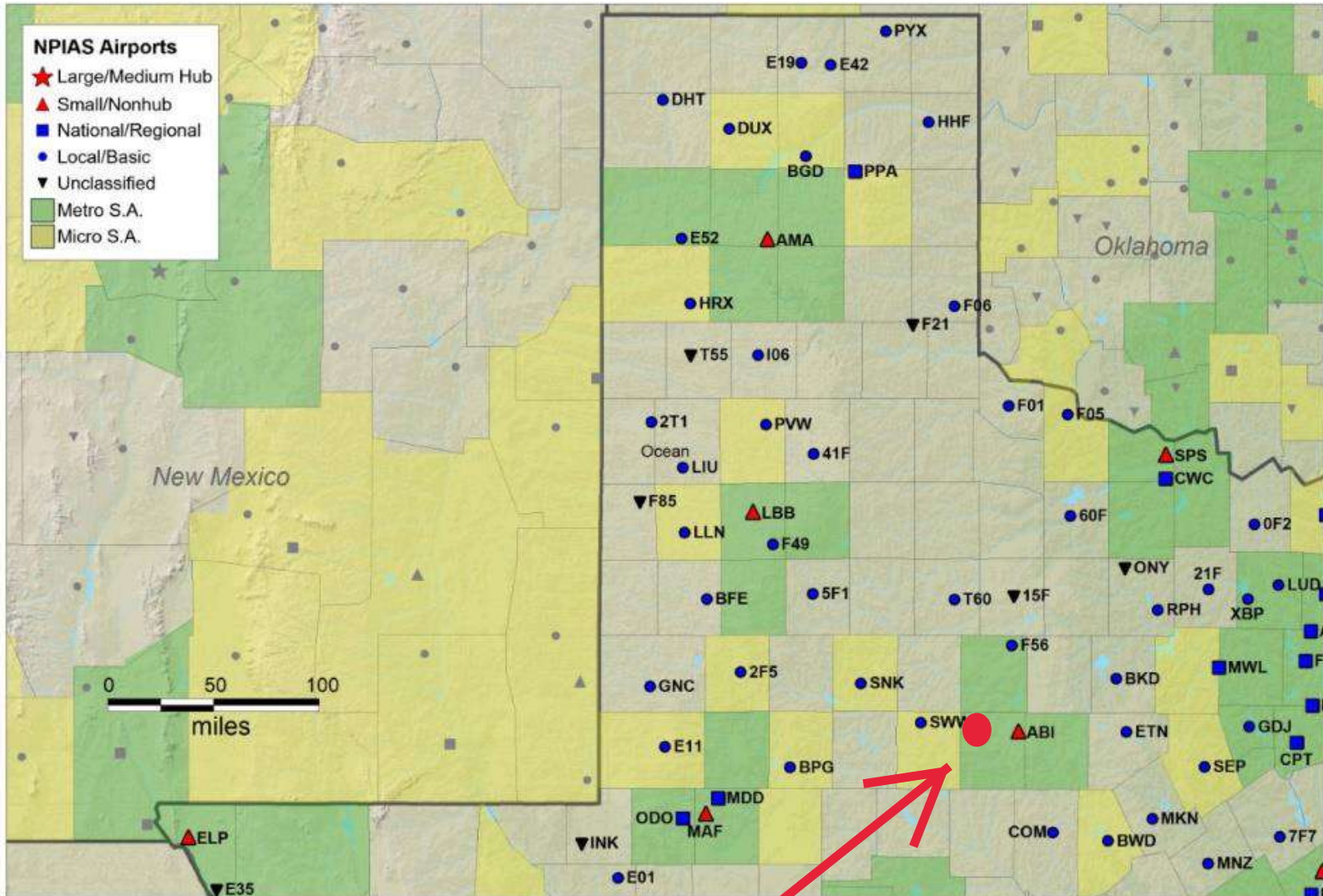
Map Information:

Lambert Azimuthal Equal Area ; Scale 1:5845860

The numbers on the map represent the locations of military bases. Please reference these numbers with the accompanying sheets entitled "Military Bases- CAST 5/96".

Coastal Barriers

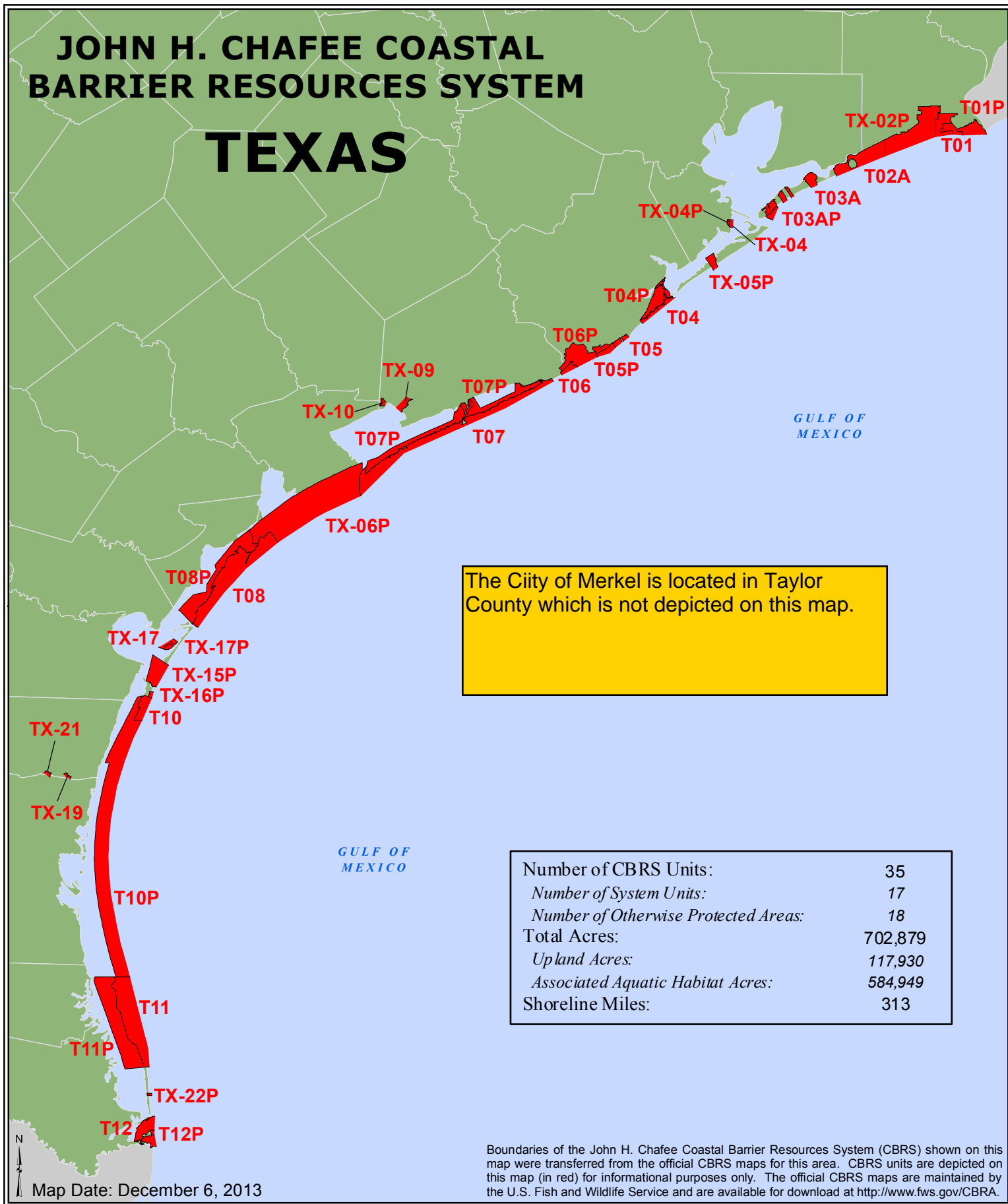
Texas (Northwest)



Merkel – 7220301 -
WWTP - CE

JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM

TEXAS



Flood Insurance

Federal Emergency Management Agency

Community Status Book Report

TEXAS

Communities Participating in the National Flood Program

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Reg-Emer Date	Tribal
480329#	MALAKOFF, CITY OF	HENDERSON COUNTY	10/25/74	01/23/79	04/05/10	01/23/79	No
480861#	MALONE, CITY OF	HILL COUNTY	07/09/76	12/01/89	06/02/11(M)	12/01/89	No
481027#	MANOR, CITY OF	TRAVIS COUNTY	02/21/75	06/16/93	08/18/14	05/25/78	No
480606#	MANSFIELD, CITY OF	JOHNSON COUNTY/ELLIS COUNTY/TARRANT COUNTY	02/22/74	12/18/85	06/03/13	12/18/85	No
480076#	MANVEL, CITY OF	BRAZORIA COUNTY	12/20/74	12/01/81	09/22/99	12/01/81	No
480093D	MARBLE FALLS, CITY OF	BURNET COUNTY	05/31/74	11/16/90	11/01/19	11/16/90	No
481493	MARFA, CITY OF	PRESIDIO COUNTY			(NSFHA)	05/26/78	No
481630	MARION COUNTY*	MARION COUNTY				05/25/89(E)	No
480268#	MARION, CITY OF	GUADALUPE COUNTY	01/09/74	01/03/86	11/02/07	01/03/86	No
480221	MARLIN, CITY OF	FALLS COUNTY	05/03/74	03/01/87	03/01/87(L)	03/01/87	No
480626#	MARQUEZ, CITY OF	LEON COUNTY		11/20/13	11/20/13	11/20/13	No
480319#	MARSHALL, CITY OF	HARRISON COUNTY	02/22/74	09/16/81	09/03/14	09/16/81	No
480929#	MART, CITY OF	LIMESTONE COUNTY/MCLENNAN COUNTY	08/13/76	07/16/79	(NSFHA)	08/09/79	No
481236	MARTIN COUNTY *	MARTIN COUNTY				09/22/88(E)	No
481587#	MARTINDALE, CITY OF	CALDWELL COUNTY	05/27/77	03/15/82	06/19/12	11/16/83	No
481237	MASON COUNTY *	MASON COUNTY				12/01/00(E)	No
480467#	MASON, CITY OF	MASON COUNTY	05/10/74	07/02/79	07/02/79	07/02/79	No
485489#	MATAGORDA COUNTY *	MATAGORDA COUNTY		05/01/71	05/04/92	04/30/71	No
480557B	MATHIS, CITY OF	SAN PATRICIO COUNTY	03/29/74	10/23/79	11/04/16	10/23/79	No
480057#	MAUD, CITY OF	BOWIE COUNTY	04/12/74	12/12/78	10/19/10(M)	12/12/78	No
480470#	MAVERICK COUNTY*	MAVERICK COUNTY		12/20/77	04/04/11	09/23/96	No
480208#	MAYPEARL, CITY OF	ELLIS COUNTY	11/29/74	01/20/99	06/03/13	01/03/12	No
480343#	MCALLEN, CITY OF	HIDALGO COUNTY	12/03/76	06/15/81	11/02/82	06/15/81	No
481539	MCCAMEY, CITY OF	UPTON COUNTY				04/03/13(E)	No
480459#	MCGREGOR, CITY OF	CORYELL COUNTY/MCLENNAN COUNTY	02/22/74	02/01/79	02/17/10	02/01/79	No
480135B	MCKINNEY, CITY OF	COLLIN COUNTY	05/24/74	06/18/80	06/07/17	06/18/80	No
480546#	MCLENDON-CHISHOLM, CITY OF	KAUFMAN COUNTY/ROCKWALL COUNTY	09/26/75	09/26/08	07/03/12	09/26/08	No
480456B	MCLENNAN COUNTY*	MCLENNAN COUNTY	08/19/80	09/02/81	12/20/19	09/16/81	No
480463	MCMULLEN COUNTY*	MCMULLEN COUNTY	12/27/74	07/01/87	07/01/87(L)	07/01/87	No
481613D	MEADOWLAKES, CITY OF	BURNET COUNTY		11/16/90	11/01/19	11/16/90	No
481563#	MEADOWS PLACE, CITY OF	FORT BEND COUNTY		09/30/92	(NSFHA)	12/17/79	No
480472#	MEDINA COUNTY *	MEDINA COUNTY	09/13/77	08/15/80	04/03/12	08/15/80	No
480700	MEGARGEL, CITY OF	ARCHER COUNTY	08/22/75		08/22/75	03/28/01(E)	No
481626#	MELISSA, CITY OF	COLLIN COUNTY		04/02/91	06/02/09(M)	04/09/09	No
480279#	MEMPHIS, CITY OF	HALL COUNTY	12/10/76	05/02/83	05/02/83	05/02/83	No
481238#	MENARD COUNTY*	MENARD COUNTY	08/05/76	08/05/76	09/04/87	09/04/87	No
480476#	MENARD, CITY OF	MENARD COUNTY	06/28/74	09/04/87	09/04/87	09/04/87	No
480344#	MERCEDES, CITY OF	HIDALGO COUNTY	02/01/74	07/16/79	07/16/79	07/16/79	No
480053#	MERIDIAN, CITY OF	BOSQUE COUNTY	05/03/74	08/01/87	01/06/11(L)	08/01/87	No
481016#	MERKEL, CITY OF	TAYLOR COUNTY	05/02/75	01/01/08	01/06/12(M)	01/01/08	No
480862#	MERTENS, TOWN OF	HILL COUNTY	11/05/76	03/01/91	06/02/11(M)	03/01/91	No
480376	MERTZON, CITY OF	IRION COUNTY	07/26/74	04/01/07	04/01/07(L)	04/01/07	No
485490#	MESQUITE, CITY OF	KAUFMAN COUNTY/DALLAS COUNTY		07/31/71	07/07/14	07/30/71	No
480442#	MEXIA, CITY OF	LIMESTONE COUNTY	03/15/74	08/01/80	09/16/11	08/01/80	No
481239#	MIDLAND COUNTY *	MIDLAND COUNTY	01/03/78	09/27/91	09/16/05	09/27/91	No
480477#	MIDLAND, CITY OF	MIDLAND COUNTY	06/07/74	09/27/91	09/16/05	09/27/91	No
480801#	MIDLOTHIAN, CITY OF	ELLIS COUNTY	07/09/76	09/04/85	06/03/13	09/04/85	No

STATUTORY CHECKLIST BACKUP

Clean Air



You are here: EPA Home > Green Book > >National Area and County-Level Multi-Pollutant Information >Texas Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Texas Nonattainment/Maintenance Status for Each County by Year for All Criteria Pollutants

Data is current as of December 31, 2019

Listed by County, NAAQS, Area. The 8-hour Ozone (1997) standard was revoked on April 6, 2015 and the 1-hour Ozone (1979) standard was revoked on June 15, 2005.

* The 1997 Primary Annual PM-2.5 NAAQS (level of 15 µg/m³) is revoked in attainment and maintenance areas for that NAAQS. For additional information see the PM-2.5 NAAQS SIP Requirements Final Rule, effective October 24, 2016. (81 FR 58009)

Change the State:

TEXAS

Important Notes

Download National Dataset: dbf | xls | Data dictionary (PDF)

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	CI
TEXAS					
Anderson County	Sulfur Dioxide (2010)	Freestone and Anderson Counties, TX	17 18 19	//	
Bexar County	8-Hour Ozone (2015)	San Antonio, TX	18 19	//	
Brazoria County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Brazoria County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Brazoria County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Brazoria County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18 19	//	
Chambers County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Chambers County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Chambers County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Chambers County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18 19	//	
Collin County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Collin County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	CI
Collin County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Collin County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Collin County	Lead (1978)	Collin Co, TX	92 93 94 95 96 97 98	12/13/1999	
Collin County	Lead (2008)	Frisco, TX	10 11 12 13 14 15 16	09/27/2017	
Dallas County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Dallas County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Dallas County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Dallas County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Denton County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Denton County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Denton County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Denton County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
El Paso County	1-Hour Ozone (1979)-NAAQS revoked	El Paso, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
El Paso County	Carbon Monoxide (1971)	El Paso, TX	92 93 94 95 96 97 98 99 00 01 02 03 04 05 06 07	10/03/2008	N
El Paso County	PM-10 (1987)	El Paso Co, TX	92 93 94 95 96 97 98 99 00 01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19	//	
Ellis County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Ellis County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Ellis County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Fort Bend County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Fort Bend County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Fort Bend County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Fort Bend County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18 19	//	
Freestone County	Sulfur Dioxide (2010)	Freestone and Anderson Counties, TX	17 18 19	//	

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	CI
Galveston County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Galveston County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Galveston County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Galveston County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18 19	//	
Hardin County	1-Hour Ozone (1979)-NAAQS revoked	Beaumont-Port Arthur, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Hardin County	8-Hour Ozone (1997)-NAAQS revoked	Beaumont-Port Arthur, TX	04 05 06 07 08 09	11/19/2010	
Harris County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Harris County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Harris County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Harris County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18 19	//	
Jefferson County	1-Hour Ozone (1979)-NAAQS revoked	Beaumont-Port Arthur, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Jefferson County	8-Hour Ozone (1997)-NAAQS revoked	Beaumont-Port Arthur, TX	04 05 06 07 08 09	11/19/2010	
Johnson County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Johnson County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Johnson County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Kaufman County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Kaufman County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Kaufman County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Liberty County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	CI
Liberty County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Liberty County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Montgomery County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Montgomery County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Montgomery County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Montgomery County	8-Hour Ozone (2015)	Houston-Galveston-Brazoria, TX	18 19	//	
Orange County	1-Hour Ozone (1979)-NAAQS revoked	Beaumont-Port Arthur, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Orange County	8-Hour Ozone (1997)-NAAQS revoked	Beaumont-Port Arthur, TX	04 05 06 07 08 09	11/19/2010	
Panola County	Sulfur Dioxide (2010)	Rusk and Panola Counties, TX	17 18 19	//	
Parker County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Parker County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Parker County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Rockwall County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Rockwall County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Rusk County	Sulfur Dioxide (2010)	Rusk and Panola Counties, TX	17 18 19	//	
Tarrant County	1-Hour Ozone (1979)-NAAQS revoked	Dallas-Fort Worth, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Tarrant County	8-Hour Ozone (1997)-NAAQS revoked	Dallas-Fort Worth, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Tarrant County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Tarrant County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	
Titus County	Sulfur Dioxide (2010)	Titus County, TX	17 18 19	//	

County	NAAQS	Area Name	Nonattainment in Year	Redesignation to Maintenance	CI
Victoria County	1-Hour Ozone (1979)-NAAQS revoked	Victoria, TX	92 93 94	05/08/1995	I
Waller County	1-Hour Ozone (1979)-NAAQS revoked	Houston-Galveston-Brazoria, TX	92 93 94 95 96 97 98 99 00 01 02 03 04	//	
Waller County	8-Hour Ozone (1997)-NAAQS revoked	Houston-Galveston-Brazoria, TX	04 05 06 07 08 09 10 11 12 13 14	//	
Waller County	8-Hour Ozone (2008)	Houston-Galveston-Brazoria, TX	12 13 14 15 16 17 18 19	//	
Wise County	8-Hour Ozone (2008)	Dallas-Fort Worth, TX	12 13 14 15 16 17 18 19	//	
Wise County	8-Hour Ozone (2015)	Dallas-Fort Worth, TX	18 19	//	

Important Notes

Discover.
Connect.
Ask.

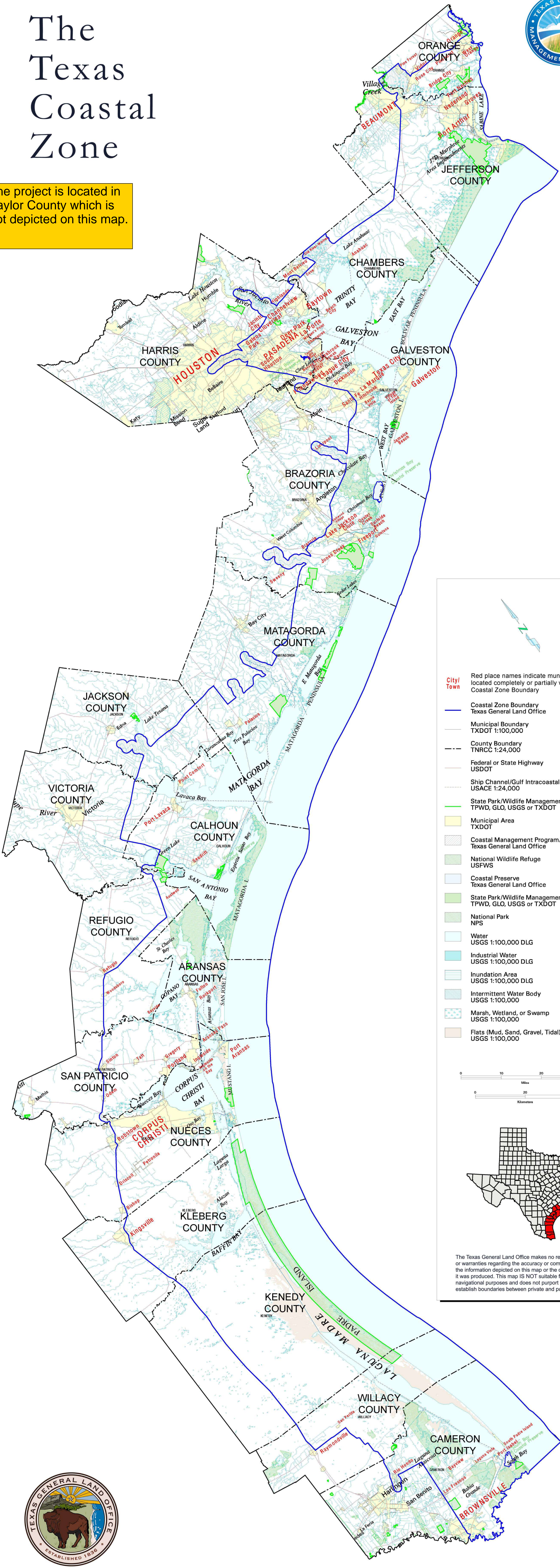
Follow.

2019-12-31

Coastal Zone Management

The Texas Coastal Zone

The project is located in Taylor County which is not depicted on this map.



City/Town

Red place names indicate municipal areas located completely or partially within the Coastal Zone Boundary

Coastal Zone Boundary
Texas General Land Office

Municipal Boundary
TXDOT 1:100,000

County Boundary
TNRCC 1:24,000

Federal or State Highway
USDOT

Ship Channel/Gulf Intracoastal Waterway
USACE 1:24,000

State Park/Wildlife Management Area
TPWD, GLO, USGS or TXDOT

Municipal Area
TXDOT

Coastal Management Program/Wetlands Only
Texas General Land Office

National Wildlife Refuge
USFWS

Coastal Preserve
Texas General Land Office

State Park/Wildlife Management Area
TPWD, GLO, USGS or TXDOT

National Park
NPS

Water
USGS 1:100,000 DLG

Industrial Water
USGS 1:100,000 DLG

Inundation Area
USGS 1:100,000 DLG

Intermittent Water Body
USGS 1:100,000

Marsh, Wetland, or Swamp
USGS 1:100,000

Flats (Mud, Sand, Gravel, Tidal)
USGS 1:100,000

0 10 20 30
Miles

0 20 40
Kilometers

The Texas General Land Office makes no representations or warranties regarding the accuracy or completeness of the information depicted on this map or the data from which it was produced. This map IS NOT suitable for navigational purposes and does not purport to depict or establish boundaries between private and public land.



