



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): 04/19/2022
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Municipal Stormwater
Site/Facility Name: North Middleton Township MS4
Permittee(s): North Middleton Township
Site/Facility Operator: North Middleton Township
Site/Facility Address: 2051 Spring Road
Carlisle, PA 17013
Latitude: 40.237130 **Longitude:** -77.179680
County/Parish: Cumberland
General Permit #: PAG013
Site Specific Permit #: PAI133532
NAICS Code: 924110 **SIC:** 9511
Unique Project #: 3E22WN079A

Site/Facility Representative(s): **Point of Contact**

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Peter Gold, Enforcement Officer
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**Supervisor
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Jessica Duffy, Acting Section Chief
NPDES Enforcement Section, (3ED32) Date

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- Attachment A: Photo Log
- Attachment B: Permit
- Attachment C: PCSWMBMP Plans

I. Introduction

On April 19, 2022, an inspection team composed of staff from the U.S. Environmental Protection Agency (EPA) Region III (hereinafter, “EPA Inspection Team”) met with representatives of the Pennsylvania Department of Environmental Protection (PADEP) at the North Middleton Maintenance Yard at 2051 Spring Road, Carlisle PA. At the facility, the EPA Inspection Team met with Patrick Boggs Township Engineer from GHD and Robert Reisinger Chairman Board of Supervisors North Middleton Township. The Inspection Team conducted an inspection of minimum control measures (MCMs) 5 and 6 of the Township’s Municipal Separate Storm Sewer System (MS4) program and a review of the Township’s Annual Reports regarding MCM 3. The EPA Inspection Team inspected three post construction stormwater management best management practices (PCSWMBMPs) that were selected by the EPA Inspection Team prior to the inspection and the Township’s municipal yards.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the facility located at 2051 Spring Road at approximately 1:30 PM for the announced inspection. The EPA Inspection Team identified themselves to the Township Representatives, displayed their credentials and described the purpose of the compliance inspection. The EPA Inspection Team with Township representatives then walked the facility and inspected the three PCSWMBMPs. The Inspection Team’s observations are listed later in this document and are grouped by type of observation made.

Table 1: Inspection Attendee List

B. Weather and Precipitation Conditions

During the inspection, weather was overcast and there was rain during the day. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in the Table 1 below:

Table 1. Precipitation Data

Station Name	Date	Precipitation Amount (inches) ¹
Carlisle Water Plant, PA US USC00361920	04/14/2022	0.0
Carlisle Water Plant, PA US USC00361920	04/15/2022	0.0
Carlisle Water Plant, PA US USC00361920	04/16/2022	0.0
Carlisle Water Plant, PA US USC00361920	04/17/2022	0.0
Carlisle Water Plant, PA US USC00361920	04/18/2022	0.0
Carlisle Water Plant, PA US USC00361920	04/19/2022	0.87

II. Site/Facility Activity

North Middleton Township is in Cumberland County Pennsylvania. The township is bordered by Perry County to the north and the Borough of Carlisle to the south. The township has an area of 23.5 square miles and a population of approximately 11,000 residents. According to the

¹ Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

township's 2022 Operations and Maintenance plan there are six township facilities, including the Maintenance Garage which was inspected. According to the township's MS4 Annual Report for 2021 there are 12 facilities with approximately 65 PCSWMBMPs in the township.

III. Observations

Prior to the inspection the EPA Inspection Team chose and requested the design plans for three PCSWMBMPs and the operation and maintenance plans for the municipal yard from the municipality. In addition, the inspection team requested the 2020 and 2021 MS4 Annual Reports for North Middleton Township. These documents were reviewed prior to the inspection and assessed for permit compliance. The EPA Inspection Team inspected the municipal yard and the three PCSWMBMPs. The observations made by the EPA Inspection Team are identified below.

Potential Unauthorized Discharge

The "General Permit authorizes the discharge of stormwater to surface waters from regulated small MS4s."

Under the Discharges Not Authorized by this General Permit section of the Permit "The following discharges are not authorized under the PAG-13 General permit, and DEP may deny coverage under the General Permit when one or more of the following conditions exist:

1. The discharge, individually or in combination with other similar discharges, is or has the potential to be a contributor of pollution as defined in the Pennsylvania Clean Streams Law...."

Pennsylvania Clean Streams Act defines pollution "...to mean contamination of any waters of the Commonwealth such as will create or is likely to create a nuisance or to render such waters harmful, detrimental, or injurious to public health, Including but not limited to such contamination by alteration of the physical, chemical or biological properties of such waters, or changes in temperature, taste, color or odor thereof, or the discharge of any liquid, gaseous, radioactive, solid or other substances into such waters."

