RECORDED CALL · OCTOBER 20, 2025

TCEQ Region 5 call about Store 131

Cara Fisher, TCEQ Region 5 Water Team Leader, and Kyle Moring · 6:21 recording

Source note. This timestamped transcript was supplied by Kyle Moring. The linked recording remains the controlling source for exact wording, tone and pauses.

00:00.020 · Cara Fisher, TCEQ Region 5 Water Team Leader
Cara Fisher with Texas Commission on Environmental Quality in Tyler. I was calling regarding the complaint we received on a Walmart in Mount Pleasant.

00:07.680 · Kyle Moring
Oh, yes.

00:09.860 · Cara Fisher, TCEQ Region 5 Water Team Leader
Yes, what can I do for you?

00:11.600 · Kyle Moring
All right, so yeah, I was calling in. Um I sent like two different uh submissions. [redacted] And then there's also like an active OSHA enforcement inspection going on with the store. Um, I think it started October 6th with the TLE stuff. Um, they had started a remodel with like the auto shop. and I noticed, well, first I requested like the permits from the city, like I had done with the other stuff. Um, and the city ended up saying there was no permits on file. Um, but I just documented, you know, some of the stuff that was going on, um, with videos and photos and, um, What I have, I think it was on the 8th, I have a video of some of the contractors, they were doing like, you know, the sandblasting and the grinding of the paint. And they'd put that into like buckets. And then they'd take the buckets and go dump it in that dumpster, you know, right next to the store. and the dumpster was never locked. Um and I submitted the pictures of them, of what's inside, but uh it's rained on the 18th, a couple days ago. And that dumpster is like in direct, you know, there's a direct line that goes down to the stormwater. Um, and at this point there's like, you know, bags with the motor oil uh from the shop in there. And so I was just, you know, reporting it because I know that's, you know, not a good thing for sure.

01:55.820 · Cara Fisher, TCEQ Region 5 Water Team Leader
All right. And just to let you know what we do here in our office as far as water and stormwater. So we have three stormwater permits that we regulate. That's construction and multi-sector general permit. And then we have our...uh multi uh for the cities, our MS4 program. So um Mount Pleasant doesn't have an MS4 permit with us. They're not required to have an MS4 permit with us. Um and then, of course, this isn't construction that disturbs an acre or more since it's occurring inside. And then for, as far as a multi-sector general permit, uh Walmart is not classified as a multi-sector general, required to have a multi-sector general permit with us. Um so there's really not any... rules or regulations in the stormwater program as far as TCEQ can enforce on in this situation. I did, um and most of the concerns that you have are waste issues.

02:57.960 · Kyle Moring
Mhmm.

Privacy edit: the passage at 00:17.800-00:29.300 has been removed, and the paired audio is silent during that interval. Original timing is preserved. The file includes about five seconds of trailing silence.

02:58.380 · Cara Fisher, TCEQ Region 5 Water Team Leader
And I understand that when it rains, that that would be a problem in stormwater when it rains. But really, if they handle their waste properly, then there wouldn't be a stormwater issue. So, um. It's my understanding that you have contacted the city.

03:15.940 · Kyle Moring
Yeah, that's, I mean, that's a whole nother issue. The, a lot of the stuff, you know, I found out from my Walmart, you know, complaints was that the city inspectors, you know, really weren't doing any inspecting at all. There was like undervaluations I found, lack of permits, and like TDLR has three open complaints, you know, investigations against the code enforcement officers there.

03:42.239 · Cara Fisher, TCEQ Region 5 Water Team Leader
Okay. um because as far as storm water goes, the city would be the best to handle that as far as any kind of ordinances that they have that um Walmart may or may not be in compliance with. That would be what jurisdiction is in this situation. Now, our waste program, because we are divided up into three medias, air, water, and waste,

04:04.460 · Kyle Moring
Mhmm.

04:05.260 · Cara Fisher, TCEQ Region 5 Water Team Leader
our waste program might be able to... to help you a little bit. I'm thinking that since you had stormwater in the complaint and water, as far as the, how it's affecting you, that that's why it got to over to us in stormwater. Um, but all of these concerns are a waste issue.

04:24.320 · Kyle Moring
Yeah, that makes sense.

04:24.881 · Cara Fisher, TCEQ Region 5 Water Team Leader
So.

04:25.400 · Kyle Moring
I just didn't know which,

04:26.181 · Cara Fisher, TCEQ Region 5 Water Team Leader
Okay.

04:26.340 · Kyle Moring
which was which.

04:27.380 · Cara Fisher, TCEQ Region 5 Water Team Leader
Okay. So what I'm going to do as far as this one that we received, I'm going to send it over to our waste management and their program and see if there's anything that they can um look at and any additional guidance or help that they can give you. Okay?

04:43.520 · Kyle Moring
All right. Cool. Yeah, I appreciate it. Because it was like, you know. I, if I, if I hadn't really like, you know, looked at the asbestos thing, like I included in there, I mean, that was like one of the big things that kind of like, you know, started me down this path, but it, it, there's definitely things within the city that aren't getting checked out. And it's, and it's just not good.

05:01.800 · Cara Fisher, TCEQ Region 5 Water Team Leader
Yeah, and I don't know who, who like if they have, so like our bigger city, so like City of Tyler and Texarkana and Longview, they all have an MS4 permit with us, so there's an actual permit that we issued to them that have rules and regulations that they have to follow. So Mount Pleasant doesn't fall under that requirement. So we don't have any, as far as the MS4 program, and that includes things like that for the stormwater MS4 program, they have to go do inspections on different um sites within their city regarding their dumpsters to make sure that the dumpsters um are covered or they don't have the open holes at the bottom that will leak stormwater. So that's all covered in the MS4 permit. But unfortunately, because Mount Pleasant isn't one of, as far as the size required to have a permit with our agency, then they don't have to and we can't enforce any of those requirements on them.

05:58.560 · Kyle Moring
Okay. That makes sense.

06:00.020 · Cara Fisher, TCEQ Region 5 Water Team Leader
So I'll take your...um your information from the complaint received and I'll send it over to waste and I'll see if they can um get in contact with you and see if there's uh some things that they can help out.

06:12.740 · Kyle Moring
Okay. All right. I really appreciate it.

06:15.080 · Cara Fisher, TCEQ Region 5 Water Team Leader
No problem. Have a good day.

06:15.860 · Kyle Moring
You too. Bye-bye.

06:16.420 · Cara Fisher, TCEQ Region 5 Water Team Leader
Bye.