Contamination and Toxic Substances

Merkel – 7220301 - WWTP - CE

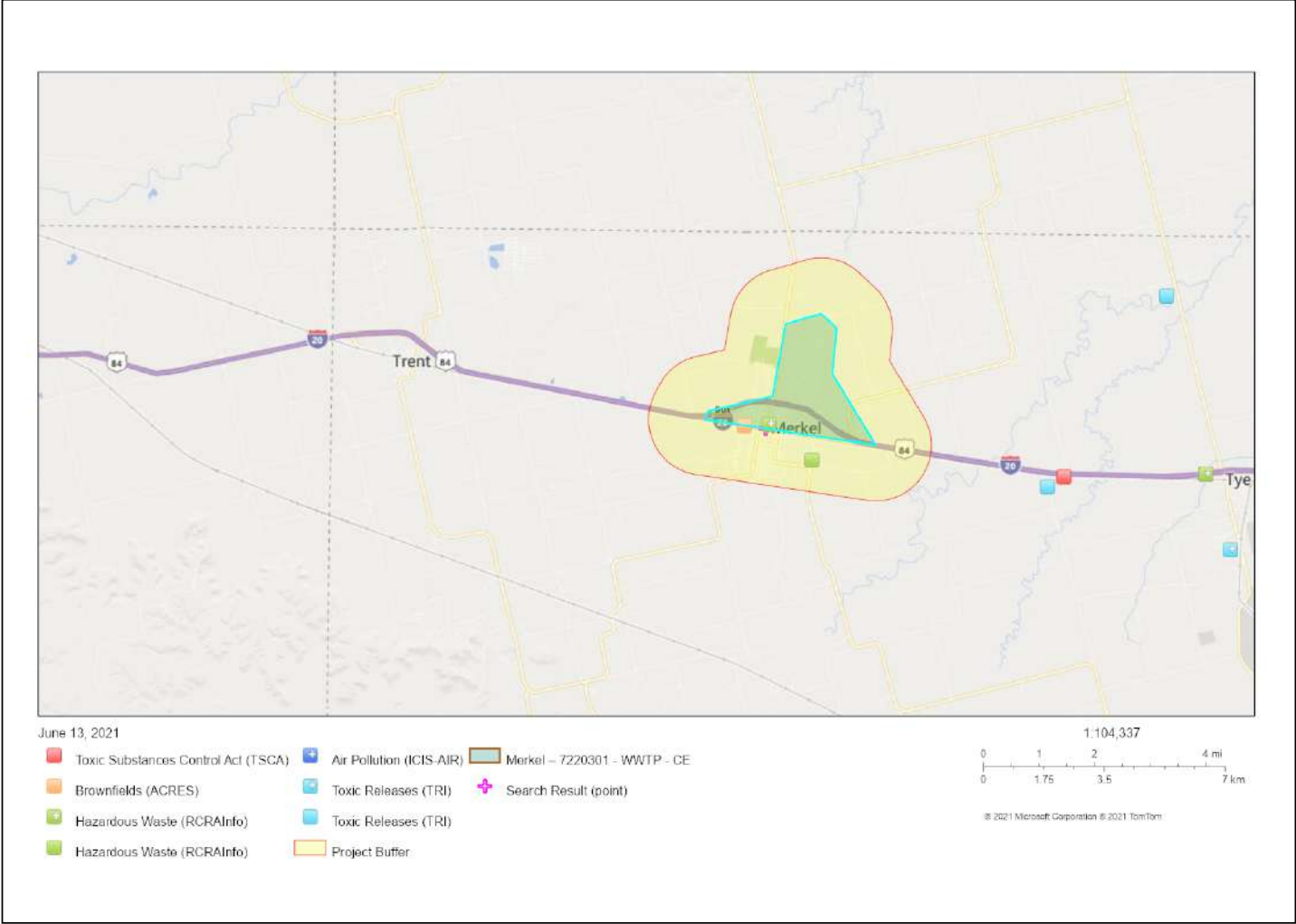
The following is a list of HAZMAT databases searched and the number of sites found within the indicated search radius.

<u>Database Searched</u>	<u>Search Distance (miles)</u>	<u>Number of Sites Found</u>
<u>Federal Databases</u>		
NPL Site List	1	0
Delisted NPL site list	0.5	0
CERCLIS list	0.5	0
CERCLIS NFRAP site list	0.5	0
RCRA CORRACTS facilities list	1	0
RCRA CORRACTS TSD facilities list	0.5	0
RCRA generators list	property and adjoining properties	0
Institutional control/engineering control registries	property only	0
<u>State Databases</u>		
NPL	0.5	0
CERCLIS	0.5	0
Landfill and/or solid waste disposal site lists	0.5	0
Closed Landfill List	0.5	1
RCRA CORRACTS facilities list	1	1
Leaking storage tank list	0.5	2
Registered storage tank list	property and adjoining properties	2
Institutional control/engineering control registries	property only	0
Brownfield Sites	0.5	0
ERNS list	property only	0
Voluntary Cleanup sites	0.5	0

NEPA Assist

Merkel - 7220301 - WWTP - CE

Map



Geographic coordinates:

POLYGON
(32.473246,-100.032559,32.475418,-100.031185,32.479183,-100.011444,32.498007,-100.007453,32.500685,-99.996467,32.496921,-99.991660,32.485048,-99.993034,32.466511,-99.979644,32.473246,-100.032559)
with buffer 1 mile

Note: The information in the following reports is based on publicly available databases and web services. The National Report uses nationally available datasets and the State Reports use datasets available through the EPA Regions. Click on the hyperlinked question to view the data source and associated metadata.

National Report

Project Area	2.98 sq mi
Within 1 mile of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	no

Within 1 mile of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	no
Within 1 mile of a Federal Land?	no
Within 1 mile of an impaired stream?	no
Within 1 mile of an impaired waterbody?	no
Within 1 mile of a waterbody?	no
Within 1 mile of a stream?	yes
Within 1 mile of an NWI wetland?	click here May take several minutes
Within 1 mile of a Brownfields site?	yes
Within 1 mile of a Superfund site?	no
Within 1 mile of a Toxic Release Inventory (TRI) site?	no
Within 1 mile of a water discharger (NPDES)?	yes
Within 1 mile of a hazardous waste (RCRA) facility?	yes
Within 1 mile of an air emission facility?	no
Within 1 mile of a school?	yes
Within 1 mile of an airport?	no
Within 1 mile of a hospital?	no
Within 1 mile of a designated sole source aquifer?	no
Within 1 mile of a historic property on the National Register of Historic Places?	no
Within 1 mile of a Toxic Substances Control Act (TSCA) site?	no
Within 1 mile of a Land Cession Boundary?	yes
Within 1 mile of a tribal area (lower 48 states)?	no
Within 1 mile of the service area of a mitigation or conservation bank?	no
Within 1 mile of the service area of an In-Lieu-Fee Program?	no

[Texas Report](#) 
[Demographic Reports](#) 
[USFWS IPaC Report](#) 

Detailed Facility Report

Facility Summary

AFCO NO 10113

1101 N 1ST ST, MERKEL, TX 79536

FRS (Facility Registry Service) ID: 110005177860

EPA Region: 06

Latitude: 32.4707

Longitude: -100.01268

Locational Data Source: FRS

Industry: No description found

Indian Country: N

Enforcement and Compliance Summary

Statute	RCRA
Insp (5 Years)	--
Date of Last Inspection	--
Current Compliance Status	No Violation Identified
Qtrs with NC (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): No Information

Resource Conservation and Recovery Act (RCRA): Active VSQG (TXR000021675)

Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Known Data Problems

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110005177860					N	32.4707	-100.01268
RCRAInfo	RCRA	TXR000021675	VSQG	Active (H)			N		

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110005177860	AFCO NO 10113	1101 N 1ST ST, MERKEL, TX 79536	Taylor County
RCRAInfo	RCRA	TXR000021675	AFCO NO 10113	1101 N 1ST ST, MERKEL, TX 79536	Taylor County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
No data records returned			

Facility Tribe Information

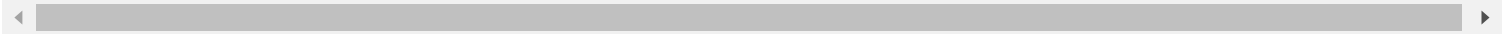
Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History (5 years)

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted in EPA compliance monitoring strategies or annual results.



Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	TXR000021675	No	06/12/2021	0	06/11/2021

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
RCRA (Source ID: TXR000021675)		07/01-09/30/18	10/01-12/31/18	01/01-03/31/19	04/01-06/30/19	07/01-09/30/19	10/01-12/31/19	01/01-03/31/20	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified

Informal Enforcement Actions (5 Years)

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

Formal Enforcement Actions (5 Years)

Statute	System	Law/Section	Source ID	Action Type	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Cost	Comp Action Cost
No data records returned															

Environmental Conditions

Watershed(s)

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
No data records returned						

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-site Releases	Total Off-site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

Community

EJSCREEN EJ Indexes

Eleven primary environmental justice (EJ) indexes of EJSCREEN, EPA's screening tool for EJ concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. The index values below are for the Census block group in which the facility is located. Note that use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJSCREEN provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the [EJSCREEN home page](#).

Census Block Group EJ Indexes (percentile)	
Particulate Matter (PM 2.5)	57.3
Ozone	57.2
NATA Diesel PM	57.7
NATA Air Toxics Cancer Risk	57.1
NATA Respiratory Hazard Index (HI)	57.2
Traffic Proximity	44.2
Lead Paint Indicator	46.9
Superfund Proximity	58
Risk Management Plan (RMP) Proximity	57.3
Hazardous Waste Proximity	57.8
Wastewater Discharge Proximity	73.4

Number of EJ Indexes Above 80th Percentile
0

[View EJSCREEN Report](#)

Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2006-2010 American Community Survey 5-Year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the [DFR Data Dictionary](#).

General Statistics	
Total Persons (U.S. Census)	3,170
Population Density	112/sq.mi.
Percent Minority	19%
Households in Area	1,239
Housing Units in Area	1,432
Total Persons (ACS (American Community Survey))	2,825
Households on Public Assistance	30
Persons With Low Income	1,006
Percent With Low Income	36%

Geography	
Radius of Selected Area	3 mi.
Center Latitude	32.4707
Center Longitude	-100.01268
Land Area	100%
Water Area	0%

Income Breakdown - Households (%)	
Less than \$15,000	192 (15.56%)
\$15,000 - \$25,000	129 (10.45%)
\$25,000 - \$50,000	449 (36.39%)
\$50,000 - \$75,000	240 (19.45%)

Age Breakdown - Persons (%)	
Children 5 years and younger	208 (7%)
Minors 17 years and younger	799 (25%)
Adults 18 years and older	2,371 (75%)
Seniors 65 years and older	494 (16%)

Race Breakdown - Persons (%)	
White	2,808 (89%)
African-American	31 (1%)
Hispanic-Origin	525 (17%)
Asian/Pacific Islander	10 (0%)
American Indian	10 (0%)
Other/Multiracial	311 (10%)

Education Level (Persons 25 & older) - Persons (%)	
Less than 9th Grade	191 (9.12%)
9th through 12th Grade	244 (11.65%)
High School Diploma	716 (34.18%)
Some College/2-year	614 (29.31%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	330 (15.75%)

Income Breakdown - Households (%)	
Greater than \$75,000	224 (18.15%)

Detailed Facility Report

Facility Summary

FAMILY DOLLAR #2887

201 KENT ST., MERKEL, TX 79536

FRS (Facility Registry Service) ID: 110063845754

EPA Region: 06

Latitude: 32.47186

Longitude: -100.01248

Locational Data Source: FRS

Industry:

Indian Country: N

Enforcement and Compliance Summary

Statute	RCRA
Insp (5 Years)	--
Date of Last Inspection	--
Current Compliance Status	No Violation Identified
Qtrs with NC (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information

Clean Water Act (CWA): No Information

Resource Conservation and Recovery Act (RCRA): Active VSQG (TXR000082652)

Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Known Data Problems

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110063845754					N	32.47186	-100.01248
RCRAInfo	RCRA	TXR000082652	VSQG	Active (H)			N		

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110063845754	FAMILY DOLLAR #2887	201 KENT ST., MERKEL, TX 79536	Taylor County
RCRAInfo	RCRA	TXR000082652	FAMILY DOLLAR #2887	201 KENT ST., MERKEL, TX 79536-3613	Taylor County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
RCRAInfo	TXR000082652	45299	All Other General Merchandise Stores

Facility Tribe Information

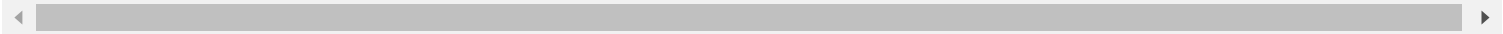
Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History (5 years)

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted in EPA compliance monitoring strategies or annual results.



Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	TXR000082652	No	06/12/2021	0	06/11/2021

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
RCRA (Source ID: TXR000082652)		07/01-09/30/18	10/01-12/31/18	01/01-03/31/19	04/01-06/30/19	07/01-09/30/19	10/01-12/31/19	01/01-03/31/20	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified

Informal Enforcement Actions (5 Years)

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

◀		▶
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Formal Enforcement Actions (5 Years)

Statute	System	Law/Section	Source ID	Action Type	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Cost	Comp Action Cost
No data records returned															

Environmental Conditions

Watershed(s)

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
No data records returned						

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-site Releases	Total Off-site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

Community

EJSCREEN EJ Indexes

Eleven primary environmental justice (EJ) indexes of EJSCREEN, EPA's screening tool for EJ concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. The index values below are for the Census block group in which the facility is located. Note that use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJSCREEN provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the [EJSCREEN home page](#).

Census Block Group EJ Indexes (percentile)	
Particulate Matter (PM 2.5)	57.3
Ozone	57.2
NATA Diesel PM	57.7
NATA Air Toxics Cancer Risk	57.1
NATA Respiratory Hazard Index (HI)	57.2
Traffic Proximity	44.2
Lead Paint Indicator	46.9
Superfund Proximity	58
Risk Management Plan (RMP) Proximity	57.3
Hazardous Waste Proximity	57.8
Wastewater Discharge Proximity	73.4

Number of EJ Indexes Above 80th Percentile
0

[View EJSCREEN Report](#)

Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2006-2010 American Community Survey 5-Year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the [DFR Data Dictionary](#).

General Statistics	
Total Persons (U.S. Census)	3,172
Population Density	112/sq.mi.
Percent Minority	19%
Households in Area	1,240
Housing Units in Area	1,433
Total Persons (ACS (American Community Survey))	2,807
Households on Public Assistance	30
Persons With Low Income	998
Percent With Low Income	36%

Geography	
Radius of Selected Area	3 mi.
Center Latitude	32.47186
Center Longitude	-100.01248
Land Area	100%
Water Area	0%

Income Breakdown - Households (%)	
Less than \$15,000	193 (15.63%)
\$15,000 - \$25,000	129 (10.45%)
\$25,000 - \$50,000	449 (36.36%)
\$50,000 - \$75,000	240 (19.43%)

Age Breakdown - Persons (%)	
Children 5 years and younger	208 (7%)
Minors 17 years and younger	799 (25%)
Adults 18 years and older	2,374 (75%)
Seniors 65 years and older	496 (16%)

Race Breakdown - Persons (%)	
White	2,811 (89%)
African-American	31 (1%)
Hispanic-Origin	525 (17%)
Asian/Pacific Islander	10 (0%)
American Indian	10 (0%)
Other/Multiracial	310 (10%)

Education Level (Persons 25 & older) - Persons (%)	
Less than 9th Grade	191 (9.11%)
9th through 12th Grade	244 (11.64%)
High School Diploma	717 (34.21%)
Some College/2-year	614 (29.29%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	330 (15.74%)

Income Breakdown - Households (%)	
Greater than \$75,000	224 (18.14%)

Detailed Facility Report

Facility Summary

B&S SUB SURFACE TANK EXTRACTOR S
612 BIRD RD, MERKEL, TX 79536

FRS (Facility Registry Service) ID: 110005113279
EPA Region: 06
Latitude: 32.46262
Longitude: -99.99934
Locational Data Source: FRS
Industry:
Indian Country: N

Enforcement and Compliance Summary

Statute	RCRA
Insp (5 Years)	--
Date of Last Inspection	--
Current Compliance Status	No Violation Identified
Qtrs with NC (of 12)	0
Qtrs with Significant Violation	0
Informal Enforcement Actions (5 years)	--
Formal Enforcement Actions (5 years)	--
Penalties from Formal Enforcement Actions (5 years)	--
EPA Cases (5 years)	--
Penalties from EPA Cases (5 years)	--

Regulatory Information

Clean Air Act (CAA): No Information
Clean Water Act (CWA): No Information
Resource Conservation and Recovery Act (RCRA): Active Transporter (TXD982759896)
Safe Drinking Water Act (SDWA): No Information

Other Regulatory Reports

Air Emissions Inventory (EIS): No Information
Greenhouse Gas Emissions (eGGRT): No Information
Toxic Releases (TRI): No Information
Compliance and Emissions Data Reporting Interface (CEDRI): No Information

Known Data Problems

Facility/System Characteristics

Facility/System Characteristics

System	Statute	Identifier	Universe	Status	Areas	Permit Expiration Date	Indian Country	Latitude	Longitude
FRS		110005113279					N	32.46262	-99.99934
RCRAInfo	RCRA	TXD982759896	Transporter	Active (H)			N	32.462695	-99.999744

Facility Address

System	Statute	Identifier	Facility Name	Facility Address	Facility County
FRS		110005113279	B&S SUB SURFACE TANK EXTRACTOR S	612 BIRD RD, MERKEL, TX 79536	Taylor County
RCRAInfo	RCRA	TXD982759896	B&S SUB SURFACE TANK EXTRACTOR	612 BIRD RD, MERKEL, TX 79536	Taylor County

Facility SIC (Standard Industrial Classification) Codes

System	Identifier	SIC Code	SIC Description
No data records returned			

Facility NAICS (North American Industry Classification System) Codes

System	Identifier	NAICS Code	NAICS Description
RCRAInfo	TXD982759896	48411	General Freight Trucking, Local

Facility Tribe Information

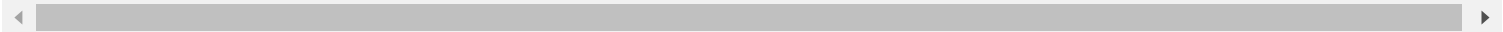
Reservation Name	Tribe Name	EPA Tribal ID	Distance to Tribe (miles)
No data records returned			

Enforcement and Compliance

Compliance Monitoring History (5 years)

Statute	Source ID	System	Activity Type	Compliance Monitoring Type	Lead Agency	Date	Finding (if applicable)
No data records returned							

Entries in italics are not counted in EPA compliance monitoring strategies or annual results.



Compliance Summary Data

Statute	Source ID	Current SNC (Significant Noncompliance)/HPV (High Priority Violation)	Current As Of	Qtrs with NC (Noncompliance) (of 12)	Data Last Refreshed
RCRA	TXD982759896	No	06/12/2021	0	06/11/2021

Three-Year Compliance History by Quarter

Statute	Program/Pollutant/Violation Type	QTR 1	QTR 2	QTR 3	QTR 4	QTR 5	QTR 6	QTR 7	QTR 8	QTR 9	QTR 10	QTR 11	QTR 12+
	RCRA (Source ID: TXD982759896)	07/01-09/30/18	10/01-12/31/18	01/01-03/31/19	04/01-06/30/19	07/01-09/30/19	10/01-12/31/19	01/01-03/31/20	04/01-06/30/20	07/01-09/30/20	10/01-12/31/20	01/01-03/31/21	04/01-06/30/21
	Facility-Level Status	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified	No Violation Identified

Informal Enforcement Actions (5 Years)

Statute	System	Source ID	Type of Action	Lead Agency	Date
No data records returned					

Entries in italics are not counted as "informal enforcement actions" in EPA policies pertaining to enforcement response tools.

--	--

Formal Enforcement Actions (5 Years)

Statute	System	Law/Section	Source ID	Action Type	Case No.	Lead Agency	Case Name	Issued/Filed Date	Settlements/Actions	Settlement/Action Date	Federal Penalty Assessed	State/Local Penalty Assessed	Penalty Amount Collected	SEP Cost	Comp Action Cost
No data records returned															

Environmental Conditions

Watershed(s)

12-Digit WBD (Watershed Boundary Dataset) HUC (RAD (Reach Address Database))	WBD (Watershed Boundary Dataset) Subwatershed Name (RAD (Reach Address Database))	State Water Body Name (ICIS (Integrated Compliance Information System))	Beach Closures Within Last Year	Beach Closures Within Last Two Years	Pollutants Potentially Related to Impairment	Watershed with ESA (Endangered Species Act)-listed Aquatic Species?
No data records returned						

Assessed Waters From Latest State Submission (ATTAINS)

State	Report Cycle	Assessment Unit ID	Assessment Unit Name	Water Condition	Cause Groups Impaired	Drinking Water Use	Aquatic Life	Fish Consumption Use	Recreation Use	Other Use
No data records returned										

Air Quality Nonattainment Areas

Pollutant	Within Nonattainment Status Area?	Nonattainment Status Applicable Standard(s)	Within Maintenance Status Area?	Maintenance Status Applicable Standard(s)
No data records returned				

Pollutants

Toxics Release Inventory History of Reported Chemicals Released in Pounds per Year at Site

TRI Facility ID	Year	Total Air Emissions	Surface Water Discharges	Off-Site Transfers to POTWs (Publicly Owned Treatment Works)	Underground Injections	Releases to Land	Total On-site Releases	Total Off-site Transfers
No data records returned								

Toxics Release Inventory Total Releases and Transfers in Pounds by Chemical and Year

Chemical Name
No data records returned

Community

EJSCREEN EJ Indexes

Eleven primary environmental justice (EJ) indexes of EJSCREEN, EPA's screening tool for EJ concerns. EPA uses these indexes to identify geographic areas that may warrant further consideration or analysis for potential EJ concerns. The index values below are for the Census block group in which the facility is located. Note that use of these indexes does not designate an area as an "EJ community" or "EJ facility." EJSCREEN provides screening level indicators, not a determination of the existence or absence of EJ concerns. For more information, see the [EJSCREEN home page](#).

Census Block Group EJ Indexes (percentile)	
Particulate Matter (PM 2.5)	35.6
Ozone	33.5
NATA Diesel PM	48.2
NATA Air Toxics Cancer Risk	34.9
NATA Respiratory Hazard Index (HI)	36
Traffic Proximity	45.3
Lead Paint Indicator	9.7
Superfund Proximity	54.9
Risk Management Plan (RMP) Proximity	43.3
Hazardous Waste Proximity	51.2
Wastewater Discharge Proximity	73.4

Number of EJ Indexes Above 80th Percentile
0

[View EJSCREEN Report](#)

Demographic Profile of Surrounding Area (3 Miles)

This section provides demographic information regarding the community surrounding the facility. ECHO compliance data alone are not sufficient to determine whether violations at a particular facility had negative impacts on public health or the environment. Statistics are based upon the 2010 U.S. Census and 2006-2010 American Community Survey 5-Year Summary and are accurate to the extent that the facility latitude and longitude listed below are correct. EPA's spatial processing methodology considers the overlap between the selected radii and the census blocks (for U.S. Census demographics) and census block groups (for ACS demographics) in determining the demographics surrounding the facility. For more detail about this methodology, see the [DFR Data Dictionary](#).