Page 5 of the 2022 revised North Middleton Township Operations and Management Plan "Washwater discharged to the floor trench drains flows to an oil water separator which then discharges to an onsite constructed wetland".

Observation #1:

During the inspection of the municipal yard, several trench drains were identified. One drain was located by an outdoor above ground storage tank/fueling island (Photographs DSCN2630 and DSCN2631 of the Photo Log). The other drains were in the garage and vehicle wash water bay (Photographs DSCN2641 through DSCN2645 of the Photo Log). Statements from the municipal representatives indicate that all trench drains are connected to oil/water separators and discharge to a wetlands BMP, which in turn discharges to Wertz Run. All observed trench drains can potentially collect and discharge non-storm water flows.

Good Housekeeping

MCM 6 of the General Permit states “The permittee must develop and implement an O&M program that includes a training component and has the ultimate goal of preventing and reducing pollutant runoff from operations, facilities and activities under the control of the permittee”

MCM 6 best management practice (BMP) 2 of the General Permit states “The written O&M program shall stress pollution prevention and good housekeeping measures, contain site-specific information, and include the following: ... Controls for reducing or eliminating the discharge of pollutants from streets, roads, highways, municipal parking lots, maintenance and storage yards, waste transfer stations, fleet or maintenance shops with outdoor storage areas, salt / sand (anti-skid) storage locations and snow disposal areas...”

Page 7 of the 2022 North Middleton Operations and Maintenance Manual informs the Township that “All solid salt and deicing materials are stored inside the covered salt storage area at the public works facility.”

Observation #2:

During the inspection of the municipal yard, salt was observed on the pavement outside of the salt storage area where it is potentially exposed to stormwater transport. The conditions at the time of inspection can be observed in photos DSCN2635 and DSCN2636 of the Photo Log.

Dry Weather Screening

The General Permit requires “all of the identified regulated small MS4 outfalls shall be screened during dry weather at least twice within the 5-year period following approval of coverage under this General Permit” and that “...existing permittees, each of the identified regulated small MS4 outfalls shall be screened during dry weather at least once by March 15, 2023.”

Observation #3:

In 2020 and 2021 North Middleton Township did not conduct any dry weather screening accruing to their annual reports. The Township Engineer informed EPA that they intend to inspect all their outfalls in 2022 and 2023.

Operation and Maintenance of PCSWMBMPs

BMP 3 of MCM 5 of the General Permit requires municipalities to “Ensure adequate O&M of all post-construction stormwater management BMPs that have been installed at development or redevelopment projects that disturb greater than or equal to one acre...”

Observation #4:

The plans for the PCSWMBMPs were requested and reviewed by the inspection team prior to the inspection. It appeared during the field inspections that the BMPs were located, configured, and contained the inlets and outlets as depicted in the plans.

The EPA Inspection Team inspected three PCSWMBMPs within the Township:

The BMP at Hillside Storage is identified by photographs DSCN2646 through 2650 of the Photo Log. The vegetation at this BMP appears well established and without subsidence. Only Photo DSCN2650 identifies what appears to be slight erosion on the slopes.

The BMP at Lehman's Crossing is identified by photograph DSCN2653 through 2658 of the Photo Log. The vegetation at this BMP appears well established and without subsidence. The inflow and outflow structures appear to have good structural integrity and appear un-obstructed.

The BMPs at Parkers Spring is identified by photograph DSCN2662, DSCN2667 and DSCN2668 of the Photo Log. The vegetation at these BMPs appears well established and without subsidence. The inflow and outflow structures appear to have good structural integrity and appear un-obstructed.

IV. Records Review

The EPA Inspection Team reviewed the 2020 and 2021 Annual Reports for North Middleton Township, the Operations and Maintenance Plan for the Township, the General Permit and PCSWMBMP plans.

V. Closing Conference

At the conclusion of the onsite inspection, the EPA Inspection Team conducted a closing conference with township representatives and shared preliminary observations. The EPA Inspection Team reiterated to the township representatives that all preliminary observations discussed were not compliance determinations. Preliminary observations shared with the township are subject to further investigation by EPA, including additional review of records and documentation. As a result, additional observations may be contained in this inspection report that were not identified at the time of the closing conference.

The inspection concluded at approximately 3:30 PM (EDT).