

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 21, 2012

Mr. Jim Madewell  
General Manager  
Lubbock County Water Control Improvement District No. 1 (LCWCID1)  
9999 High Meadow Road  
Lubbock, TX 79404

Re: McMillan Dam  
Inventory No. TX04027  
Lubbock County

Dear Mr. Madewell:

The referenced dam was inspected by staff of the Texas Commission on Environmental Quality (TCEQ) Dam Safety Section on December 15, 2011. Enclosed is a copy of the inspection report that includes recommendations for maintenance, repair, and upgrade of the dam structure. The TCEQ appreciates your assistance in addressing the areas of concern at the dam. Your efforts will minimize your liability by reducing the threat to downstream life and property.

Although there are several items noted in the report, the primary areas of concern include the hydraulic inadequacy of the structure, deterioration of the bridge abutment support beams over the spillway, seepage observed from the spillway sidewalls, pooled water observed in several locations immediately beyond the left downstream side of the dam and to the right and slightly upstream of the low-flow outlet structure, relatively large areas of pooled water (wetlands) that appear to start downstream of the left downstream abutment and flow in a southwesterly direction, and minor seepage observed on the left downstream side of the dam and approximately 1/3 of the distance up the slope from the downstream toe. Additional observations documented in the report are maintenance-related and can be addressed by a diligent and routine dam maintenance and repair program.

We are also enclosing TCEQ publications (RG-220 – *Resources for Texas Water and Wastewater Utilities*, and GI-352 – *Supplemental Environmental Projects*) that address potential funding avenues that you may want to investigate to determine if you qualify and if funding is available to assist in the repair and upgrade of McMillan Dam.

The Supplemental Environmental Projects (SEP) program provides a possible funding avenue for public entities or non-profit organizations. An SEP uses funding obtained from environmental penalties that have been placed on regulated entities within the county for qualified projects that enhance the environment. One option with funding potential is for Lubbock County to enter into a "Third Party" agreement with the TCEQ and apply to have the repair of McMillan Dam added to the SEP project list as a "Third Party" project. If this effort is successful, the project would be eligible to receive SEP funding. We encourage you to work with the County to pursue this option. Additional information on "Third Party Agreements" can be found at the following link:

<http://www.tceq.texas.gov/legal/sep>

Mr. Jim Madewell  
Page 2  
March 21, 2012

We understand that it may take some time to complete the "Recommendations" noted in the report; however, we ask that you provide your plan and time-frame for addressing each of the "Recommendations" by May 18, 2012. Please be aware that any engineering reports or plans regarding the dam should be reviewed and approved by the TCEQ Dam Safety Section prior to construction.

If you have any questions, please feel free to contact myself at (512) 239-5195 or Ms. Debra Rankin, P.E. at (512) 239-0473.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren D. Samuelson". The signature is fluid and cursive, with the first name "Warren" being more prominent.

Warren D. Samuelson, P. E.  
Manager, Dam Safety Section  
Critical Infrastructure Division, MC-177

WS/DR/ec

Enclosures

cc: The Honorable Tom Head, County Judge, Lubbock, TX  
Mr. Ronald J. Kendall, Ph.D., Director, The Institute of Environmental and Human  
Health, Texas Tech University, Lubbock, TX