General Statistics	
Total Persons (U.S. Census)	3,143
Population Density	111/sq.mi.
Percent Minority	19%
Households in Area	1,227
Housing Units in Area	1,424
Total Persons (ACS (American Community Survey))	2,688
Households on Public Assistance	30
Persons With Low Income	951
Percent With Low Income	35%

Geography	
Radius of Selected Area	3 mi.
Center Latitude	32.46262
Center Longitude	-99.99934
Land Area	100%
Water Area	0%

Income Breakdown - Households (%)	
Less than \$15,000	189 (15.43%)
\$15,000 - \$25,000	128 (10.45%)
\$25,000 - \$50,000	447 (36.49%)
\$50,000 - \$75,000	239 (19.51%)

Age Breakdown - Persons (%)	
Children 5 years and younger	208 (7%)
Minors 17 years and younger	796 (25%)
Adults 18 years and older	2,347 (75%)
Seniors 65 years and older	489 (16%)

Race Breakdown - Persons (%)	
White	2,783 (89%)
African-American	31 (1%)
Hispanic-Origin	522 (17%)
Asian/Pacific Islander	10 (0%)
American Indian	10 (0%)
Other/Multiracial	310 (10%)

Education Level (Persons 25 & older) - Persons (%)	
Less than 9th Grade	188 (9.05%)
9th through 12th Grade	241 (11.6%)
High School Diploma	712 (34.28%)
Some College/2-year	610 (29.37%)
B.S./B.A. (Bachelor of Science/Bachelor of Arts) or More	326 (15.7%)

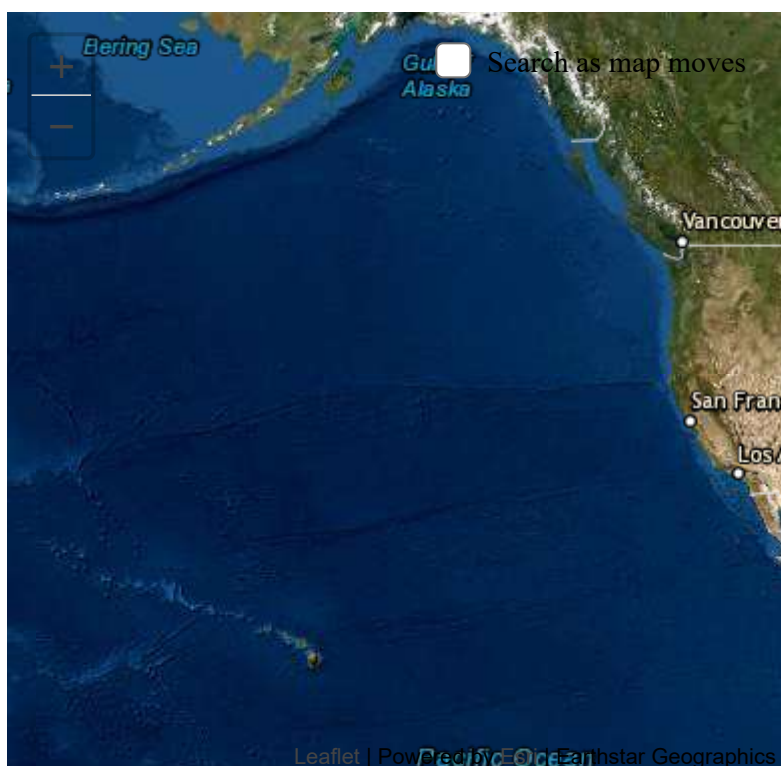
Income Breakdown - Households (%)	
Greater than \$75,000	222 (18.12%)

[ECHO Gov Login](#) [Contact Us](#)

Facility Search Results

Missouri, Nebraska, North Carolina, Pennsylvania, Vermont, Washington, West Virginia, and Wisconsin are working with EPA to fix problems with their Clean Water Act violation data. [Read More...](#)

[Hide Map](#)
[Hide Table](#)
[Hide Summary](#)
[Report Violation](#)
[Help](#)
[Map Legend](#)
[Basemap Options](#)
[Zoom To:](#)

1602 North 1st Street Merkel, TX 


▼ Facility Summary —

Select a facility row from the search results table.

▼ Current Search —

0 Facilities Found

Selected Criteria

Search Type: All Data

City, State, and/or ZIP Code: 1602 North 1st Street Merkel, TX 79536

Active/Operating: ☒

Yes ☒

Facility Name or ID: 141761 ☒

Explore Enforcement and Compliance Criteria

☐ 0 Facilities with Current Violations

☐ 0 Facilities with Significant Violations

☐ 0 Facilities with Violations (3 years)

[Download Data](#)
[Results Guide](#)

[Reports Legend](#)

No results were found for this search. Modify your search to refine your results.

☐ 0 Facilities with Formal Enforcement Actions (5 years)

☐ 0 Facilities with Informal Enforcement Actions (5 years)

Modify

Search

▼ Layers —

Each map layer requires a specific map scale for display. Layers are only available for selection if the map is zoomed in to a sufficient scale. Zoom in further to enable selection of additional layers. Note that adding multiple overlapping map layers may cause performance issues in the browser and display.

☐ Do not show again

Current Zoom:
11%

- EJSCREEN Maps
- Air Maps
- Water Maps
- Places
- Boundaries
- Endangered Species Act Critical Habitat

[DATA REFRESH INFORMATION](#)



TCEQ - CRQ

CORRACTS

Merkel – 7220301 - WWTP - CE-E...

29 views

All changes saved in Drive

 Add layer  Share  Preview

 Aerator/Mixer Installation


☒ SCADA (if funds allow)

 Individual styles

 Lift Station - 1

 Lift Station - 2

 Lift Station - 3

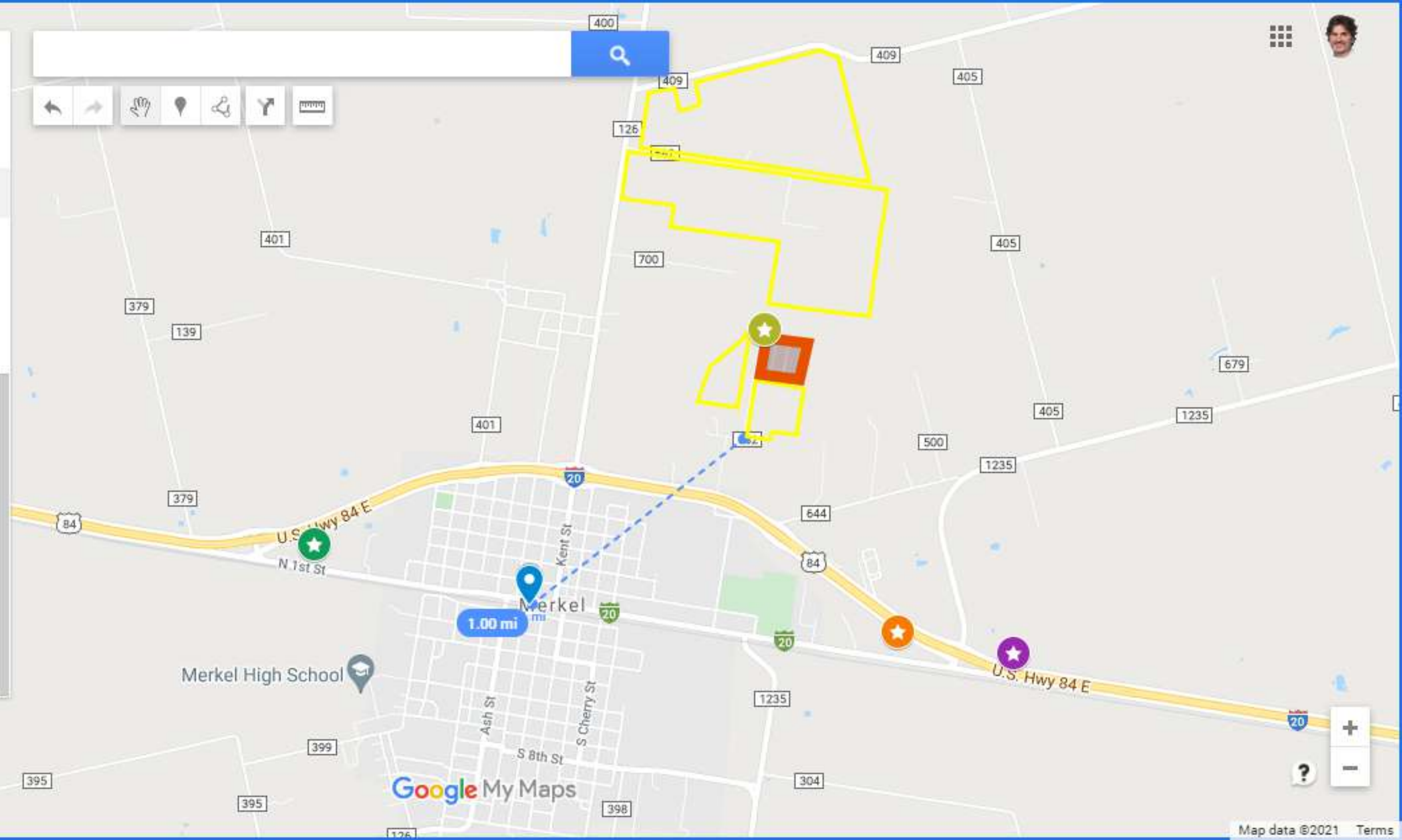
 Lift Station - 4

☒ IHW

 Individual styles

 MERKEL ELEVATOR & FARM...

☐ Base map



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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Petroleum Storage Tank Registration 73245**

For: **FAS-GAS (RN102039120 ...)**

1205 N 1ST, MERKEL

Registration Status: **ACTIVE**

Held by: **MERKEL ELEVATOR AND FARM SUPPLY INC (CN601108442 ...)** [View 'Issued To' History ...](#)

OWNER Since 06/12/2000 [View Compliance History ...](#)

Now Known As: **Merkel Elevator and Farm Supply, Inc.**

Mailing Address: PO BOX 296 MERKEL, TX 79536 -0296

Financial Assurance

None

Self-Certification Status by Compartment

None

Registered Tanks and Their Associated Systems

Table 1. Underground Storage Tank Summary [View Aboveground Storage Tanks](#)

Tank	Capacity (Gallon)	Date Installed	Status	Substance Stored	Related Information
No Underground Storage Tank information exist for the facility					

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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **IHW Corrective Action Solid Waste Registration T3432**

For: **MERKEL EVEVATOR & FARM SUPPLY (RN102039120 ...)**

1205 N 1ST, MERKEL

Solid Waste **ACTIVE**

Registration Status:

Responsible Parties: **Merkel Elevator and Farm Supply, Inc. (CN601108442 ...)** Since 06/12/2000 [View Compliance History ...](#)

Mailing Address: 26012 MARGUERITE PKWY STE 405 MISSION VIEJO, CA 92692 -3202

Related Information:

[Correspondence Tracking](#)

[Corrective Action Information](#)

There is no information related to this Corrective Action in the following categories:

Commissioners' Actions

Effective Enforcement Orders

Criminal Convictions

Proposed Enforcement Orders

Complaints

Discharges

Emergency Response Events

Emission Events

Fish Kills

Other Incidents

Investigations

Periodic Reports

.....
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Central Registry

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Detail of: **IHW Corrective Action Solid Waste Registration T3432**

For: **MERKEL EVEVATOR & FARM SUPPLY (RN102039120 ...)**

1205 N 1ST, MERKEL

Solid Waste **ACTIVE**

Registration Status:

Responsible Parties: **Merkel Elevator and Farm Supply, Inc. (CN601108442 ...)** Since 06/12/2000
[View Compliance History ...](#)

Mailing Address: 26012 MARGUERITE PKWY STE 405 MISSION VIEJO, CA 92692 -3202

Correspondence Tracking

Tracking No.	Received/Sent	Direction	Type	Subject	Due Date	End Date	Document Date	Method
24928668	12/23/2019	PENDING	P RESPONSE TO COMMENTS		03/15/2020			
24845480	12/11/2019	OUTGOING	REQUEST FOR INFORMATION			12/23/2019	12/11/2019	
24928670	12/11/2019	PENDING	P RESPONSE TO COMMENTS		03/15/2020			
24592051	10/16/2019	OUTGOING	LATE LETTER 1	LATE LETTER 1		10/22/2019	10/16/2019	CERTIFIED
25423300	10/16/2019	PENDING	P REQUEST FOR INFORMATION	LATE LETTER 1	11/22/2019			
23235490	08/24/2018	OUTGOING	APPROVAL			08/24/2018	08/24/2018	USPS
23235494	08/24/2018	PENDING	P INVESTIGATION RPT		11/23/2018			
23032110	05/30/2018	INCOMING	INVESTIGATION RPT	NOTICE OF ENVIRONMENTAL IMPAIRMENTS TO RR	09/19/2018	08/24/2018	05/25/2018	USPS

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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **IHW Corrective Action Solid Waste Registration T3432**

For: **MERKEL EVEVATOR & FARM SUPPLY (RN102039120 ...)**

1205 N 1ST, MERKEL

Solid Waste **ACTIVE**

Registration Status:

Responsible Parties: **Merkel Elevator and Farm Supply, Inc. (CN601108442 ...)** Since 06/12/2000 [View Compliance History ...](#)

Mailing Address: 26012 MARGUERITE PKWY STE 405 MISSION VIEJO, CA 92692 -3202

Legal	Description	Start Date	End Date	Type	Status	Status Date
T3432	IHW CORRECTIVE ACTION	06/14/2018		CLEANUP	ACTIVE	06/14/2018

Tracking No.	Type	Value	Start Date	End Date
23032102	ADMINISTRATIVE STATUS	ACTIVE	06/14/2018	
24577392	PROJECT MANAGER	GATHERING	10/11/2019	
23032101	PROJECT MANAGER	KCOULTER	06/14/2018	10/10/2019

Physical	Description	Start Date	Type	Status	Status Date
MERKEL EVEVATOR & FARM SUPPLY		06/14/2018	IHW CA	ONGOING WORKLOAD	06/14/2018

Tracking No.	Type	Value	Start Date	End Date
23032103	PROJECT PHASE	ONGOING WORKLOAD	06/14/2018	
23963559	GW REPORT DATA YEAR	2020	01/29/2019	
23963560	SITE SUBJECT TO GW MONITORING	NO	01/29/2019	

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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Petroleum Storage Tank Registration 73245**

[View Registration](#)

For: **FAS-GAS (RN102039120 ...)**

1205 N 1ST, MERKEL

Registration Status: **ACTIVE**

Held by: **MERKEL ELEVATOR AND FARM SUPPLY INC (CN601108442 ...)** [View 'Issued To' History ...](#)

OWNER Since 06/12/2000 [View Compliance History ...](#)

Now Known As: **Merkel Elevator and Farm Supply, Inc.**

Mailing Address: PO BOX 296 MERKEL, TX 79536 -0296

Related Information:

[Registration Information](#)

There is no information related to this Registration in the following categories:

- Commissioners' Actions**
- Correspondence Tracking**
- Effective Enforcement Orders**
- Criminal Convictions**
- Proposed Enforcement Orders**
- Complaints**
- Discharges**
- Emergency Response Events**
- Emission Events**
- Fish Kills**
- Other Incidents**
- Investigations**
- Periodic Reports**

.....
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LPST

Merkel – 7220301 - WWTP - CE-E...

30 views

All changes saved in Drive

 Add layer  Share  Preview

 Aerator/Mixer Installation


☒ SCADA (if funds allow)

 Individual styles

 Lift Station - 1

 Lift Station - 2


 Lift Station - 3

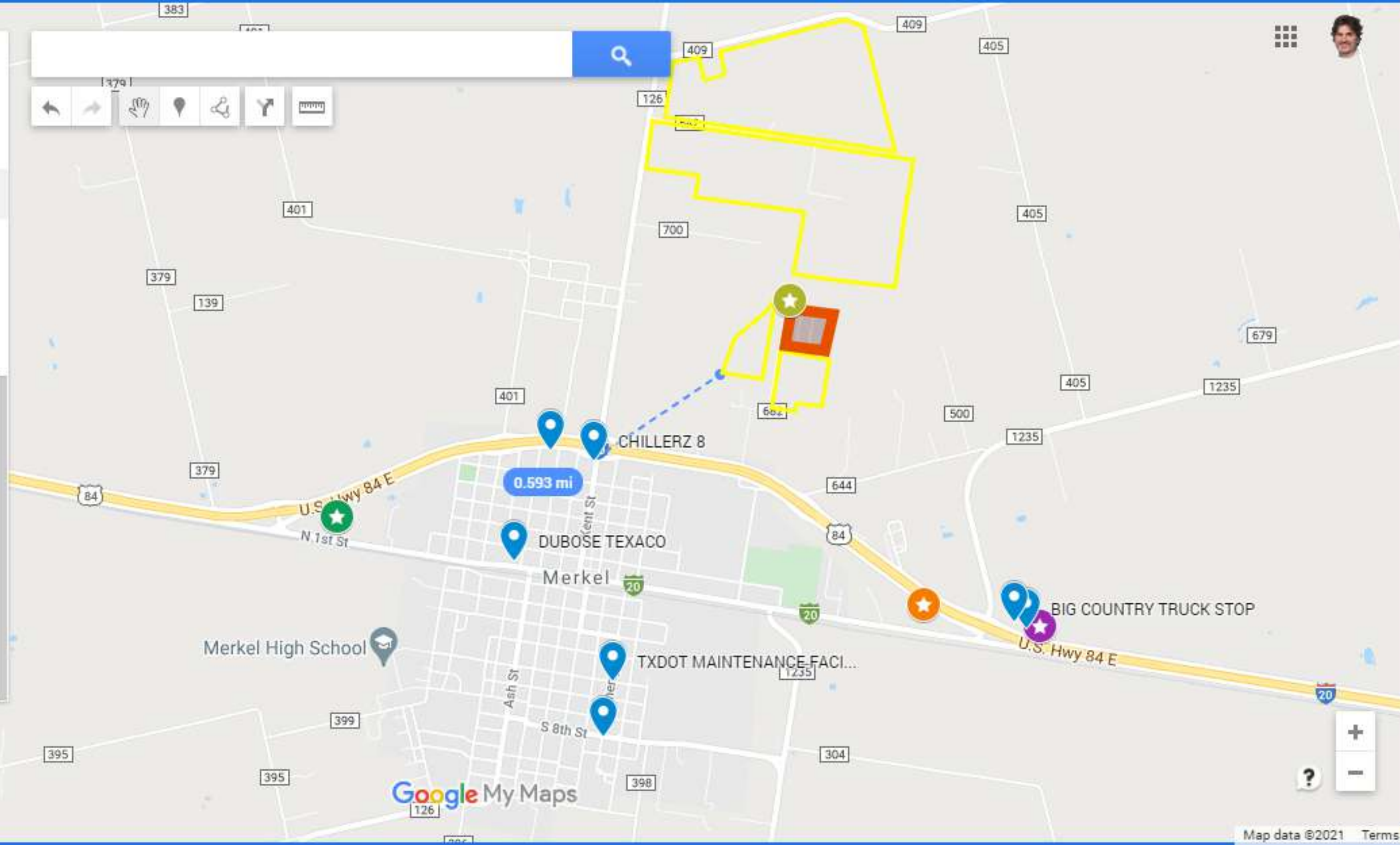
 Lift Station - 4

☒ LPST

 Uniform style

 All items (9)

 Base map



Central Registry Query - Regulated Entity Information

Regulated Entity Information




RN Number: RN102045747**Name:** BIG COUNTRY TRUCK STOP [View Prior Names ...](#)**Primary Business:** RETAIL**Street Address:** 9232 INTERSTATE 20, MERKEL TX 79536 7506**County:** TAYLOR**Nearest City:** MERKEL**State:** TX**Near ZIP Code:** 79536**Physical Location:** 9232 I-20 MERKEL

Affiliated Customers - Current

Your Search Returned **3** Current Affiliation Records ([View Affiliation History ...](#))

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

1-3 of 3 Records

CN Number ▲	Customer Name	Customer Role(s)	Details
CN601267511	TURLEY ENTERPRISES INC	OWNER OPERATOR	
CN605385103	BW GAS & CONVENIENCE RETAIL LLC	OPERATOR	
CN605545367	BW GAS & CONVENIENCE REAL ESTATE LLC	OWNER	

Industry Type Codes

Code	Classification	Name
No NAICS or SIC Codes on file.		

Permits, Registrations, or Other Authorizations

There are a total of **2** programs and IDs for this regulated entity. Click on a column name to change the sort order.

1-2 of 2 Records

Program ▲	ID Type	ID Number	ID Status
LEAKING PETROLEUM STORAGE TANKS REMEDIATION	ID NUMBER	111315	INACTIVE
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	27018	ACTIVE

Central Registry Query - Regulated Entity Information

Regulated Entity Information




RN Number: RN102007242**Name:** YESWAY 1064 [View Prior Names ...](#)**Primary Business:** RETAIL**Street Address:** 9272 INTERSTATE 20, MERKEL TX 79536 7506**County:** TAYLOR**Nearest City:** MERKEL**State:** TX**Near ZIP Code:** 79536**Physical Location:** I 20 AT EXIT 270 MERKEL TX 79536

Affiliated Customers - Current

Your Search Returned **3** Current Affiliation Records ([View Affiliation History ...](#))

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

1-3 of 3 Records

CN Number ▲	Customer Name	Customer Role(s)	Details
CN601267511	TURLEY ENTERPRISES INC	OWNER OPERATOR	
CN605385103	BW GAS & CONVENIENCE RETAIL LLC	OPERATOR	
CN605545367	BW GAS & CONVENIENCE REAL ESTATE LLC	OWNER	

Industry Type Codes

Code	Classification	Name
No NAICS or SIC Codes on file.		

Permits, Registrations, or Other Authorizations

There are a total of **2** programs and IDs for this regulated entity. Click on a column name to change the sort order.

1-2 of 2 Records

Program ▲	ID Type	ID Number	ID Status
LEAKING PETROLEUM STORAGE TANKS REMEDIATION	ID NUMBER	111492	INACTIVE
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	27040	ACTIVE

PST

Merkel – 7220301 - WWTP - CE-E...

32 views

All changes saved in Drive

 Add layer  Share  Preview

 Individual styles

 Lift Station - 1

 Lift Station - 2

 Lift Station - 3

 Lift Station - 4

☒ PST

 Uniform style

1 row couldn't be shown on the map.
Fix errors highlighted red in the data
table. [Open data table](#) [Dismiss](#)

 All items (26)

☐ Base map

Merkel High School

Merkel

GENERAL MACHINE WORKS

BIG COUNTRY TRUCK STOP


TXDOT MAINTENANCE FACI...

Google My Maps


Merkel – 7220301 - WWTP - CE-E...

32 views

All changes saved in Drive

 Add layer  Share  Preview

 Individual styles

 Lift Station - 1

 Lift Station - 2

 Lift Station - 3

 Lift Station - 4

☒ PST

 Uniform style

1 row couldn't be shown on the map.
Fix errors highlighted red in the data
table. [Open data table](#) [Dismiss](#)

 All items (26)

☐ Base map

AHWS Abilene location

Windmill City
Farm & Ranch

Big Country Truck Stop

YESWAY 1064

ALO

Iron Horse Travel Center

I-20 Frontage Rd

I-20 Frontage Rd

I-20 Frontage Rd

U.S. Hwy 84 E

I-20 Frontage Rd

U.S. Hwy 84 E

I-20 Frontage Rd

Google My Maps

Central Registry Query - Regulated Entity Information

Regulated Entity Information




RN Number: RN102045747**Name:** BIG COUNTRY TRUCK STOP [View Prior Names ...](#)**Primary Business:** RETAIL**Street Address:** 9232 INTERSTATE 20, MERKEL TX 79536 7506**County:** TAYLOR**Nearest City:** MERKEL**State:** TX**Near ZIP Code:** 79536**Physical Location:** 9232 I-20 MERKEL

Affiliated Customers - Current

Your Search Returned **3** Current Affiliation Records ([View Affiliation History ...](#))

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

1-3 of 3 Records

CN Number ▲	Customer Name	Customer Role(s)	Details
CN601267511	TURLEY ENTERPRISES INC	OWNER OPERATOR	
CN605385103	BW GAS & CONVENIENCE RETAIL LLC	OPERATOR	
CN605545367	BW GAS & CONVENIENCE REAL ESTATE LLC	OWNER	

Industry Type Codes

Code	Classification	Name
No NAICS or SIC Codes on file.		

Permits, Registrations, or Other Authorizations

There are a total of **2** programs and IDs for this regulated entity. Click on a column name to change the sort order.

1-2 of 2 Records

Program ▲	ID Type	ID Number	ID Status
LEAKING PETROLEUM STORAGE TANKS REMEDIATION	ID NUMBER	111315	INACTIVE
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	27018	ACTIVE

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Query Home	Customer Search	RE Search	ID Search	Document Search	Search Results	TCEQ Home
----------------------------	---------------------------------	---------------------------	---------------------------	---------------------------------	--------------------------------	---------------------------

Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Petroleum Storage Tank Registration 27018** [View Registration](#)
[View Certificate of Delivery](#)

For: **YESWAY 1063 (RN102045747 ...)**

9232 INTERSTATE 20, MERKEL

Registration Status: **ACTIVE**

Held by: **BW Gas & Convenience Retail, LLC (CN605385103 ...)** [View 'Issued To' History ...](#)

OPERATOR Since 05/16/2017 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Held by: **Bw Gas & Convenience Real Estate, LLC (CN605545367 ...)** [View 'Issued To' History ...](#)

OWNER Since 03/02/2018 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

[View Earlier Holders](#)

Related Information:

[Complaints](#)

[Investigations](#)

[Registration Information](#)

There is no information related to this Registration in the following categories:

Commissioners' Actions

Correspondence Tracking

Effective Enforcement Orders

Criminal Convictions

Proposed Enforcement Orders

Discharges

Emergency Response Events

Emission Events

Fish Kills

Other Incidents

Periodic Reports

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Statewide Links: **Texas.gov | Texas Homeland Security | TRAIL Statewide Archive | Texas Veterans Portal**

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Central Registry

The Customer Name displayed may be different than the Customer Name associated to the Additional IDs related to the customer. This name may be different due to ownership changes, legal name changes, or other administrative changes.

Detail of: **Petroleum Storage Tank Registration 27018**

For: **YESWAY 1063** ([RN102045747 ...](#))

9232 INTERSTATE 20, MERKEL

Registration Status: **ACTIVE**

Held by: **BW Gas & Convenience Retail, LLC** ([CN605385103 ...](#)) [View 'Issued To'](#)

[History ...](#)

OPERATOR Since 05/16/2017 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Held by: **Bw Gas & Convenience Real Estate, LLC** ([CN605545367 ...](#)) [View 'Issued To' History ...](#)

OWNER Since 03/02/2018 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Petroleum Storage Tank Complaints at BIG COUNTRY TRUCK STOP

Tracking Number	Complaint Received	Status	Status Date
133581	12/21/2009	CLOSED	01/22/2010

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TCEQ Web Access to Complaint Information

Complaint Status - Complaint 133581

Complaint Information

Complaint Tracking #: ? 133581
Complaint Received Date: 12/21/2009
Number Complaining: 1
Status: ? CLOSED
Status Date: ? 01/22/2010
Nature: ? PST
Frequency: ? CURRENT
Duration: ? ESTIMATED
Media: ? WASTE
Program: ? PETROLEUM STORAGE TANK - HIGH LEVEL
Priority: ? Within 30 Calendar Days
Effect: ? ENVIRONMENTAL
Receiving Water Body: ? None
Regulated Entity: ? RN102045747 BIG COUNTRY TRUCK STOP
Customer: ? CN603136318 WESTERN MARKETING INC
Location: ? 9232 INTERSTATE 20
 MERKEL, TX 79536
County: ? TAYLOR

Complaint Description, Comment and Action

Description: An anonymous complaint was received by Environmental Protection Agency (EPA) Region 6, Dallas Office, and referred to the Texas Commission on Environmental Quality (TCEQ) Abilene Region 3 Office, December 21, 2009. The complainant alleged that an underground storage tank, fuel or gas line was ruptured while a water line was being repaired at the Big Country Truck Stop, in Merkel, Texas. The complainant reported smelling "a strong gas leak smell" (not specifically gasoline or natural gas) and believed the construction work crew was repairing a gas leak without notification. The complainant did not notify the local police of a potential gas leak.

Comment:

Action Taken: On December 21, 2009, TCEQ Abilene Region Office Petroleum Storage Tank (PST) Investigator, Ms. Patty Gough, conducted a PST Complaint Investigation at the facility. The water line was approximately 50 yards from the USTs, fuel lines, and dispensers. The water line was also located downwind from the fuel fill-ports, which received fuel drops daily, often multiple times per day. The facility was receiving a delivery at the time of the investigation, and the fuel vapors were detectable from the area of the water line repair. A tank test was run on the facility's automatic tank gauge (ATG), which indicated "passing" results. The daily inventory and monthly reconciliation records were reviewed and no indication of a release was found. A General Compliance letter will be forwarded to Western Marketing, Inc.

Investigation Information

Investigation #: ? 788462
Date of Investigation: ? 12/21/2009

Media/Program

Media	Program
WASTE	PETROLEUM STORAGE TANK REGISTRATION

Notice of Violation(NOV)/Notice of Enforcement(NOE) Information

No NOV/NOE has been issued.

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[Customer Search](#)[RE Search](#)[ID Search](#)[Document Search](#)[Search Results](#)[Registration Detail](#)[TCEQ Home](#)[Query Home](#)

Central Registry

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Detail of: **Petroleum Storage Tank Registration 27018**

For: **YESWAY 1063 (RN102045747 ...)**

9232 INTERSTATE 20, MERKEL

Registration Status: **ACTIVE**

Held by: **BW Gas & Convenience Retail, LLC (CN605385103 ...)** [View 'Issued To'](#)

[History ...](#)

OPERATOR Since 05/16/2017 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Held by: **Bw Gas & Convenience Real Estate, LLC (CN605545367 ...)** [View 'Issued To' History ...](#)

OWNER Since 03/02/2018 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Investigations

Investigation Date	Investigation Type
10/03/2017	Compliance Investigation
09/01/2020	Compliance Investigation

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Detail of: **Petroleum Storage Tank Registration 27018**

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9232 INTERSTATE 20, MERKEL

Registration Status: **ACTIVE**

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OPERATOR Since 05/16/2017 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Held by: **Bw Gas & Convenience Real Estate, LLC (CN605545367 ...)** [View 'Issued To' History ...](#)

OWNER Since 03/02/2018 [View Compliance History ...](#)

Mailing Address: 138 CONANT ST STE 3 BEVERLY, MA 01915 -1666

Financial Assurance

1,000,000 Insurance Or Risk Retention, expires 05/16/2022

OTHER, Agent

Self-Certification Status by Compartment

Current: 1A 2A 3A 4A 4B (through last day of 05/2022)

[View Complete Self-Certification History](#)

Registered Tanks and Their Associated Systems

Table 1. Underground Storage Tank Summary

Tank	Capacity (Gallon)	Date Installed	Status	Substance Stored	Related Information
1	15000	10/01/1996	In Use	A: Gasoline	Tank Details Compartment Piping Vapor Recovery
2	15000	10/01/1996	In Use	A: Gasoline	Tank Details Compartment Piping Vapor Recovery
3	15000	10/01/1996	In Use	A: Diesel	Tank Details Compartment Piping Vapor Recovery
4	15000	10/01/1996	In Use	A: Gasoline, B: Gasoline	Tank Details Compartment Piping Vapor Recovery
1A	10000	01/01/1974	Permanently Filled in Place (02/06/1997)	A: Gasoline	Tank Details

Table 2. Tank Details

Tank	Design & Materials	Corrosion Protection	Release Detection	Spill Containment and Overfill Prevention	Installation Contractor	Installer	Test Result	Related Inform

Tank	Design & Materials	Corrosion Protection	Release Detection	Spill Containment and Overfill Prevention	Installation Contractor	Installer	Test Result	Related Information
1	1:Single Wall (Composite Tank)	Composite (Steel/FRP)	A: 1: Ext Vapor/Tracer Monitoring A: 2: Ext Groundwater Monitoring A: 4: Auto	A: 1: Tight Fill Fitting 2: Fac Built Spill Cont/Bckt/Sump 3: Delivery Shutoff Valve	TESCO EQUIPMENT & SUPPLY (CRP000321)	CHARLES MARTIN		Tank Summary Compartment Piping Vapor Recovery

Table 3. Compartment Details

Tank	Compartment	Capacity (gallons)	Principal Substance	Other Substance	Release Detection	Spill Containment and Overfill Prevention	Related Information
1	A	15000	Gasoline		1 : Ext Vapor/Tracer Monitoring 2 : Ext Groundwater Monitoring 3 : Auto Tank Gauge & Inv Cntrl	1 : Tight Fill Fitting 2 : Fac Built Spill Cont/Bckt/Sump 3 : Delivery Shutoff Valve	Tank Summary Tank Details Piping Vapor Recovery
1A	A		Gasoline				Tank Summary Tank Details Piping Vapor Recovery
2	A	15000	Gasoline		1 : Ext Vapor/Tracer Monitoring	1 : Tight Fill Fitting 2 : Fac Built Spill Cont/Bckt/Sump	Tank Summary Tank Details Piping

Table 4. Piping Systems

Tank	Type of Piping	Piping Material	Design and External Containment	Connectors and valves	Corrosion Protection	Release Detection	Related Information
1	Pressurized	FRP	Single Wall	1: Shear Impact Valves 2: Flex Connectors	1: FRP (Noncorrodible)	A:Ext Vapor/Tracer Monitoring A:Ext Groundwater Monitoring A:Monthly Piping Tightness A:Ann Pipe Tightness/Electr Mon A:Auto Line Leak Detector	Tank Summary Tank Details Compartment Piping Vapor Recovery
1A		Steel					Tank Summary Tank Details Compartment Piping

Table 5. Vapor Recovery Systems

Tank	Type of Stage 1	Date Installed	Type of Stage 2	Date Installed	Related Information
1	Not Reported				Tank Summary Tank Details Compartment Piping
1A	Not Reported				Tank Summary Tank Details Compartment Piping
2	Not Reported				Tank Summary Tank Details Compartment Piping

2A Tank	NOT REPORTED Type of Stage 1	Date Installed	Type of Stage 2	Date Installed	Tank Summary Tank Details Compartment Piping Related Information
3	Not Reported				Tank Summary

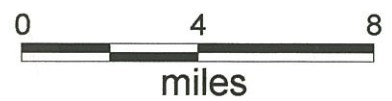
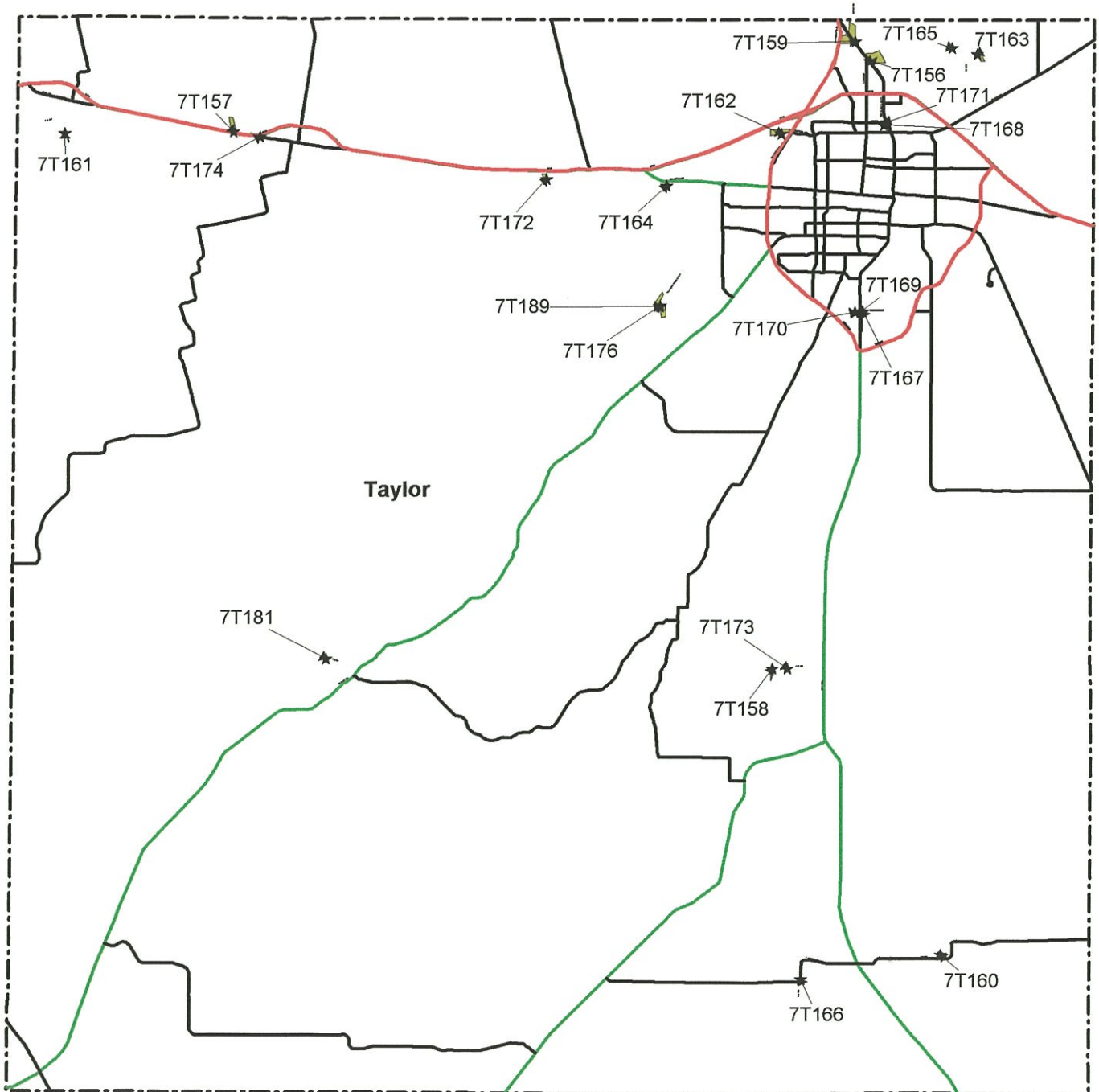
.....

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Closed Landfills

TAYLOR COUNTY LANDFILLS



SECTION 19.0

TAYLOR COUNTY

WCTCOG ID No.	Permit No.	Unpermit No.	Landfill Name
7T156	365		W. H. Kinkaid
7T157	555		Merkel Landfill
7T158	825		Buffalo Gap/Tuscola
7T159	1134		Abilene Brick Company
7T160	1202		City of Lawn
7T161		633	Trent
7T162		635	Coachlight Mobile Home Park
7T163		636	Buck Creek Landfill
7T164		639	Tye
7T165		641	Abilene Dead Animal Dump
7T166		642	City of Lawn
7T167		1179	Abilene Branch
7T168		1207	_____
7T169		1212	Industrial Blvd. Lot 101
7T170		1213	1601 Industrial Blvd.
7T171		1215	_____
7T172		2118	Joe Lindley
7T173		2119	Noble Craft Landfill
7T174		2562	Precinct 2
7T176		2608	Dyess AFB No. 1
7T181		*	Spring Valley
7T189		*	Dyess AFB Landfill No. 2

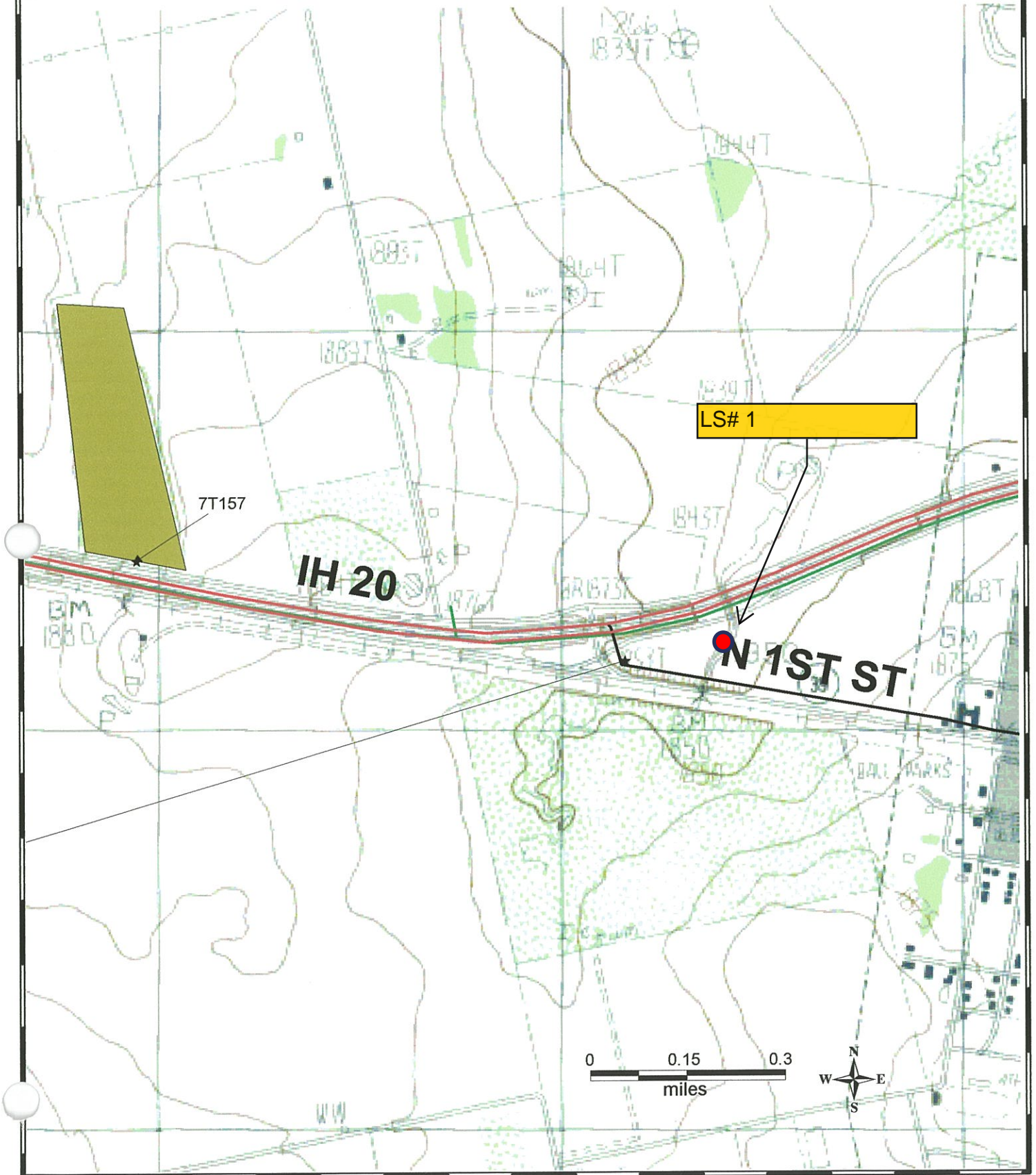
*This is an additional site that does not have a permitted or an unpermitted number.

DISCLAIMER:

This Taylor County, Texas, CLOSED OR ABANDONED MUNICIPAL SOLID WASTE LANDFILL INVENTORY was prepared from information furnished by the Texas Commission on Environmental Quality ("TCEQ"), permitting records on file with TCEQ and the Texas Department of Health, and from aerial photography and GIS data developed by the West Central Texas Council of Governments (WCTCOG). The county map, individual site maps, and legal descriptions of the closed or abandoned municipal solid waste landfills represent TCEQ's and WCTCOG's best judgment about the landfills' location, but neither TCEQ nor the WCTCOG warrants the accuracy, timeliness, or completeness of the maps or legal descriptions. Moreover, because TCEQ and the WCTCOG have inventoried only known municipal solid waste landfills, TCEQ and the WCTCOG make no representation about whether a specific tract of land may overlie an unknown municipal or other solid waste landfill.

This Inventory was prepared in accordance with the statutory provisions of Section 363.064(a)(10) of the Texas Health & Safety Code, as amended by Senate Bill 1447, 76th Legislature as a required component of the regional solid waste management plan.

TAYLOR COUNTY P555-MERKEL LANDFILL



<u>Basic Identifying Information</u>					
1.	COG Name:	West Central Texas Council of Governments			
2.	County Name:	Taylor			
3.	Site Number:	7T157	Permitted No.	555	Unpermitted No.
4.	Site Name:	Merkel Landfill			
<u>Site History</u>					
1.	Date Founded:	11/25/1944			
2.	Date Closed:	1/29/1993			
3.	Current Status:	Closed			
<u>Location and Boundary Description</u>					
1.	Confidence Level:	1			
2.	GPS Location:	Latitude:	N 32.47552	Longitude:	W 100.04386
3.	Parcel Number:	R69217			
4.	Land Owner:	Billy & Freddy Tooms			
5.	Location Desc.	From the junction of FR 126 and the north I-20 frontage road in Merkel, west 1.9 miles on frontage road to landfill gate on north side of road.			
6.	Boundary Desc.	Northeast: N 32.48126 W 100.04427 Northwest: N 32.48133 W 100.04606 Southwest: N 32.47573 W 100.04523 Southeast: N 32.47533 W 100.04255			
7.	Current Use	Ultralight aircraft landing area			

Notes: TNRCC records indicate that a permitted landfill operated between November 11, 1944 and January 29, 1993 on a site of 19.27 acres, located on the west I-20 frontage road, approximately 1.9 miles west of the junction of FR 126 and I-20, west of Merkel. A metes and bounds description of the closed landfill unit is included as an attachment. The approximate closed landfill boundary indicated on this map was derived by visual inspection and using a Garmin GPS receiver to identify the boundary coordinates.



View is to the north.

West Central Texas Council of Governments	Permit Number: 555
	County: Taylor
	Date: December 1, 2000

WCTCOG ID NO.

7T156

PERMIT NO.

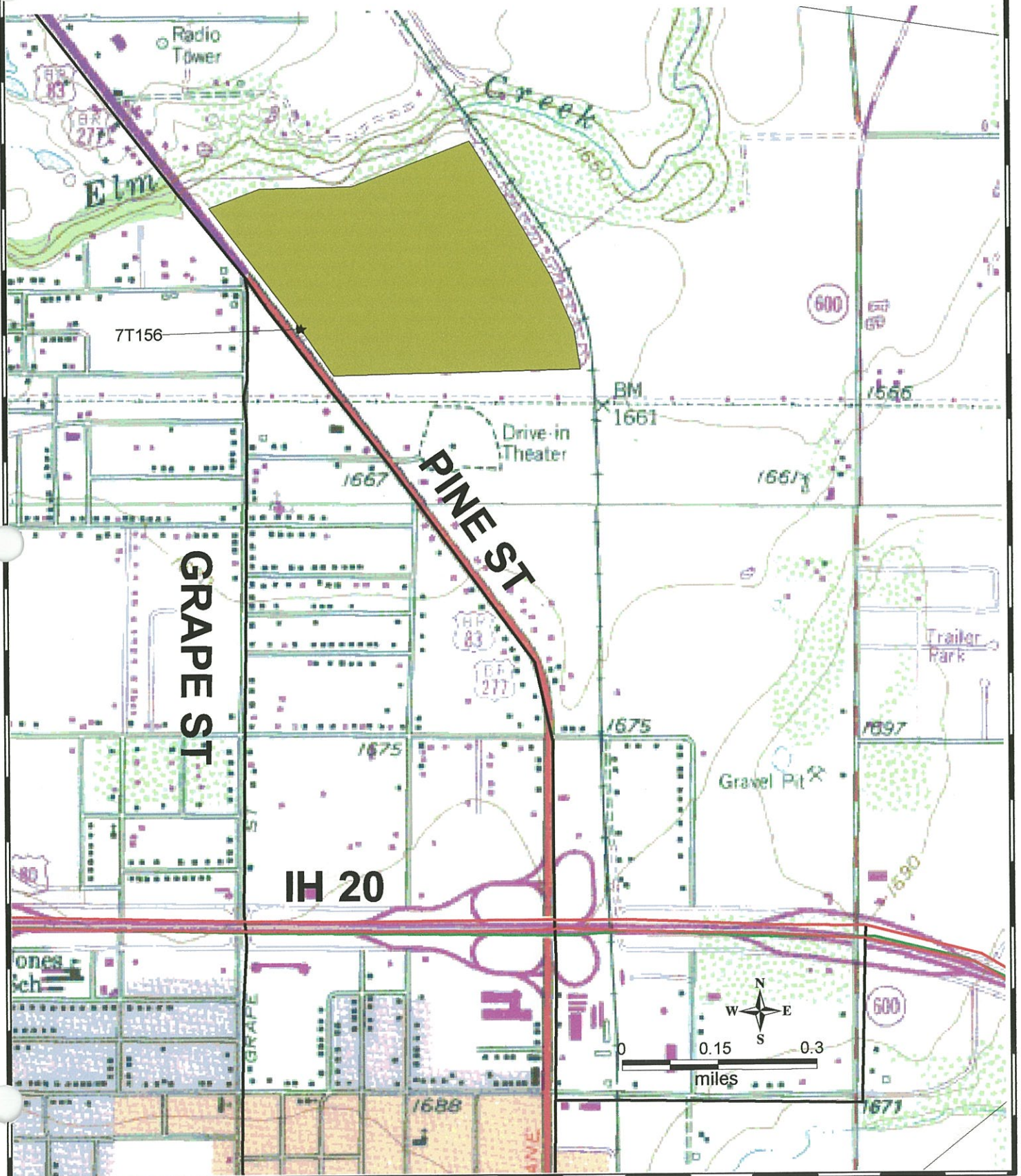
P365

LANDFILL NAME

W. H. Kinkaid

TAYLOR COUNTY

P365-W.H. KINKAID LANDFILL



WCTCOG ID NO. 7T156 PERMIT NO. P365 – ATTACHMENTS

**BASIC IDENTIFYING INFORMATION FORM
SITE PLAN**

<u>Basic Identifying Information</u>					
1.	COG Name:	West Central Texas Council of Governments			
2.	County Name:	Taylor			
3.	Site Number:	7T156	Permitted No.	365	Unpermitted No.
4.	Site Name:	W. H. Kinkaid			
<u>Site History</u>					
1.	Date Founded:	1969			
2.	Date Closed:	1977			
3.	Current Status:	closed			
<u>Location and Boundary Description</u>					
1.	Confidence Level:	1			
2.	GPS Location:	Latitude:	N 32.50405	Longitude:	W 99.73781
3.	Parcel Number:	R33917			
4.	Land Owner:	W. H. Kinkaid			
5.	Location Desc.	Location of Fraley Butane Co. at 4301 Pine Street, Abilene, Texas			
6.	Boundary Desc.	Northwest: N 32.50679 W 99.74028 North-northwest: N 32.50718 W 99.73891 North-northeast: N 32.50729 W 99.73643 Northeast: N 32.50833 W 99.73338 Southwest: N 32.50300 W 99.73694 Southeast: N 32.50317 W 99.73041			
7.	Current Use	75% not in use 25% in commercial use			

Notes: none

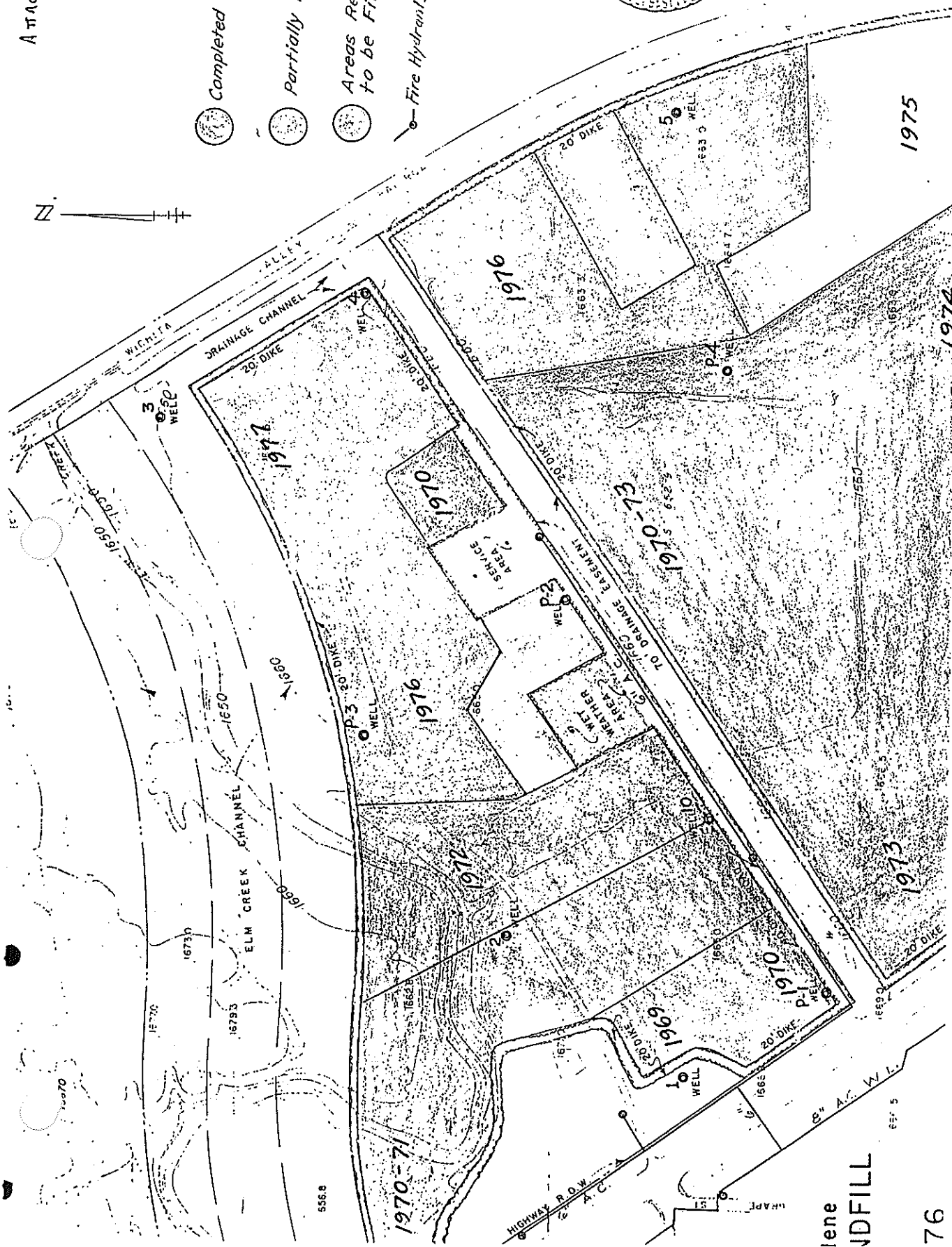
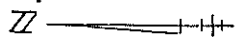
C-7
365

Completed Fill Areas

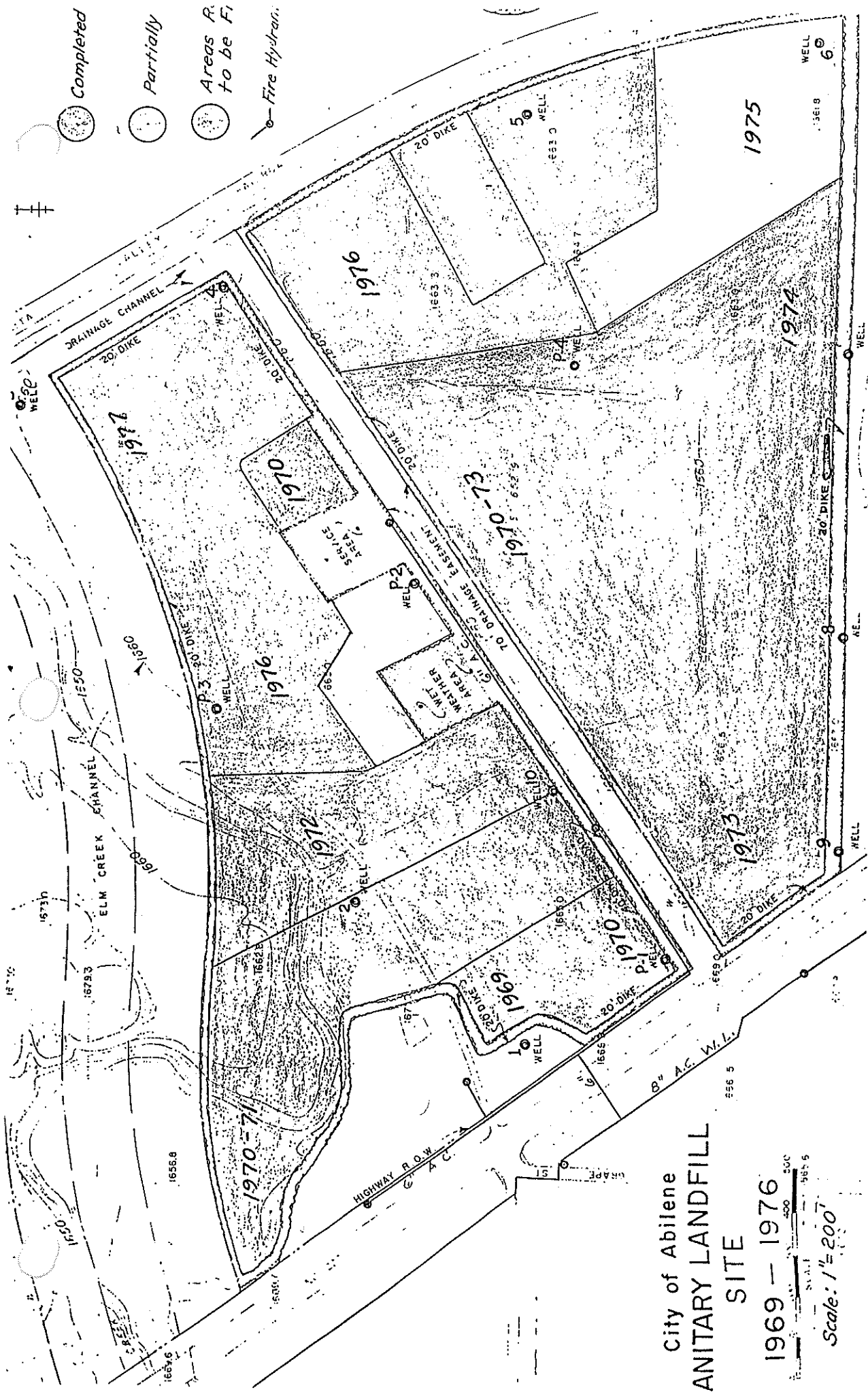
Partially Filled

Areas Remaining to be Filled

Fire Hydrants & Water Mains



Line
ADFILL



City of Abilene
ANITARY LANDFILL
SITE

1969 - 1976

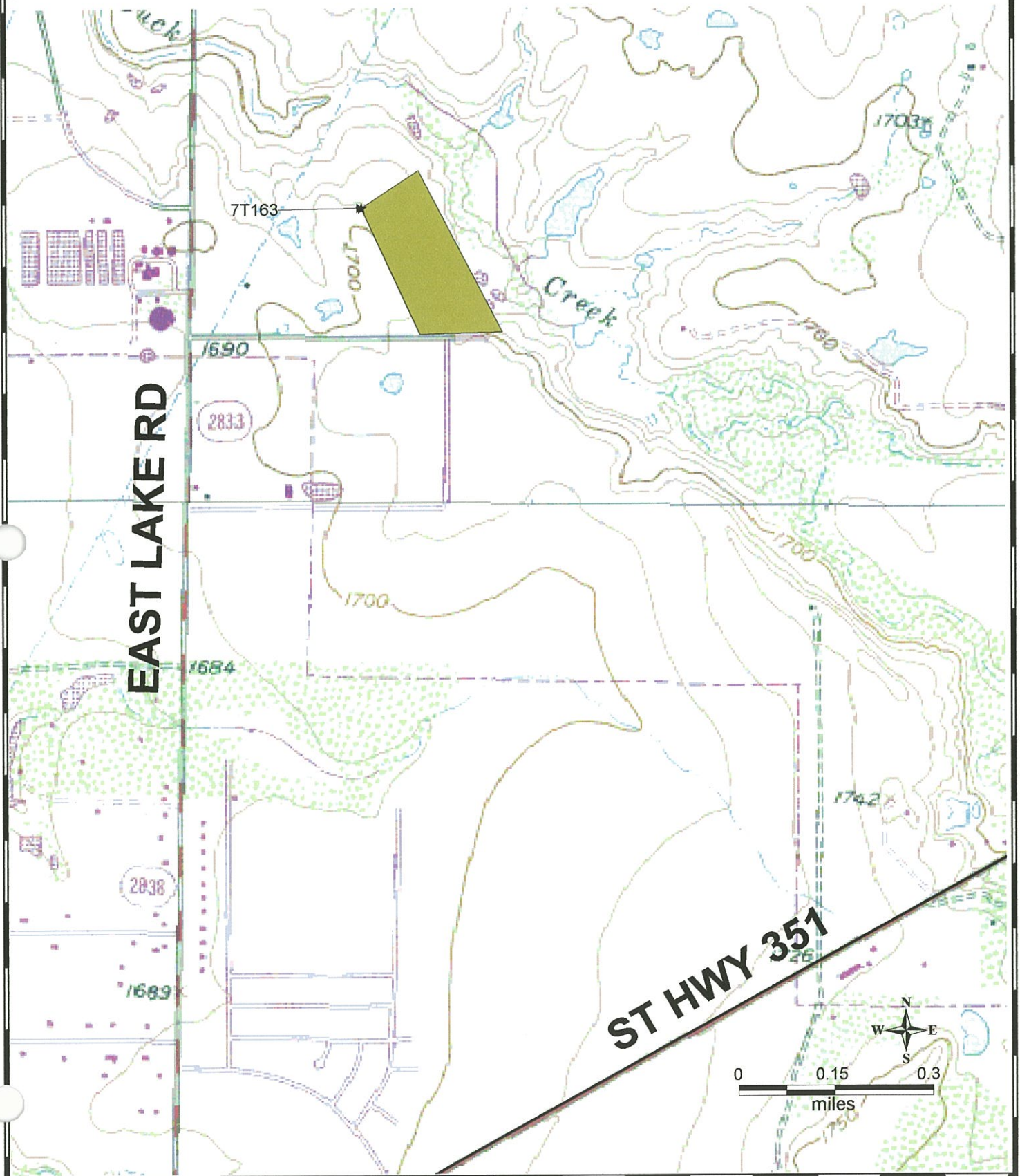
Scale: 1" = 200'

WCTCOG ID NO.
7T163

UNPERMIT NO.
U636

LANDFILL NAME
Buck Creek Landfill

TAYLOR COUNTY U636-BUCK CREEK LANDFILL



WCTCOG ID NO. 7T163 UNPERMIT NO. U636 – ATTACHMENTS

BASIC IDENTIFYING INFORMATION FORM

<u>Basic Identifying Information</u>					
1.	COG Name:	West Central Texas Council of Governments			
2.	County Name:	Taylor			
3.	Site Number:	7T163	Permitted No.		Unpermitted No. 636
4.	Site Name:	Buck Creek Landfill			
<u>Site History</u>					
1.	Date Founded:	unknown			
2.	Date Closed:	1979			
3.	Current Status:	Closed			
<u>Location and Boundary Description</u>					
1.	Confidence Level:	1			
2.	GPS Location:	Latitude:	N 32.50670	Longitude:	W 99.68607
3.	Parcel Number:	R46841			
4.	Land Owner:	City of Abilene			
5.	Location Desc.	From the intersection of I-20 and Hwy 351, east on Hwy 351 0.6 mile to East Lake Road. North on East Lake Road 1.6 miles to gate on east side of the road. East through gate 0.4 mile to landfill cells.			
6.	Boundary Desc.	Northwest: N 32.50670 W 99.68607 Northeast: N 32.50756 W 99.68456 Southwest: N 32.50385 W 99.68448 Southeast: N 32.50393 W 99.68230			
7.	Current Use	No current use			

Notes: TNRCC records indicate that a unpermitted landfill operated between an unknown opening date and 1979 on a site of 50 acres, located 1.6 miles north of the intersection of Highway 351 and East Lake Road, and 0.4 miles east of the gate on East Lake Road. A metes and bounds description of the closed landfill unit was not available. The approximate closed landfill boundary indicated on this map was derived by visual inspection and using a Garmin GPS receiver to identify the boundary coordinates.

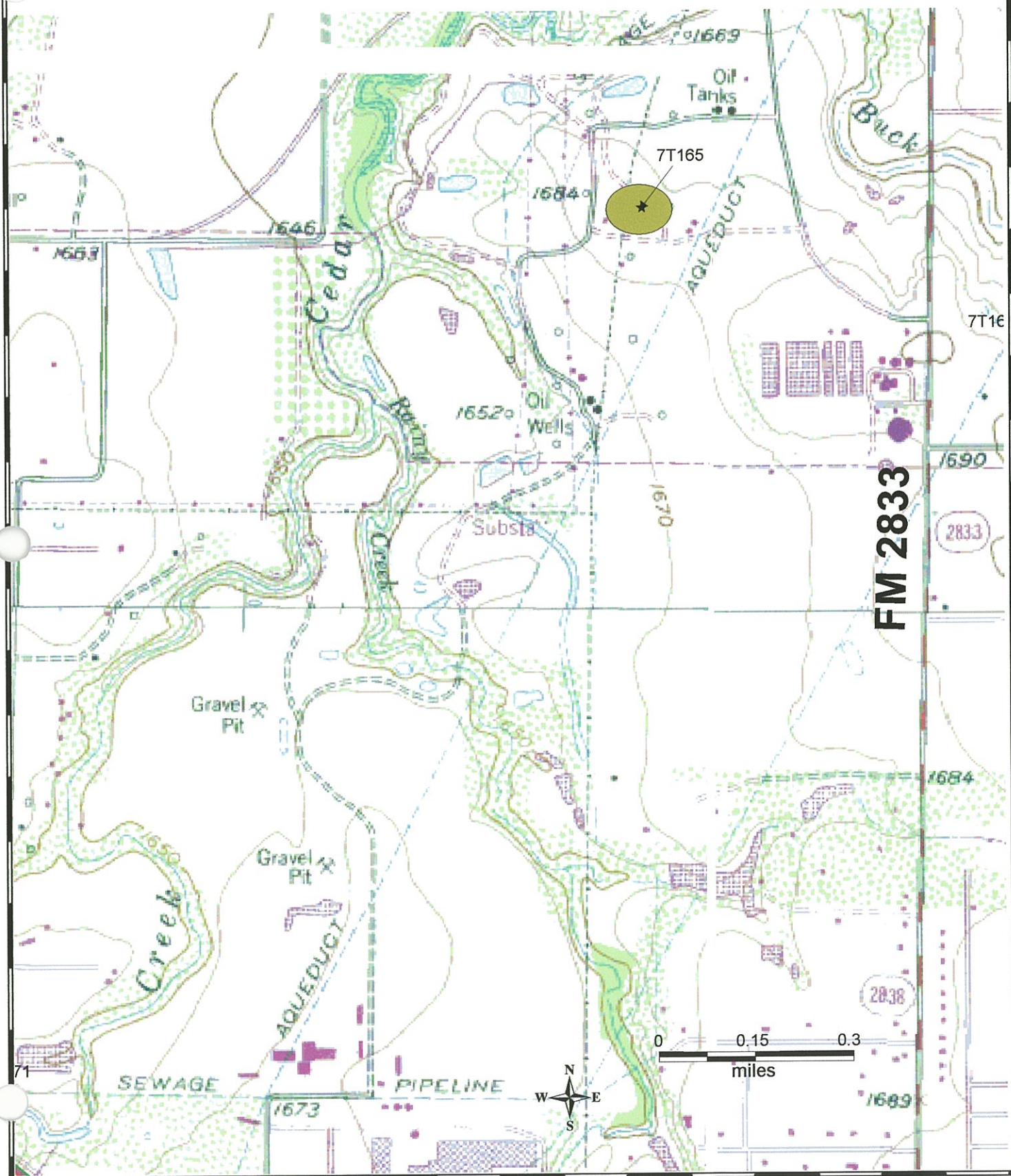
WCTCOG ID NO.
7T165

UNPERMIT NO.
U641

LANDFILL NAME
Abilene Dead Animal Dump

TAYLOR COUNTY

U641-ABILENE DEAD ANIMAL DUMP LANDFILL



WCTCOG ID NO. 7T165 UNPERMIT NO. U641 – ATTACHMENTS

**BASIC IDENTIFYING INFORMATION FORM
PHOTOGRAPH**

Basic Identifying Information

1.	COG Name:	West Central Texas Council of Governments				
2.	County Name:	Taylor				
3.	Site Number:	7T165	Permitted No.		Unpermitted No.	641
4.	Site Name:	Abilene Dead Animal Dump				

Site History

1.	Date Founded:	unknown
2.	Date Closed:	unknown
3.	Current Status:	closed

Location and Boundary Description

1.	Confidence Level:	5			
2.	GPS Location:	Latitude:	Unknown	Longitude:	Unknown
3.	Parcel Number:	Unable to determine			
4.	Land Owner:	unknown			
5.	Location Desc.	From intersection of Hwy 351 & FM 2833 go N 1.7 mi on FM 2833. Take left on road to Buck Creek Pump Station. Go 0.2 mi NW then turn left on 2 nd dirt road. Go 0.3 mi W until you reach sewage station. Stay right for 0.2 mi W and landfill is on your right on N side of road.			
6.	Boundary Desc.	Could not locate.			
7.	Current Use	Open land vegetation			



View is to the East.

West Central Texas Council of Governments	Unpermitted Number: 641
	County: Taylor
	Date: December 15, 2000

WCTCOG ID NO.

7T171

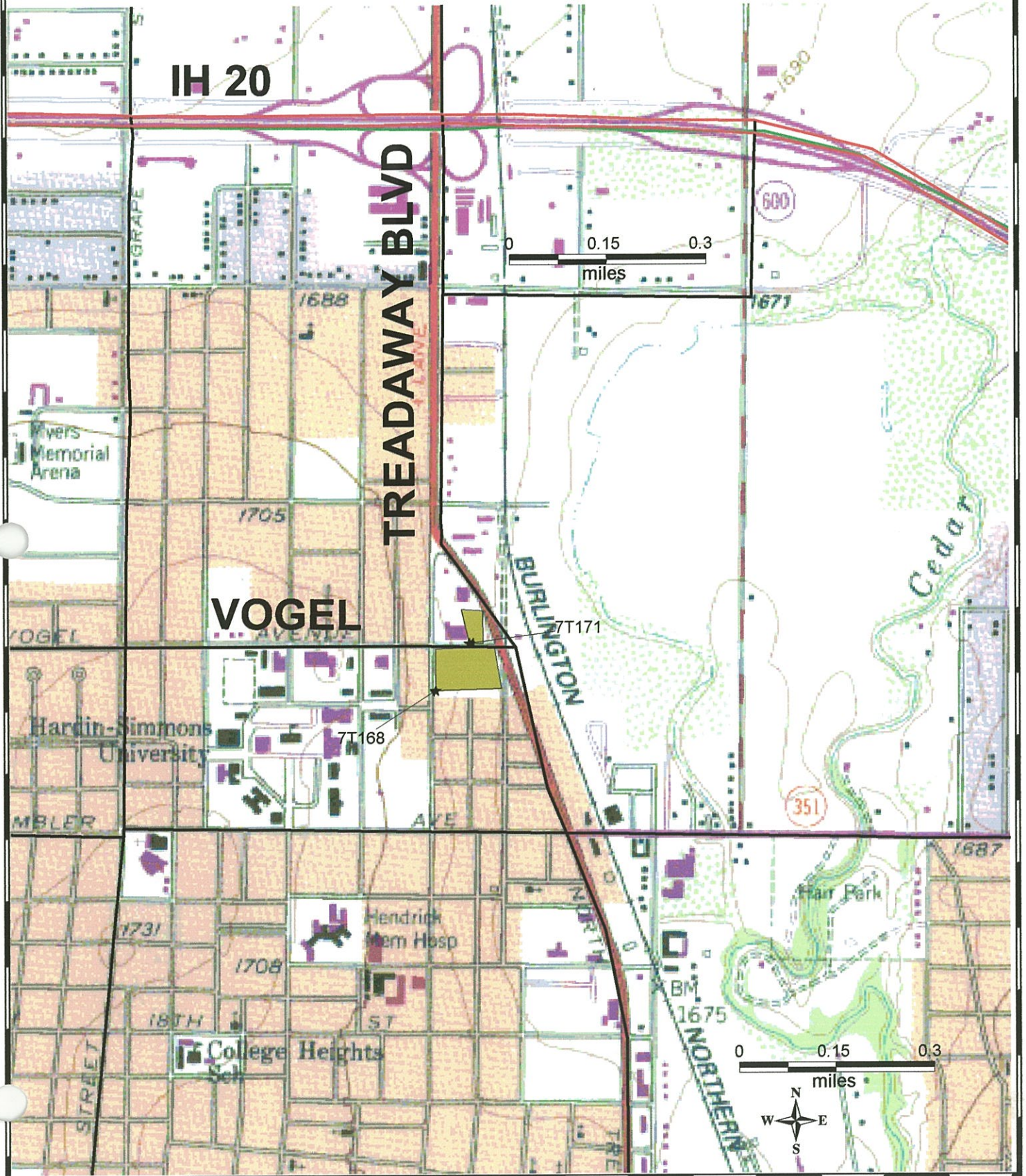
UNPERMIT NO.

U1215

LANDFILL NAME

—

TAYLOR COUNTY U1215



WCTCOG ID NO. 7T171 UNPERMIT NO. U1215 – ATTACHMENTS
BASIC IDENTIFYING INFORMATION FORM

<u>Basic Identifying Information</u>					
1.	COG Name:	West Central Texas Council of Governments			
2.	County Name:	Taylor			
3.	Site Number:	7T171	Permitted No.		Unpermitted No. 1215
4.	Site Name:				
<u>Site History</u>					
1.	Date Founded:	unknown			
2.	Date Closed:	unknown			
3.	Current Status:	closed			
<u>Location and Boundary Description</u>					
1.	Confidence Level:	3			
2.	GPS Location:	Latitude:	N 32.47884	Longitude:	W 99.73019
3.	Parcel Number:	R66990			
4.	Land Owner:	Allsup's Convenience Store			
5.	Location Desc.	Northeast corner of Treadaway and Vogel			
6.	Boundary Desc.	Northwest: N 32.47959 W 99.73041 Northeast: N 32.47957 W 99.72985 Southwest: N 32.47884 W 99.73019 Southeast: N 32.47883 W 99.72983			
7.	Current Use	No current use.			

Notes: TNRCC records indicate that an unpermitted landfill of unknown size was reported in a 1992 list of RTC sites in Texas. Records of dates of operation were not available. The landfill is located at the northeast corner of Treadaway Boulevard and Vogel in Abilene. A metes and bounds description of the closed landfill unit was not available for review. The approximate closed landfill boundary indicated on this map was derived by visual inspection and using a Garmin GPS receiver to identify the boundary coordinates.

Endangered Species

**Certification
Endangered Species
Environmental Review**

Project Name: Merkel – 7220301 - WWTP - CE
State/Local Identifier: 7220301

PROPOSED ACTION:

Project Location:

All work will occur in the City of Merkel, Taylor County, Texas at the following locations:

- Wastewater treatment plant located at 318 County Road 682 (32.484, -99.99821)
- Land Application Site 1 - located on 26.6 acres of property adjacent to the south side of the sludge ponds (32.4814, -99.99878)
- Land Application Site 2 - located on 21.5 acres of property adjacent to the east side of the sludge ponds (32.48315, -100.00172)
- Land Application Site 3 - located on 218 acres of property north of the sludge ponds (32.49214, -99.999)
- Land Application Site 4 - located on 181 acres of property north of Land Application Site 3 (32.49695, -99.99951)

IF FUNDS ALLOW:

- Lift Station 1 - on the south side of the I-20 Frontage Road near High Cotton Pkwy and N 1st St. (32.47395, -100.02809)
- Lift Station 2 - on the south side of the I-20 Frontage Road near CR 1236 and N. 1st St. (32.46922, -99.9909)
- Lift Station 3 - on the north side of the I-20 Frontage Road at the Alon gas station (32.46806, -99.98351)
- Lift Station 4 - on the northwest corner of the sludge ponds (32.48548, -99.99938)

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

Sewer:

Contractor shall reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health. Contractor shall conduct sludge removal, install aeration equipment, electrical controls and all associated appurtenances.

If the pond can be drained it will be removed with a loader. If the pond cannot be drained the sludge will be pumped out using specialized pumping equipment and allowed to dry. Then it will be loaded onto a truck and hauled to the application site and spread uniformly. The amount of sludge applied per acre is determined through the TCEQ permitting process. After spreading the sludge is then plowed into the soil. 200 acres of farmland will be utilized for land application of the sludge removal and there will not be a sludge transmission line installed. This will be a temporary land use and there will be no permanent acquisition involved with this project.

Professional Services including Grant Administrator and Project Engineer activities.

IF FUNDS ALLOW:

Contractor shall perform SCADA improvements to four (4) lift stations in the City.

FINDING:

Based on the proposed action, and my review of the performance statement in the grant contract with TDA, onsite inspection and photos, review of TPWD Listed Species and coordination with the USFWS, I, Todd Cave, have determined that the proposed action will have “no effect” on any federally or state-listed species or result in the destruction or adverse modification of critical habitats of plant and animal life, and no habitat for these species occurs within the proposed action site or adjacent area.

Todd Cave, ESP
Cave Consulting, Inc.



6/18/21

USFWS

Species Name - Common (Scientific)	Species Group	Listing Status	General Habitat Description*	Habitat Present
Merkel – 7220301 - WWTP - EA				
Federally Listed (http://www.fws.gov/southwest/es/EndangeredSpecies_Main.html)				
Piping Plover (<i>Charadrius melodus</i>)	Birds	Threatened	Wintering migrant along the Texas Gulf Coast; beaches and bayside mud or salt flats	None of the habitat described is in the project area.
Red Knot (<i>Calidris canutus rufa</i>)	Birds	Threatened	Migrant of 1,500 miles or more twice annually. Requires stopover habitats rich in easily digested foods of small invertebrates with thin or no shells.	None of the habitat described is in the project area.
Sharpnose Shiner <i>Notropis oxyrhynchus</i>	Fishes	Endangered	Mainstem river; sometimes entering smaller tributaries.	None of the habitat described is in the project area.
Smalleye Shiner <i>Notropis buccula</i>	Fishes	Endangered	Mainstem river, sometimes entering smaller tributaries.	None of the habitat described is in the project area.
Migratory Birds	Birds	No migratory birds may occur at the subject property.		
Habitat Description from the TDPW County Species List and the USFWS IPAC.				



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

Phone: (512) 490-0057 Fax: (512) 490-0974

<http://www.fws.gov/southwest/es/AustinTexas/>

<http://www.fws.gov/southwest/es/EndangeredSpecies/lists/>



In Reply Refer To:

June 15, 2021

Consultation Code: 02ETAU00-2021-SLI-1540

Event Code: 02ETAU00-2021-E-03144

Project Name: Merkel – 7220301 - WWTP - EA

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that *may* occur within the county of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

Please note that new information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Also note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of federally listed as threatened or endangered species and to determine whether projects may affect these species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

While a Federal agency may designate a non-Federal representative to conduct informal consultation or prepare a biological assessment, the Federal Agency must notify the Service in writing of any such designation. The Federal agency shall also independently review and evaluate the scope and content of a biological assessment prepared by their designated non-Federal representative before that document is submitted to the Service.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by a federally funded, permitted or authorized activity, the agency is required to consult with the Service pursuant to 50 CFR 402. The following definitions are provided to assist you in reaching a determination:

- *No effect* - the proposed action will not affect federally listed species or critical habitat. A “no effect” determination does not require section 7 consultation and no coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.
- *May affect, but is not likely to adversely affect* - the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effect. The Federal agency or the designated non-Federal representative should consult with the Service to seek written concurrence that adverse effects are not likely. Be sure to include all of the information and documentation used to reach your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.
- *Is likely to adversely affect* - adverse effects to listed species may occur as a direct or indirect result of the proposed action. For this determination, the effect of the action is neither discountable nor insignificant. If the overall effect of the proposed action is beneficial to the listed species but the action is also likely to cause some adverse effects to individuals of that species, then the proposed action “is likely to adversely affect” the listed species. The analysis should consider all interrelated and interdependent actions. An “is likely to adversely affect” determination requires the Federal action agency to initiate formal section 7 consultation with our office.

Regardless of the determination, the Service recommends that the Federal agency maintain a complete record of the evaluation, including steps leading to the determination of effect, the qualified personnel conducting the evaluation, habitat conditions, site photographs, and any other related information. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered

Species Consultation Handbook" at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>.

Migratory Birds

For projects that may affect migratory birds, the Migratory Bird Treaty Act (MBTA) implements various treaties and conventions for the protection of these species. Under the MBTA, taking, killing, or possessing migratory birds is unlawful. Migratory birds may nest in trees, brushy areas, or other areas of suitable habitat. The Service recommends activities requiring vegetation removal or disturbance avoid the peak nesting period of March through August to avoid destruction of individuals, nests, or eggs. If project activities must be conducted during this time, we recommend surveying for nests prior to conducting work. If a nest is found, and if possible, the Service recommends a buffer of vegetation remain around the nest until the young have fledged or the nest is abandoned.

For additional information concerning the MBTA and recommendations to reduce impacts to migratory birds please contact the U.S. Fish and Wildlife Service Migratory Birds Office, 500 Gold Ave. SW, Albuquerque, NM 87102. A list of migratory birds may be viewed at <https://www.fws.gov/birds/management/managed-species/migratory-bird-treaty-act-protected-species.php>. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at: <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/communication-towers.php>. Additionally, wind energy projects should follow the wind energy guidelines

<https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/wind-energy.php>) for minimizing impacts to migratory birds and bats.

Finally, please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 et seq.), and projects affecting these species may require development of an eagle conservation plan <https://www.fws.gov/birds/management/project-assessment-tools-and-guidance/guidance-documents/eagles.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Austin Ecological Services Field Office

10711 Burnet Road, Suite 200

Austin, TX 78758-4460

(512) 490-0057

Project Summary

Consultation Code: 02ETAU00-2021-SLI-1540

Event Code: 02ETAU00-2021-E-03144

Project Name: Merkel – 7220301 - WWTP - EA

Project Type: Federal Grant / Loan Related

Project Description: All work will occur in the City of Merkel, Taylor County, Texas at the following locations:

Wastewater treatment plant located at 318 County Road 682 (32.484, -99.99821)

Land Application Site 1 - located on 26.6 acres of property adjacent to the south side of the sludge ponds (32.4814, -99.99878)

Land Application Site 2 - located on 21.5 acres of property adjacent to the east side of the sludge ponds (32.48315, -100.00172)

Land Application Site 3 - located on 218 acres of property north of the sludge ponds (32.49214, -99.999)

Land Application Site 4 - located on 181 acres of property north of Land Application Site 3 (32.49695, -99.99951)

IF FUNDS ALLOW:

Lift Station 1 - on the south side of the I-20 Frontage Road near High Cotton Pkwy and N 1st St. (32.47395, -100.02809)

Lift Station 2 - on the south side of the I-20 Frontage Road near CR 1236 and N. 1st St. (32.46922, -99.9909)

Lift Station 3 - on the north side of the I-20 Frontage Road at the Alon gas station (32.46806, -99.98351)

Lift Station 4 - on the northwest corner of the sludge ponds (32.48548, -99.99938)

Sewer:

Contractor shall reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health. Contractor shall conduct sludge removal, install aeration equipment, electrical controls and all associated appurtenances.

If the pond can be drained it will be removed with a loader. If the pond cannot be drained the sludge will be pumped out using specialized pumping equipment and allowed to dry. Then it will be loaded onto a truck and hauled to the application site and spread uniformly. The amount of sludge applied per acre is determined through the TCEQ permitting process. After spreading the sludge is then plowed into the soil. 200 acres of farmland will be utilized for land application of the sludge removal and there will not be a sludge transmission line installed. This will be a temporary land use and there will be no permanent acquisition involved

with this project.

Professional Services including Grant Administrator and Project Engineer activities.

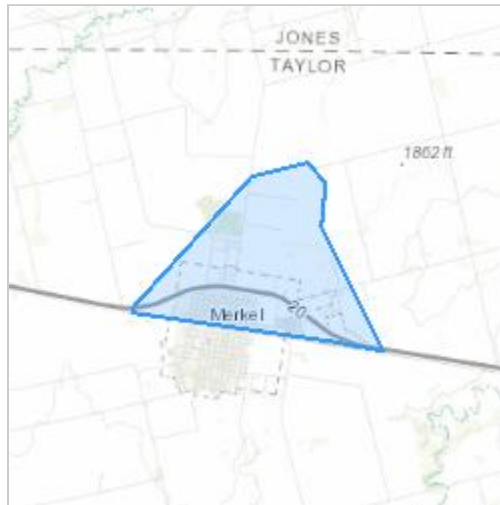
IF FUNDS ALLOW:

Contractor shall perform SCADA improvements to four (4) lift stations in the City.

Project should be complete within 18 months of start.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@32.48333705,-100.00604235543993,14z>



Counties: Taylor County, Texas

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 4 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Birds

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is final critical habitat for this species. The location of the critical habitat is not available. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/6039	Threatened
Red Knot <i>Calidris canutus rufa</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Wind Energy Projects Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened

Fishes

NAME	STATUS
Sharpnose Shiner <i>Notropis oxyrhynchus</i> There is final critical habitat for this species. The location of the critical habitat is not available. This species only needs to be considered under the following conditions: <ul style="list-style-type: none">▪ All reservoir projects; in-channel projects such as interbasin transfers, water diversions, small impoundments, etc. that may reduce flows of major tributaries eventually flowing into occupied habitat; commercial/industrial well field projects. Species profile: https://ecos.fws.gov/ecp/species/6492	Endangered
Smalleye Shiner <i>Notropis buccula</i> There is final critical habitat for this species. The location of the critical habitat is not available. This species only needs to be considered under the following conditions: <ul style="list-style-type: none">▪ All reservoir projects; in-channel projects such as interbasin transfers, water diversions, small impoundments, etc. that may reduce flows of major tributaries eventually flowing into occupied habitat; commercial/industrial well field projects. Species profile: https://ecos.fws.gov/ecp/species/1774	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

TPWD

Last Update: 8/25/2020

TAYLOR COUNTY

AMPHIBIANS

Woodhouse's toad *Anaxyrus woodhousii*

Terrestrial and aquatic: A wide variety of terrestrial habitats are used by this species, including forests, grasslands, and barrier island sand dunes. Aquatic habitats are equally varied.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: SU

BIRDS

bald eagle *Haliaeetus leucocephalus*

Found primarily near rivers and large lakes; nests in tall trees or on cliffs near water; communally roosts, especially in winter; hunts live prey, scavenges, and pirates food from other birds

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3B,S3N

Black Rail *Laterallus jamaicensis*

Salt, brackish, and freshwater marshes, pond borders, wet meadows, and grassy swamps; nests in or along edge of marsh, sometimes on damp ground, but usually on mat of previous years dead grasses; nest usually hidden in marsh grass or at base of Salicornia

Federal Status: PT	State Status: T	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S2

black-capped vireo *Vireo atricapilla*

Oak-juniper woodlands with distinctive patchy, two-layered aspect; shrub and tree layer with open, grassy spaces; requires foliage reaching to ground level for nesting cover; return to same territory, or one nearby, year after year; deciduous and broad-leaved shrubs and trees provide insects for feeding; species composition less important than presence of adequate broad-leaved shrubs, foliage to ground level, and required structure; nesting season March-late summer

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3B

Franklin's gull *Leucophaeus pipixcan*

This species is only a spring and fall migrant throughout Texas. It does not breed in or near Texas. Winter records are unusual consisting of one or a few individuals at a given site (especially along the Gulf coastline). During migration, these gulls fly during daylight hours but often come down to wetlands, lake shore, or islands to roost for the night.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S2N

mountain plover *Charadrius montanus*

Breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S2

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TAYLOR COUNTY

BIRDS

western burrowing owl *Athene cunicularia hypugaea*

Open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4T4	State Rank: S2

white-faced ibis *Plegadis chihi*

Prefers freshwater marshes, sloughs, and irrigated rice fields, but will attend brackish and saltwater habitats; currently confined to near-coastal rookeries in so-called hog-wallow prairies. Nests in marshes, in low trees, on the ground in bulrushes or reeds, or on floating mats.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4B

INSECTS

American bumblebee *Bombus pensylvanicus*

Habitat description is not available at this time.

Federal Status:	State Status:	SGCN: Y
Endemic:	Global Rank: G3G4	State Rank: SNR

MAMMALS

American badger *Taxidea taxus*

Generalist. Prefers areas with soft soils that sustain ground squirrels for food. When inactive, occupies underground burrow. Young are born in underground burrows.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

black-tailed prairie dog *Cynomys ludovicianus*

Dry, flat, short grasslands with low, relatively sparse vegetation, including areas overgrazed by cattle; live in large family groups

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S3

cave myotis bat *Myotis velifer*

Colonial and cave-dwelling; also roosts in rock crevices, old buildings, carports, under bridges, and even in abandoned Cliff Swallow (*Hirundo pyrrhonota*) nests; roosts in clusters of up to thousands of individuals; hibernates in limestone caves of Edwards Plateau and gypsum cave of Panhandle during winter; opportunistic insectivore.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S4

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TAYLOR COUNTY

MAMMALS

eastern red bat

Lasiurus borealis

Found in a variety of habitats in Texas. Usually associated with wooded areas. Found in towns especially during migration.

Federal Status:

State Status:

SGCN: N

Endemic: N

Global Rank: G3G4

State Rank: S4

eastern spotted skunk

Spilogale putorius

Generalist; open fields prairies, croplands, fence rows, farmyards, forest edges & woodlands. Prefer wooded, brushy areas & tallgrass prairies. S.p. ssp. interrupta found in wooded areas and tallgrass prairies, preferring rocky canyons and outcrops when such sites are available.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4

State Rank: S1S3

hoary bat

Lasiurus cinereus

Known from montane and riparian woodland in Trans-Pecos, forests and woods in east and central Texas.

Federal Status:

State Status:

SGCN: N

Endemic: N

Global Rank: G3G4

State Rank: S4

long-tailed weasel

Mustela frenata

Includes brushlands, fence rows, upland woods and bottomland hardwoods, forest edges & rocky desert scrub. Usually live close to water.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S5

Mexican free-tailed bat

Tadarida brasiliensis

Roosts in buildings in east Texas. Largest maternity roosts are in limestone caves on the Edwards Plateau. Found in all habitats, forest to desert.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S5

mink

Neovison vison

Intimately associated with water; coastal swamps & marshes, wooded riparian zones, edges of lakes. Prefer floodplains.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S4

mountain lion

Puma concolor

Generalist; found in a wide range of habitats statewide. Found most frequently in rugged mountains & riparian zones.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S2S3

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TAYLOR COUNTY

MAMMALS

plains spotted skunk

Spilogale putorius interrupta

Generalist; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie

Federal Status:

State Status:

SGCN: N

Endemic: N

Global Rank: G4T4

State Rank: S1S3

pronghorn

Antilocapra americana

Prefers hilly & plateau areas of open grassland, desert-grassland, & desert-scrub, where it frequents south-facing slopes & other sheltered areas.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S5

tricolored bat

Perimyotis subflavus

Forest, woodland and riparian areas are important. Caves are very important to this species.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G2G3

State Rank: S3S4

western hog-nosed skunk

Conepatus leuconotus

Habitats include woodlands, grasslands & deserts, to 7200 feet, most common in rugged, rocky canyon country; little is known about the habitat of the ssp. *telmalestes*

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G4

State Rank: S4

western spotted skunk

Spilogale gracilis

Brushy canyons, rocky outcrops (rimrock) on hillsides and walls of canyons. In semi-arid brushlands in U.S., in wet tropical forests in Mexico. When inactive or bearing young, occupies den in rocks, burrow, hollow log, brush pile, or under building.

Federal Status:

State Status:

SGCN: Y

Endemic: N

Global Rank: G5

State Rank: S5

REPTILES

Texas garter snake

Thamnophis sirtalis annectens

Terrestrial and aquatic: Habitats used include the grasslands and modified open areas in the vicinity of aquatic features, such as ponds, streams or marshes. Damp soils and debris for cover are thought to be critical.

Federal Status:

State Status:

SGCN: Y

Endemic: Y

Global Rank: G5T4

State Rank: S1

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TAYLOR COUNTY

REPTILES

Texas horned lizard *Phrynosoma cornutum*

Terrestrial: Open habitats with sparse vegetation, including grass, prairie, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive. Occurs to 6000 feet, but largely limited below the pinyon-juniper zone on mountains in the Big Bend area.

Federal Status:	State Status: T	SGCN: Y
Endemic: N	Global Rank: G4G5	State Rank: S3

timber (canebrake) rattlesnake *Crotalus horridus*

Terrestrial: Swamps, floodplains, upland pine and deciduous woodland, riparian zones, abandoned farmland. Limestone bluffs, sandy soil or black clay. Prefers dense ground cover, i.e. grapevines, palmetto.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G4	State Rank: S4

western box turtle *Terrapene ornata*

Terrestrial: Ornate or western box turtles inhabit prairie grassland, pasture, fields, sandhills, and open woodland. They are essentially terrestrial but sometimes enter slow, shallow streams and creek pools. For shelter, they burrow into soil (e.g., under plants such as yucca) (Converse et al. 2002) or enter burrows made by other species.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S3

western hognose snake *Heterodon nasicus*

Terrestrial: Shortgrass or mixed grass prairie, with gravel or sandy soils. Often found associated with draws, floodplains, and more mesic habitats within the arid landscape. Frequently occurs in shrub encroached grasslands.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S4

western rattlesnake *Crotalus viridis*

Terrestrial: Dry desert and prairie grasslands, shrub desert rocky hillsides; edges of arid and semi-arid river breaks.

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G5	State Rank: S5

PLANTS

Cory's evening-primrose *Oenothera coryi*

Calcareous prairies in the Plains Country of north Texas and in the Panhandle; Perennial; Flowering April-May

Federal Status:	State Status:	SGCN: Y
Endemic: Y	Global Rank: G3	State Rank: S3

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TAYLOR COUNTY

PLANTS

Glass Mountains coral-root *Hexalectris nitida*

Apparently rare in mixed woodlands in canyons in the mountains of the Brewster County, but encountered with regularity, albeit in small numbers, under *Juniperus ashei* in woodlands over limestone on the Edwards Plateau, Callahan Divide and Lampasas Cutplain; Perennial; Flowering June-Sept; Fruiting July-Sept

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S3

prairie butterfly-weed *Gaura triangulata*

Open sandy areas; Annual; Flowering March-June

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3G4	State Rank: S3

rock grape *Vitis rupestris*

Occurs on rocky limestone slopes and in streambeds; Perennial; Flowering March-May; Fruiting May-July

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G3	State Rank: S1

Warnock's coral-root *Hexalectris warnockii*

In leaf litter and humus in oak-juniper woodlands on shaded slopes and intermittent, rocky creekbeds in canyons; in the Trans Pecos in oak-pinyon-juniper woodlands in higher mesic canyons (to 2000 m [6550 ft]), primarily on igneous substrates; in Terrell County under *Quercus fusiformis* mottes on terraces of spring-fed perennial streams, draining an otherwise rather xeric limestone landscape; on the Callahan Divide (Taylor County), the White Rock Escarpment (Dallas County), and the Edwards Plateau in oak-juniper woodlands on limestone slopes; in Gillespie County on igneous substrates of the Llano Uplift; flowering June-September; individual plants do not usually bloom in successive years

Federal Status:	State Status:	SGCN: Y
Endemic: N	Global Rank: G2G3	State Rank: S2

DISCLAIMER

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Explosive and Flammable Hazards

Explosive and Flammable Hazards (CEST and EA)

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C
Reference		
https://www.hudexchange.info/environmental-review/explosive-and-flammable-facilities		

1. Does the proposed HUD-assisted project include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

☒ No

→ Continue to Question 2.

☐ Yes

Explain:

→ Continue to Question 5.

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

☒ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.

☐ Yes

→ Continue to Question 3.

3. Within 1 mile of the project site, are there any current *or planned* stationary aboveground storage containers:

- Of more than 100 gallon capacity, containing common liquid industrial fuels OR
- Of any capacity, containing hazardous liquids or gases that are not common liquid industrial fuels?

☐ No

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide all documents used to make your determination.

☐ Yes

→ Continue to Question 4.

4. Is the Separation Distance from the project acceptable based on standards in the Regulation?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

☐ Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank."

☐ No

→ Provide map(s) showing the location of the project site relative to any tanks and your separation distance calculations. If the map identifies more than one tank, please identify the tank you have chosen as the "assessed tank." Continue to Question 6.

5. Is the hazardous facility located at an acceptable separation distance from residences and any other facility or area where people may congregate or be present?

Please visit HUD's website for information on calculating Acceptable Separation Distance.

☐ Yes

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations.

☐ No

→ Provide map(s) showing the location of the project site relative to residences and any other facility or area where people congregate or are present and your separation distance calculations. Continue to Question 6.

6. For the project to be brought into compliance with this section, all adverse impacts must be mitigated. Explain in detail the exact measures that must be implemented to make the Separation Distance acceptable, including the timeline for implementation. If negative effects cannot be mitigated, cancel the project at this location.

Note that only licensed professional engineers should design and implement blast barriers. If a barrier will be used or the project will be modified to compensate for an

unacceptable separation distance, provide approval from a licensed professional engineer.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The proposed HUD-assisted project does not include a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries) and does not include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No



Todd Cave <todd@caveconsulting.com>

Floodway Memo

4 messages

Warner, Kelly S <Kelly.S.Warner@hud.gov>
To: "todd@caveconsulting.com" <todd@caveconsulting.com>

Thu, Aug 15, 2019 at 11:58 AM

Hi Todd,

It was good to see you again at TDA's training. We talked briefly about the floodway situation that David touched on in his presentation and I wanted to follow up with a copy of the memo (attached). Let me know if you have any questions and I hope this helps!

Sincerely,

Kelly Warner

Field Environmental Officer, Region VI

U.S. Department of Housing and Urban Development

Office of Environment and Energy


[801 Cherry St., Unit#45, Suite 2500](#)

Fort Worth, Texas 76102

[\(817\) 978-5622](#)

[Environmental Review Website](#)

[Subscribe to our mailing list](#)

 **17-13cpdn.pdf**
167K

Todd Cave <todd@caveconsulting.com>
To: "Warner, Kelly S" <Kelly.S.Warner@hud.gov>

Fri, Aug 16, 2019 at 9:07 AM

Kelly,

It was great visiting with you again!

I will look this memo over and let you know if I have any questions.

On another note, the subject of Explosive Facilities came up after you left. As I have understood it, acceptable distance comes into play when you are dealing with projects that involve habitable structures or places where people congregate. So, for example, upgrading a lift station or replacing sewer line would not be subject to the acceptable distance requirement.

However, at the TDA training, it was mentioned that any project which involved "workers" would be subject to this rule due to OSHA safety requirements. This is the first I have heard of this and I do not believe NEPA speaks to OSHA.

Do you have any guidance on this? It would be much appreciated!

Thanks!

Todd Cave, Founding Partner - (COO)
Cave Consulting
cell: (214) 307-4161
office: (214) 469-2483
www.caveconsulting.com

Transforming the Way You Work!

[Quoted text hidden]

Warner, Kelly S <Kelly.S.Warner@hud.gov>
To: Todd Cave <todd@caveconsulting.com>
Cc: "Myers, Laura L" <Laura.L.Myers@hud.gov>

Fri, Aug 16, 2019 at 9:56 AM

Hi Todd,

Your understanding is correct. The HUD reg under Part 51 Subpart C refers to HUD-assisted projects "intended for residential, institutional, recreational, commercial, or industrial use." Installation or rehab of the lift station wouldn't trigger the ASD requirements for workers. However, just wanted to mention that if a generator with an associated above-ground fuel source is being installed at the lift station, then you would need to do the ASD for any residences/facilities in the area.

I've cc'd Laura Myers on this email since she is the FEO assigned to TDA and may have additional guidance to offer.

Hope this helps!

[Quoted text hidden]

Todd Cave <todd@caveconsulting.com>
To: "Warner, Kelly S" <Kelly.S.Warner@hud.gov>
Cc: "Myers, Laura L" <Laura.L.Myers@hud.gov>

Fri, Aug 16, 2019 at 9:58 AM

Thank you for the clarification.

Have a great day / weekend!

Todd Cave, Founding Partner - (COO)
Cave Consulting
cell: (214) 307-4161
office: (214) 469-2483
www.caveconsulting.com

Transforming the Way You Work!

Farmlands Protection

Farmlands Protection (CEST and EA)

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658
Reference		
https://www.hudexchange.info/environmental-review/farmlands-protection		

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

☐ Yes → Continue to Question 2.

XNo

Explain how you determined that agricultural land would not be converted:

According to the performance statement in the contract, the project involves sewer system improvements does not involve any land use changes.

→ Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documentation supporting your determination.

2. Does “important farmland,” including prime farmland, unique farmland, or farmland of statewide or local importance regulated under the Farmland Protection Policy Act, occur on the project site?

You may use the links below to determine important farmland occurs on the project site:

- Utilize USDA Natural Resources Conservation Service’s (NRCS) Web Soil Survey <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>
- Check with your city or county’s planning department and ask them to document if the project is on land regulated by the FPPA (zoning important farmland as non-agricultural does not exempt it from FPPA requirements)
- Contact NRCS at the local USDA service center <http://offices.sc.egov.usda.gov/locator/app?agency=nrcs> or your NRCS state soil scientist http://soils.usda.gov/contact/state_offices/ for assistance

☐ No → Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide any documents used to make your determination.

☐ Yes → Continue to Question 3.

3. Consider alternatives to completing the project on important farmland and means of avoiding impacts to important farmland.

- Complete form **AD-1006**, "Farmland Conversion Impact Rating" http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf and contact the state soil scientist before sending it to the local NRCS District Conservationist.
(NOTE: for corridor type projects, use instead form **NRCS-CPA-106**, "Farmland Conversion Impact Rating for Corridor Type Projects: http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045395.pdf.)
- Work with NRCS to minimize the impact of the project on the protected farmland. When you have finished with your analysis, return a copy of form AD-1006 (or form NRCS-CPA-106 if applicable) to the USDA-NRCS State Soil Scientist or his/her designee informing them of your determination.

Document your conclusion:

- ☐ Project will proceed with mitigation.

Explain in detail the proposed measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

- ☐ Project will proceed without mitigation.

Explain why mitigation will not be made here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide form AD-1006 and all other documents used to make your determination.*

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

The project does not include activities including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to non-agricultural land.

Are formal compliance steps or mitigation required?

☐ Yes

☒ No

Floodplain Management



Todd Cave <todd@caveconsulting.com>

Merkel – 7220301 - WWTP - CE

Morgan Verette <mverette@publicmgt.com>
To: Todd Cave <todd@texasenvironmentals.com>

Mon, Jun 7, 2021 at 9:10 AM

Todd, please see below from the engineer...

Ground disturbance- With aerator installation, there would be a small electrical panel (2 poles in a 6" diameter hole 3' deep) and electrical conduit.

Yes- we can avoid work in the floodplain.



Morgan Verette
Project Manager
Public Management, Inc.
P.O. Box 4161
Abilene, Texas 79608
682-205-1058 xt33
Planning | Financing | Management

On Fri, Jun 4, 2021 at 9:04 AM Morgan Verette <mverette@publicmgt.com> wrote:
[Quoted text hidden]



Todd Cave <todd@caveconsulting.com>

Merkel – 7220301 - WWTP - CE

Morgan Verette <mverette@publicmgt.com>
To: Todd Cave <todd@texasenvironmentals.com>

Fri, Jun 4, 2021 at 9:04 AM

From engineer:

Yes, no work in the wetland or floodplain. Its not allowed by TAC

Mitigations would include all TAC requirements for land application. Which includes a 200ft buffer zone from the wetland or plowing sludge into the soil, and no sludge application on slopes greater than 8%.

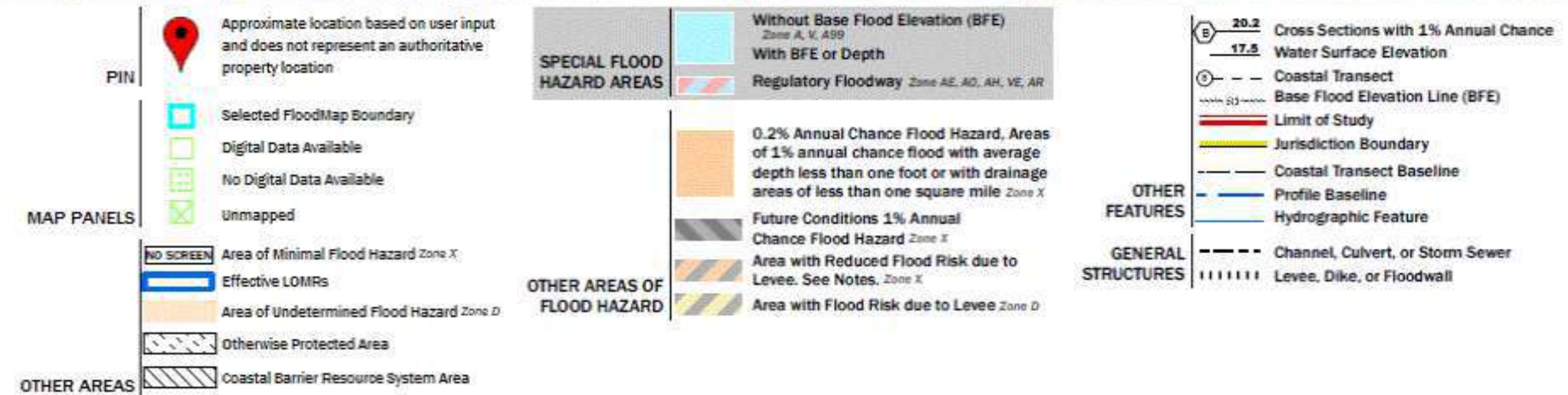
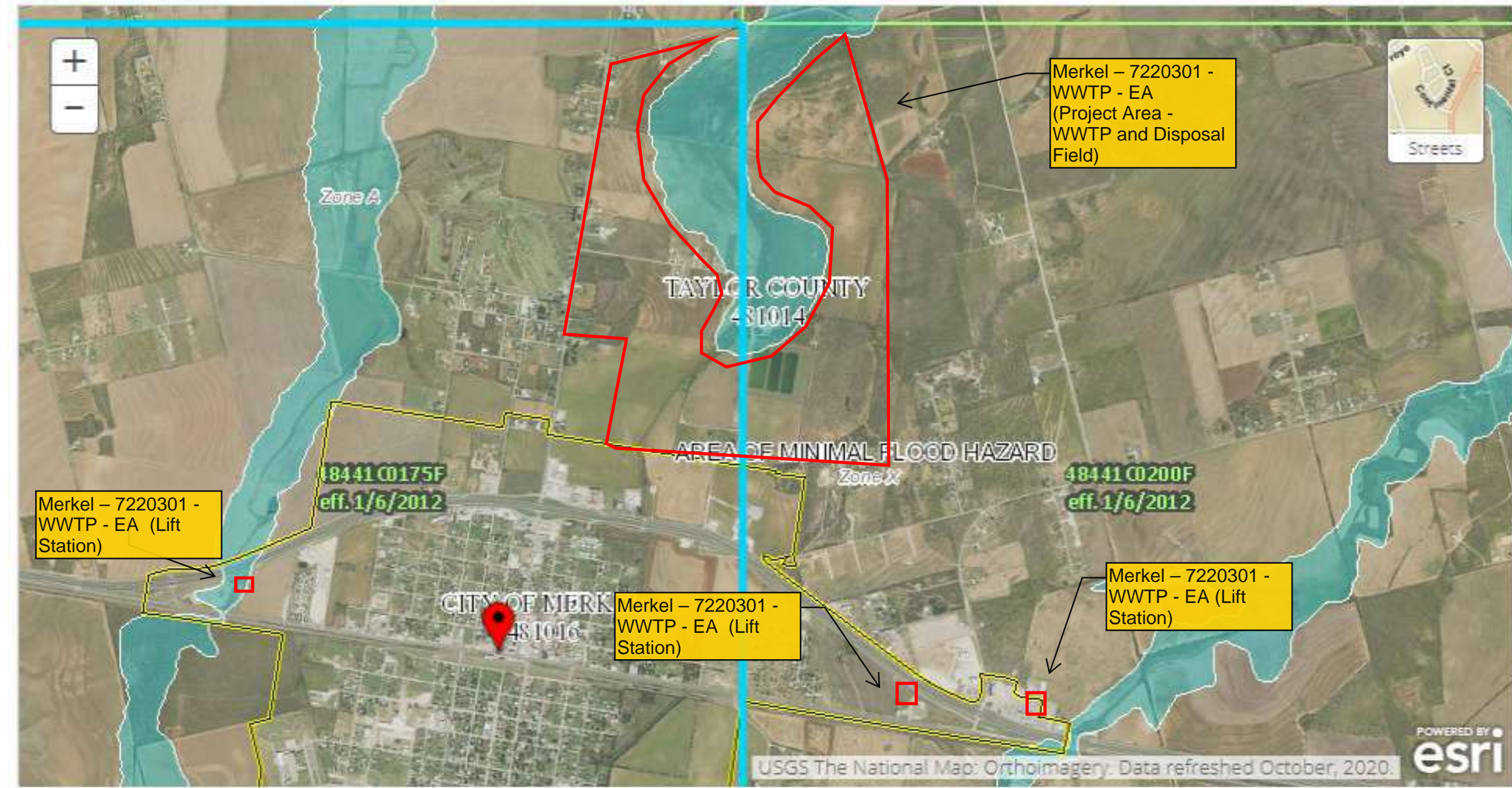


Morgan Verette
Project Manager
Public Management, Inc.
P.O. Box 4161
Abilene, Texas 79608
682-205-1058 xt33
Planning | Financing | Management

[Quoted text hidden]

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette. If you are a person with a disability, are blind, or have low vision, and need assistance, please contact a [map specialist](#).

[Go To NFHL Viewer »](#)



[Share This Page.](#)

National Flood Hazard Layer FIRMMette



100°0'14"W 32°29'16"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
OTHER FEATURES		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/4/2021 at 3:18 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

99°59'37"W 32°28'46"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Historical Preservation

Texas Historical Commission



Todd Cave <todd@caveconsulting.com>

Section 106 Submission

1 message

noreply@thc.state.tx.us <noreply@thc.state.tx.us>
To: todd@caveconsulting.com, reviews@thc.state.tx.us

Mon, Jun 28, 2021 at 9:22 AM



TEXAS HISTORICAL COMMISSION
real places telling real stories

Re: Project Review under Section 106 of the National Historic Preservation Act and/or the Antiquities Code of Texas
THC Tracking #202110141

Date: 06/28/2021

Merkel – 7220301 - WWTP - CE

northwest part of city

Other City, TX 79536

Description: Contractor shall reduce the sludge levels of its facultative lagoon to ensure proper wastewater treatment and resolve the potential threat to public health.

Dear Todd Cave:

Thank you for your submittal regarding the above-referenced project. This response represents the comments of the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC), pursuant to review under Section 106 of the National Historic Preservation Act and the Antiquities Code of Texas.

The review staff, led by Tiffany Osburn, Caitlin Brashear, has completed its review and has made the following determinations based on the information submitted for review:

Above-Ground Resources

- No historic properties are present or affected by the project as proposed. However, if historic properties are discovered or unanticipated effects on historic properties are found, work should cease in the immediate area; work can continue where no historic properties are present. Please contact the THC's History Programs Division at 512-463-5853 to consult on further actions that may be necessary to protect historic properties.

Archeology Comments

- No identified historic properties, archeological sites, or other cultural resources are present or affected. However, if cultural materials are encountered during project activities, work should cease in the immediate area; work can continue where no cultural materials are present. Please contact the THC's Archeology Division at 512-463-6096 to consult on further actions that may be necessary to protect the cultural remains.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this review process, and for your efforts to preserve the irreplaceable heritage of Texas. If the project changes, or if new historic properties are found, please contact the review staff. If you have any questions concerning our review or if we can be of further assistance, please email the following reviewers: tiffany.osburn@thc.texas.gov, caitlin.brashear@thc.texas.gov.

This response has been sent through the electronic THC review and compliance system (eTRAC). Submitting your project via eTRAC eliminates mailing delays and allows you to check the status of the review, receive an electronic response, and generate reports on your submissions. For more information, visit <http://thc.texas.gov/etrac-system>.

Sincerely,

A handwritten signature in black ink, appearing to read "Tiffany Olsen". The signature is fluid and cursive, with the first name "Tiffany" being more prominent than the last name "Olsen".

for Mark Wolfe, State Historic Preservation Officer
Executive Director, Texas Historical Commission

Please do not respond to this email.



Todd Cave <todd@caveconsulting.com>

Project Review Submission

1 message

Info_Tech@thc.state.tx.us <Info_Tech@thc.state.tx.us>
To: todd@caveconsulting.com

Fri, Jun 4, 2021 at 12:02 PM

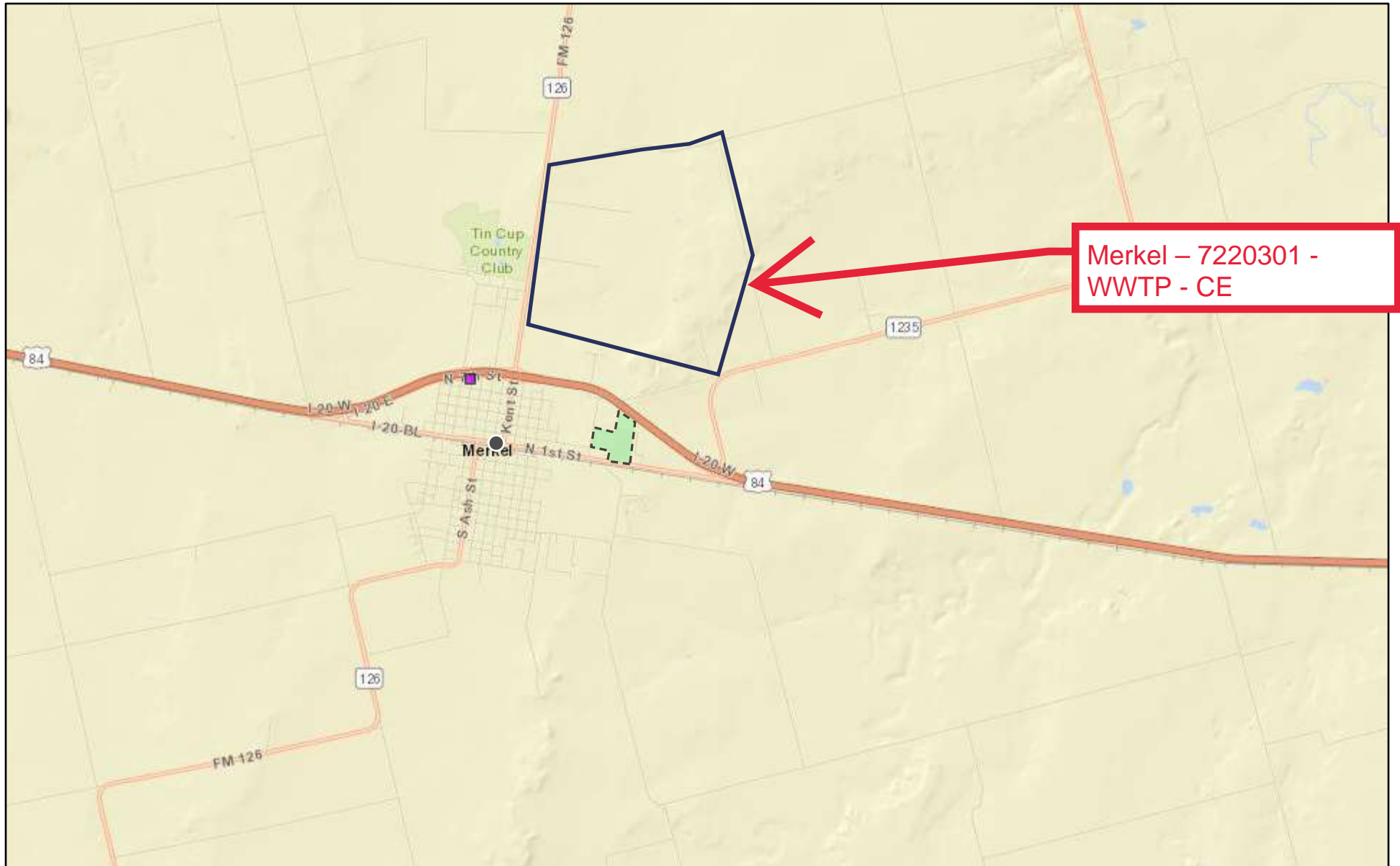
Thank you for submitting project: Merkel – 7220301 - WWTP - CE

Tracking Number: 202110141



Due Date: 7/4/2021 6:52:25 AM

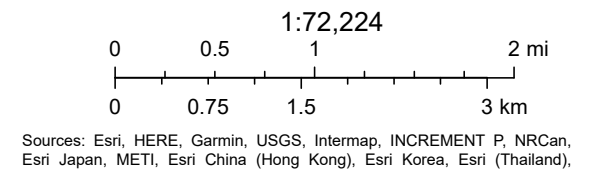
TEXAS HISTORICAL COMMISSION

THC



February 2, 2021

-  Museum
-  Cemeteries



Interested Tribes

City of Merkel, Texas

www.merkeltexas.com

June 8, 2021

Mr. Lyman Guy
Chairman
Apache Tribe of Oklahoma
P.O. Box 1330
Anadarko, Oklahoma 73005

Re: Merkel – 7220301 - WWTP - CE

Dear Mr. Guy,

The City of Merkel is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Merkel has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Merkel will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the City that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

An Aerial Map, Description and THC Atlas map have been enclosed for your reference.

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

☎ (325) 928-4911

📠 (325) 928-3171

City of Merkel, Texas

www.merkeltexas.com

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
P.O. Box 140718
Dallas, TX 75214
todd@texasenvironmentals.com
214-469-2483

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Mary Schramper, Mayor

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

☎ (325) 928-4911

📠 (325) 928-3171

City of Merkel, Texas

www.merkeltexas.com

June 8, 2021

Mr. William Nelson
Chairman
Comanche Nation, Oklahoma
PO Box 908
Lawton, OK 73502

Re: Merkel – 7220301 - WWTP - CE

Dear Mr. Nelson,

The City of Merkel is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Merkel has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Merkel will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the City that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

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Sincerely,



Mary Schramper, Mayor

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

☎ (325) 928-4911

📠 (325) 928-3171

City of Merkel, Texas

www.merkeltexas.com

June 8, 2021

The Honorable Deborah Dotson
President
Delaware Nation, Oklahoma
PO Box 825
Anadarko, OK 73005

Re: Merkel – 7220301 - WWTP - CE

Dear President Dotson,

The City of Merkel is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Merkel has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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City of Merkel, Texas

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Dallas, TX 75214
todd@texasenvironmentals.com
214-469-2483

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We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,


Mary Schramper, Mayor

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

☎ (325) 928-4911

📠 (325) 928-3171

City of Merkel, Texas

www.merkeltexas.com

June 8, 2021

The Honorable Russell Martin
President
Tonkawa Tribe of Indians of Oklahoma
1 Rush Buffalo Road
Tonkawa, OK 74653

Re: Merkel – 7220301 - WWTP - CE

Dear President Martin,

The City of Merkel is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Merkel has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

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City of Merkel, Texas

www.merkeltexas.com

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

We kindly request that you send all responses to:

Todd Cave, ESP
Cave Consulting, Inc.
P.O. Box 140718
Dallas, TX 75214
todd@texasenvironmentals.com
214-469-2483

If you do not wish to consult on this project, can you please inform us and include in your reply the name and contact information for the tribe's principal representative in the consultation?

We value your assistance and look forward to consulting further if there are historic properties of religious and cultural significance to your tribe that may be affected by this project.

Sincerely,



Mary Schramper, Mayor

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

☎ (325) 928-4911

📠 (325) 928-3171

City of Merkel, Texas

www.merkeltexas.com

June 8, 2021

The Honorable Terri Parton
President
Wichita and Affiliated Tribes
(Wichita, Keechi, Waco, & Tawakonie), Oklahoma
P.O. Box 729
Anadarko, OK 73005

Re: Merkel – 7220301 - WWTP - CE

Dear President Terri Parton,

The City of Merkel is considering funding the project listed above with federal funds from the U.S. Department of Housing and Urban Development (HUD). Under HUD regulation 24 CFR 58.4, the City of Merkel has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties. Historic properties include archaeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association.

The City of Merkel will conduct a review of this project to comply with Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR Part 800. We would like to invite you to be a consulting party in this review to help identify historic properties in the project area that may have religious and cultural significance to your tribe, and if such properties exist, to help assess how the project might affect them. If the project might have an adverse effect, we would like to discuss possible ways to avoid, minimize or mitigate potential adverse effects.

The project will not occur in a location in the City that has been designated as eligible for listing in the National Register of Historic Places as defined as a historic district that generally retains the feeling, association and the significant physical characteristics of a late-nineteenth to mid-twentieth-century downtown commercial district.

To meet project timeframes, if you would like to be a consulting party on this project, can you please let us know of your interest within 30 days? If you have any initial concerns with impacts of the project on religious or cultural properties, can you please note them in your response?

An Aerial Map, Description and THC Atlas map have been enclosed for your reference.

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

☎ (325) 928-4911

📠 (325) 928-3171

City of Merkel, Texas

www.merkeltexas.com

More information on the Section 106 review process is available at <http://www.onecpd.info/environmental-review/historic-preservation/>.

HUD's process for tribal consultation under Section 106 is described in a Notice available at <https://www.onecpd.info/resource/2448/notice-cpd-12-006-tribal-consultation-under-24-cfr-part-58>.

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Sincerely,



Mary Schramper, Mayor

"The Windmill City"

100 Kent Street | Merkel | Texas | 79536

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📠 (325) 928-3171

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06/09/2021

Sent The Honorable Deborah Dotson Pres.

State Delaware Nation, Oklahoma

City PO Box 825

PS Anadarko, OK 73005

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06/09/2021

Sent The Honorable Russell Martin Pres.

State Tonkawa Tribe of Indians of Oklahoma

City 1 Rush Buffalo Road

PS Tonkawa, OK 74653

PS Form 3800, April 2015 PSN 7530-02-000-9047

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06/09/2021

Sent Mr. William Nelson Chairman

State Comanche Nation, Oklahoma

City PO Box 908

PS Lawton, OK 73502

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06/09/2021

Sent The Honorable Terri Parton President

State Wichita and Affiliated Tribes

(Wichita, Keechi, Waco, & Tawakonie) Oklahoma

City PO Box 729

Anadarko, OK 73005

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

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Postage \$1.20

Total Postage and Fees \$7.65

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06/09/2021

Sent Mr. Lyman Guy Chairman

State Apache Tribe of Oklahoma

City PO Box 1330

Anadarko, OK 73005

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

[Export To Excel](#)[Print the Current Page](#)

Contact Information for Tribes with Interests in Taylor County, Texas

Tribal Name				County Name			
Apache Tribe of Oklahoma				Taylor			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Bobby Komardley	Chairman	PO Box 1330 Anadarko, OK 73005	(405) 247-9493	(405) 247-2763		bkomardley@outlook.com	http://www.apachetribe.org/
Comanche Nation, Oklahoma				Taylor			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
William Nelson	Chairman	PO Box 908 Lawton, OK 73502	(580) 492-3251			williamn@comanchenation.com	www.comanchenation.com
Martina Minthorn	THPO	6 SW D Avenue Lawton, OK 73502	(580) 595-9618	(580) 595-9733		martinac@comanchenation.com	www.comanchenation.com
Delaware Nation, Oklahoma				Taylor			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Nekole Alligood	Director of Cultural Resources & Section 106	PO Box 825 Anadarko, OK 73005	(405) 247-8903	(405) 247-9393		Nalligood@delawarenation.com	www.delawarenation.com
Deborah Dotson	President	PO Box 825 Anadarko, OK 73005	(405) 247-2448	(405) 247-9393		ddotson@delawarenation.com	www.delawarenation.com
Tonkawa Tribe of Indians of Oklahoma				Taylor			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Lauren Norman-Brown	THPO	1 Rush Buffalo Road Tonkawa, OK 74653	(580) 628-2561	(580) 628-3378		jbrown@tonkawatribe.com	http://www.tonkawatribe.com/
Russell Martin	President	1 Rush Buffalo Road Tonkawa, OK 74653	(580) 628-2561	(580) 628-3378		rmartin@tonkawatribe.com	http://www.tonkawatribe.com/
Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma				Taylor			
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Cell Phone	Email Address	URL
Gary McAdams	THPO	PO Box 729 Anadarko, OK 73005				gary.mcadams@wichitatribe.com	http://www.wichitatribe.com/
Terri Parton	President	PO Box 729 Anadarko, OK 73005	(405) 247-2425	(405) 247-2430		Terri.Parton@wichitatribe.com	http://www.wichitatribe.com/

1 - 5 of 5 results

« < 1 > »

10 ▾

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Noise Abatement and Control

Noise (EA Level Reviews)

General requirements	Legislation	Regulation
HUD's noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: "Compatible Land Uses at Federal Airfields"	Title 24 CFR 51 Subpart B
References		
https://www.hudexchange.info/programs/environmental-review/noise-abatement-and-control		

1. What activities does your project involve? Check all that apply:

- ☐ New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

→ *Continue to Question 2.*

- ☐ Rehabilitation of an existing residential property

NOTE: For major or substantial rehabilitation in Normally Unacceptable zones, HUD encourages mitigation to reduce levels to acceptable compliance standards. For major rehabilitation in Unacceptable zones, HUD strongly encourages mitigation to reduce levels to acceptable compliance standards. See 24 CFR 51 Subpart B for further details.

→ *Continue to Question 2.*

- ☐ A research demonstration project which does not result in new construction or reconstruction, interstate, land sales registration, or any timely emergency assistance under disaster assistance provisions or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

X None of the above

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below.*

2. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000' from a major road, 3000' from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

☐ There are no noise generators found within the threshold distances above.

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide a map showing the location of the project relative to any noise generators.*

☐ Noise generators were found within the threshold distances.

→ *Continue to Question 3.*

3. Complete the Noise Assessment Guidelines to quantify the noise exposure. Indicate the findings of the Noise Assessment below:

☐ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here:

→ *Based on the response, the review is in compliance with this section. Continue to the Worksheet Summary below. Provide noise analysis, including noise level and data used to complete the analysis.*

☐ Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in 24 CFR 51.105(a))

Indicate noise level here:

If project is rehabilitation:

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis.*

If project is new construction:

Is the project in a largely undeveloped area¹?

☐ No

→ *Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.*

¹ A largely undeveloped area means the area within 2 miles of the project site is less than 50 percent developed with urban uses and does not have water and sewer capacity to serve the project.

☐ Yes

→ Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). Elevate this review to an EIS-level review.

☐ Unacceptable: (Above 75 decibels)

Indicate noise level here:

If project is rehabilitation:

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels. Consider converting this property to a non-residential use compatible with high noise levels.

→ Continue to Question 4. Provide noise analysis, including noise level and data used to complete the analysis, and any other relevant information.

If project is new construction:

Your project requires completion of an Environmental Impact Statement (EIS) pursuant to 51.104(b)(1)(i). You may either complete an EIS or provide a waiver signed by the appropriate authority. Indicate your choice:

☐ Convert to an EIS

→ Provide noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

☐ Provide waiver

→ Provide an Environmental Impact Statement waiver from the Certifying Officer or the Assistant Secretary for Community Planning and Development per 24 CFR 51.104(b)(2) and noise analysis, including noise level and data used to complete the analysis.

Continue to Question 4.

- 4. HUD strongly encourages mitigation be used to eliminate adverse noise impacts. Explain in detail the exact measures that must be implemented to mitigate for the impact or effect, including the timeline for implementation. This information will be automatically included in the Mitigation summary for the environmental review.**

☐ Mitigation as follows will be implemented:

→ Provide drawings, specifications, and other materials as needed to describe the project's noise mitigation measures. Continue to the Worksheet Summary.

☐ No mitigation is necessary.

Explain why mitigation will not be made here:

→ Continue to the Worksheet Summary.

Worksheet Summary

Compliance Determination

Provide a clear description of your determination and a synopsis of the information that it was based on, such as:

- Map panel numbers and dates
- Names of all consulted parties and relevant consultation dates
- Names of plans or reports and relevant page numbers
- Any additional requirements specific to your region

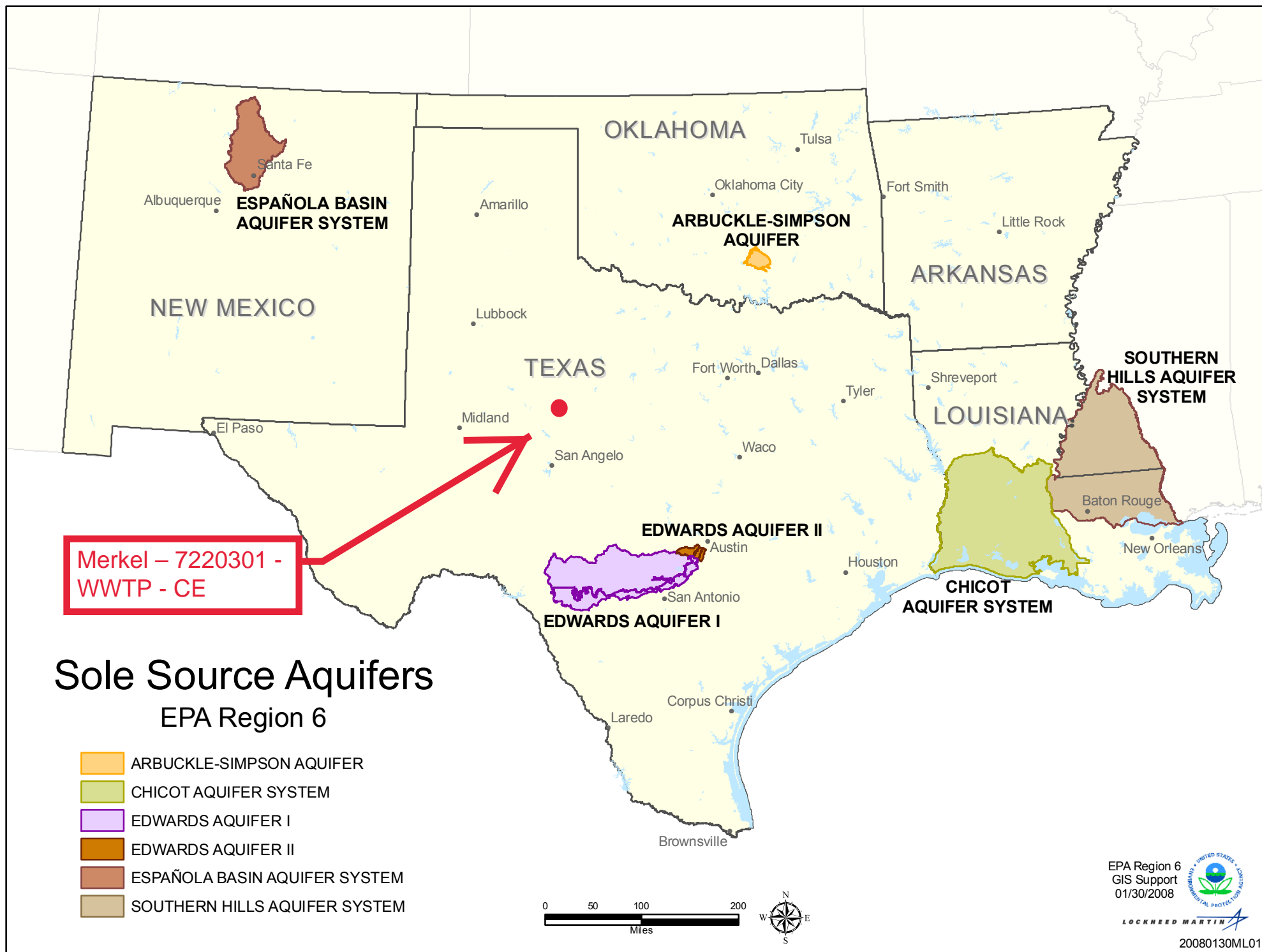
The project does not involve a noise sensitive use such as a residential structure, school, hospital, nursing home, library, etc

Are formal compliance steps or mitigation required?

☐ Yes

X No

Sole Source Aquifers



Wetlands Protection



Todd Cave <todd@caveconsulting.com>

Merkel – 7220301 - WWTP - CE

Morgan Verette <mverette@publicmgt.com>
To: Todd Cave <todd@texasenvironmentals.com>

Fri, Jun 4, 2021 at 9:04 AM

From engineer:

Yes, no work in the wetland or floodplain. Its not allowed by TAC

Mitigations would include all TAC requirements for land application. Which includes a 200ft buffer zone from the wetland or plowing sludge into the soil, and no sludge application on slopes greater than 8%.



Morgan Verette
Project Manager
Public Management, Inc.
P.O. Box 4161
Abilene, Texas 79608
682-205-1058 xt33
Planning | Financing | Management

[Quoted text hidden]



BASEMAPS >

MAP LAYERS >

- ☒ Wetlands 1 2
- ☒ Riparian 1 2
- ☐ Riparian Mapping Areas 1 2
- ☒ Data Source 1 2
 - ☐ Source Type
 - ☐ Image Scale
 - ☐ Image Year
- ☐ Areas of Interest ?
- ☐ FWS Managed Lands 1 2
- ☐ Historic Wetland Data 1 2

+ Measure



Merkel - 7220301 -
WWTP - CE

Tin Cup
Country Club

Merkel

Rose Hill
Cemetery

LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Riparian

- Forested/Shrub
- Herbaceous

1:18,056
32.503 | -99.965



BASEMAPS >

MAP LAYERS >

- ☒ Wetlands 1 2
- ☒ Riparian 1 2
- ☐ Riparian Mapping Areas 1 2
- ☒ Data Source 1 2
 - ☐ Source Type
 - ☐ Image Scale
 - ☐ Image Year
- ☐ Areas of Interest 2
- ☐ FWS Managed Lands 1 2
- ☐ Historic Wetland Data 1 2

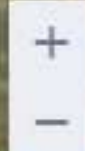




BASEMAPS >

MAP LAYERS >

- ☒ Wetlands 1 2
- ☒ Riparian 1 2
- ☐ Riparian Mapping Areas 1 2
- ☒ Data Source 1 2
 - ☐ Source Type
 - ☐ Image Scale
 - ☐ Image Year
- ☐ Areas of Interest 2
- ☐ FWS Managed Lands 1 2
- ☐ Historic Wetland Data 1 2



Measure



LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
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- Other
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- Forested/Shrub
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BASEMAPS >

MAP LAYERS >

- ☒ Wetlands 1 2
- ☒ Riparian 1 2
- ☐ Riparian Mapping Areas 1 2
- ☒ Data Source 1 2
 - ☐ Source Type
 - ☐ Image Scale
 - ☐ Image Year
- ☐ Areas of Interest 2
- ☐ FWS Managed Lands 1 2
- ☐ Historic Wetland Data 1 2



Measure



LEGEND

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

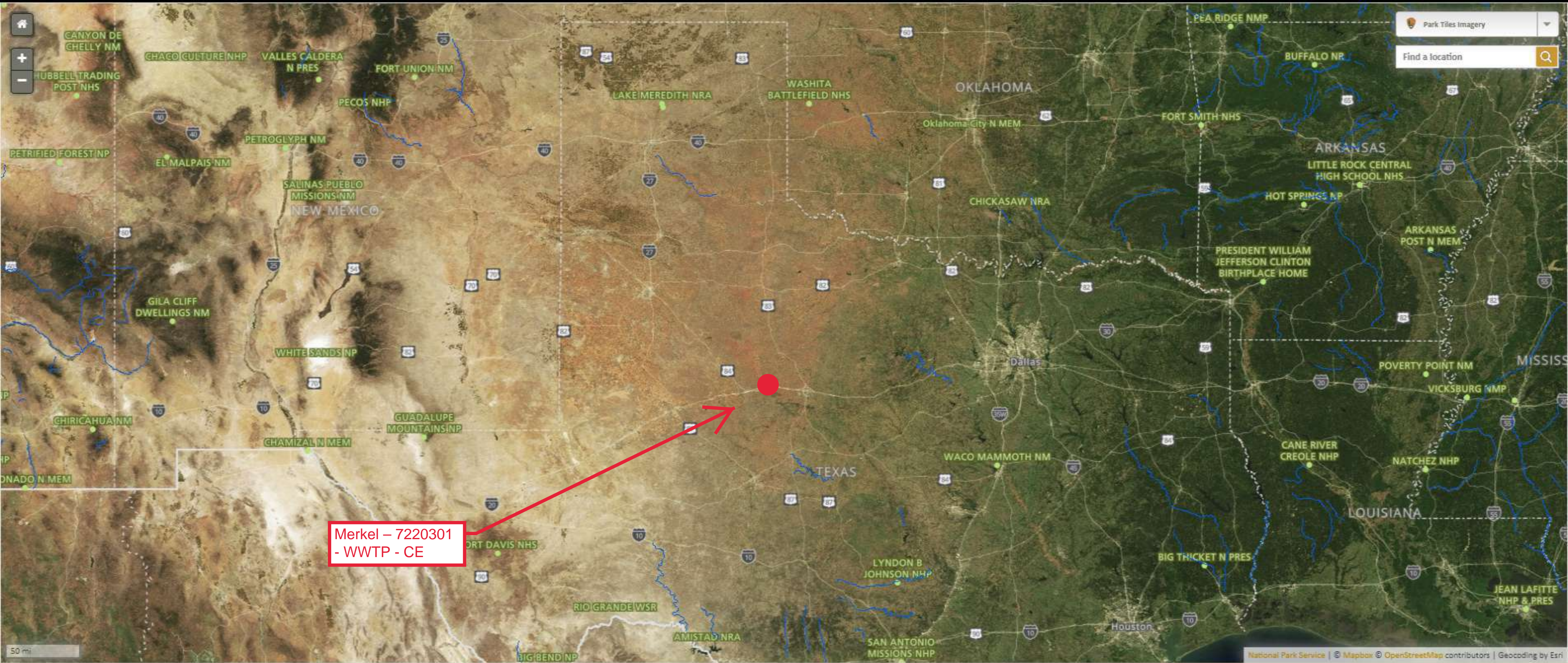
Riparian

- Forested/Shrub
- Herbaceous

Wild and Scenic Rivers

Nationwide Rivers Inventory

This is a listing of more than 3,200 free-flowing river segments in the U.S. that are believed to possess one or more "outstandingly remarkable" values.



Merkel - 7220301
- WWTP - CE

Environmental Justice

Location: User-specified polygonal location
 Ring (buffer): 1-miles radius
 Description: Merkel – 7220301 - WWTP - CE

Summary	Census 2010
Population	3,025
Population Density (per sq. mile)	183
People of Color Population	570
% People of Color Population	19%
Households	1,185
Housing Units	1,368
Land Area (sq. miles)	16.50
% Land Area	100%
Water Area (sq. miles)	0.00
% Water Area	0%

Population by Race	Number	Percent
Total	3,025	-----
Population Reporting One Race	2,975	98%
White	2,679	89%
Black	31	1%
American Indian	9	0%
Asian	6	0%
Pacific Islander	4	0%
Some Other Race	247	8%
Population Reporting Two or More Races	50	2%
Total Hispanic Population	496	16%
Total Non-Hispanic Population	2,529	84%
White Alone	2,455	81%
Black Alone	28	1%
American Indian Alone	5	0%
Non-Hispanic Asian Alone	6	0%
Pacific Islander Alone	4	0%
Other Race Alone	3	0%
Two or More Races Alone	28	1%

Population by Sex	Number	Percent
Male	1,440	48%
Female	1,585	52%

Population by Age	Number	Percent
Age 0-4	201	7%
Age 0-17	770	25%
Age 18+	2,255	75%
Age 65+	472	16%

Households by Tenure	Number	Percent
Total	1,185	
Owner Occupied	883	75%
Renter Occupied	302	25%

Data Note: Detail may not sum to totals due to rounding. Hispanic population can be of any race.

Source: U.S. Census Bureau, Census 2010 Summary File 1.

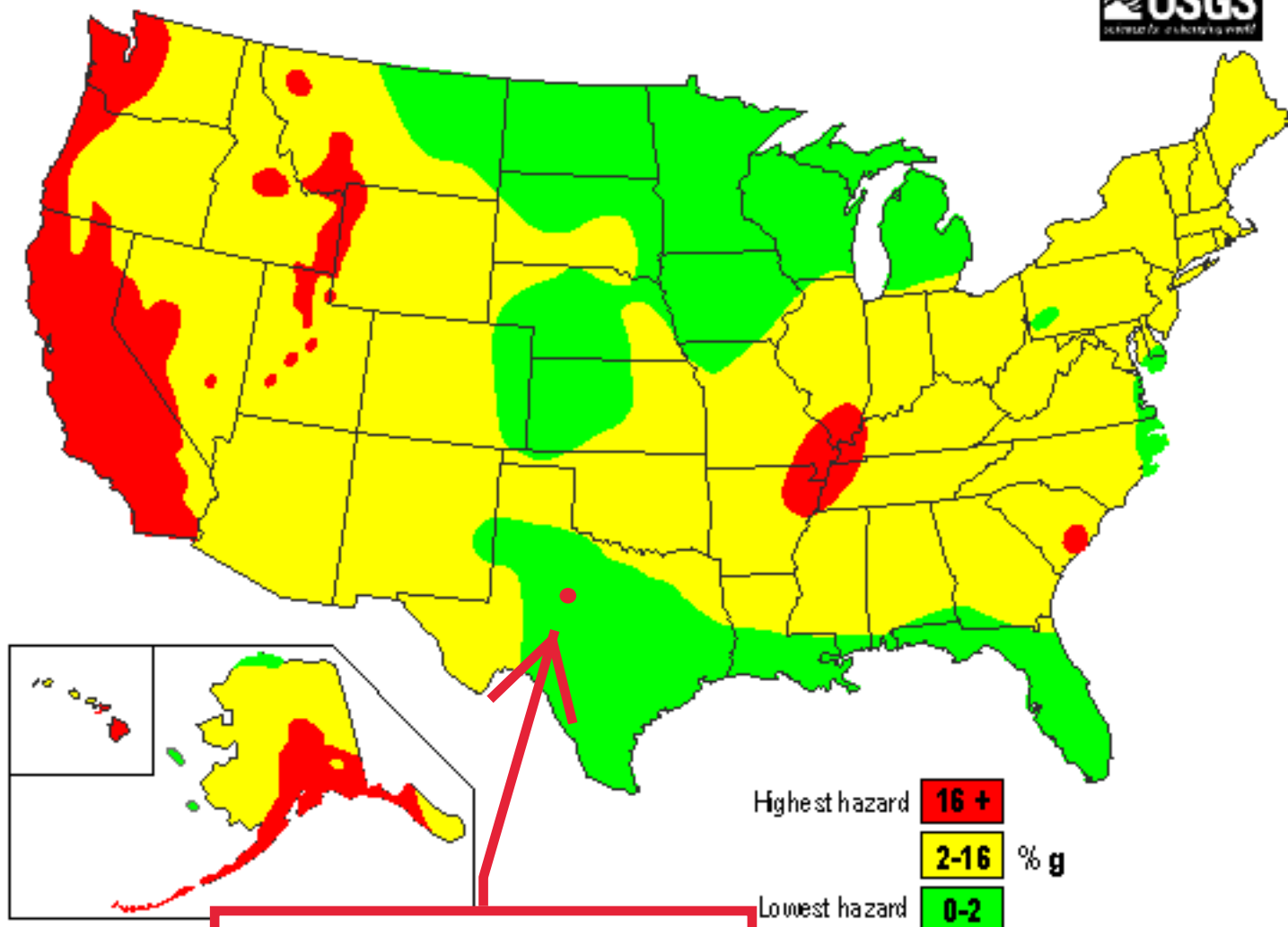
Environmental Assessment Factors

Earthquakes

Figure 3.

National Seismic Hazard Map

Adapted from http://earthquake.usgs.gov/research/hazmaps/products_data/48_States/index.php



Merkel – 7220301 - WWTP - CE