

NPDES Reconnaissance Inspection Report

Superior Systems, Inc.

Mt. Vernon, Washington

EPA Unpermitted No. WAU000671

Reconnaissance Inspection Date: September 12, 2023

Prepared by:

Rick Cool
U.S. Environmental Protection Agency, Region 10
Enforcement & Compliance Assurance Division
Water Enforcement & Field Branch
Surface Water Enforcement Section

Inspector Signature/Date:

RICHARD COOL

 Digitally signed by RICHARD COOL
Date: 2023.11.08 07:50:47 -08'00'

Supervisor Signature/Date:

Marshalonis, Daniel (Dino)

 Digitally signed by Marshalonis, Daniel (Dino)
Date: 2023.11.08 08:33:20 -08'00'

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(Unless otherwise noted, all details in this reconnaissance inspection report were obtained from conversations and communications (e.g., opening conference, Facility walk-through, etc.) with Mark Wolfe, General Manager, Superior Systems, Inc., and from reviews of documents and direct reconnaissance inspection observations)

I. Facility Information

Facility Name:	Superior Systems, Inc. – Mt. Vernon Facility
Facility Owner/Operator:	Superior Systems, Inc. - Facility operator; Wolfe & Wolfe, Inc., Facility property owner.
Physical Address:	13576 Bayview Edison Road Mt. Vernon, WA 98273
Lat/Long:	48.449377, -122.474710
Mailing Address:	13576 Bayview Edison Road Mt. Vernon, WA 98273
Facility Contacts:	Mark Wolfe, General Manager Plant: (360) 466-1234 mark@superiorsystemsinc.net
EPA Unpermitted ICIS No:	WAU000671
NAICS Code:	332322 – sheet metal work manufacturing 332313 – plate work manufacturing
SIC Code:	3443/3444 – fabricated plate work/metal weldments.
Facility Size:	Lot: 3.14 acres; Building: 41,556 ft ² (approx. 0.95 acres).
Receiving Water:	Unnamed stream → Indian Slough → Padilla Bay

II. Recon Inspection Information

Recon Inspection Date:	September 12, 2023
Inspectors:	Rick Cool - EPA; Sylvia Graham – WA Ecology
Arrival Time:	Approx. 2:15 p.m.
Departure Time:	Approx. 3:10 p.m.

Weather:	Partly cloudy, dry
Purpose:	To evaluate Facility site stormwater infrastructure and industrial activities occurring on the Facility with assessment of potential applicability of the State of Washington Department of Ecology’s National Pollutant Discharge Elimination System – Industrial Stormwater General Permit, and the Clean Water Act (CWA).

III. Permit Information

According to the Environmental Protection Agency’s (EPA) Integrated Compliance Information System (ICIS) and as of the EPA September 12, 2023 reconnaissance (recon) inspection, the Superior Systems, Inc. – Mt. Vernon Facility (“Facility”) did not have stormwater discharge permit coverage under the State of Washington Department of Ecology’s (Ecology) National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater General Permit (ISGP) or any other individual or general NPDES stormwater discharge permit administered by Ecology or EPA.

The Ecology’s PARIS water quality permitting database was checked and the various searches did not produce any information regarding prior Ecology inspections or any relevant water quality permitting action at this Facility.

The EPA unpermitted facility ICIS tracking number assigned post-inspection to the Facility for use in EPA’s ISIC is WAU000671.

The current version of the Ecology’s ISGP became effective on January 1, 2020 and it is set to expire on December 31, 2024.

IV. Background

The Superior Systems, Inc. (SSI) Facility came to the EPA inspector’s attention during pre-inspection preparations for the ISGP compliance evaluation inspection (CEI) of the neighboring Wilbur-Ellis Company (WEC) – Mt. Vernon facility, 13586 Bayview Edison Road.

The EPA-lead ISGP CEI of the WEC facility occurred on Tuesday, September 12, 2023, from approximately 9:00 a.m. – 2:10 p.m., immediately preceding the ISGP recon inspection of the SSI Facility.

The SSI Facility is located adjacent to and immediately abutting the WEC facility’s western boundary line. Attached to this recon inspection report as Attachment B is a map excerpt from the WEC’s August 2020 ISGP Stormwater Pollution Prevention Plan (SWPPP), Figure 2 – Site Layout. The Site Layout map shows the Facility on the west side of the WEC property, abutting the WEC’s biofiltration swale (west segment, generally north-south orientation) and vehicle

traffic areas near the WEC's three catch basin stormwater drainage system segment (CBs A1 – A3). *See also*, Attachment C, Superior Systems Inc. Aerial A (Google Earth Pro 08.07.2022).

The WEC's Site Layout map also three large red arrows on the SSI Facility facing in a generally easterly or southeasterly direction from the SSI Facility towards the WEC facility. The Site Layout map legend identifies these red arrows as depicting potential SSI Facility stormwater run-on to the WEC facility. As additional background, the WEC's August 2020 SWPPP, Part 2.2.2, Discharge Locations (p.11), includes the following narrative:

Potential run-on to the western portion of the [WEC] Facility may occur from the adjacent industrial facility: Superior Systems Inc. This run-on may include potential pollutants including solids/turbidity, oil sheen, and metals. Site grading generally prevents potential run-on from other areas of the [WEC] Facility.

Skagit County property information indicates the current SSI Facility site (Parcel ID: P21185) was in agricultural production use until the approximate 1980-1981 time period when Northrup King Company acquired the approximate 300' x 455' site (approximately 3.14 acres) and constructed a warehouse building. The county property information indicates the site was located in a designated floodplain and that approximately 2.2 acres would be filled 2'-3' in depth of crushed rock for the warehouse building.

The county property information indicates that SSI acquired the Facility site location in the 1997-1998 time period from a company that was using the building for agricultural seed processing, conditioning and warehousing. The county property information indicates the Facility building size (metal exterior) is 41,556 square feet (approximately 0.95 acres). The building is situated on the site in the west/southwest portion with vehicle parking/storage and material storage areas situated primarily on the site north side and east/northeast areas. *See*, Attachment C, Superior Systems Inc. Aerial A (Google Earth Pro 08.07.2022).

Available information indicates that SSI specializes in general sheet metal fabrication (e.g., shearing, rolling, forming, welding, etc.) and pneumatic conveying systems which includes dust control systems (e.g., cyclones) and related duct works.

During the September 12 opening conference, inspectors focused comments about the ISGP's applicability to facilities conducting ISGP-covered industrial activities that discharge stormwater to to surface waterbody or a stormwater system that drains to a surface waterbody. Ms. Graham explained the ISGP itself discusses ISGP permit coverage applicability and I directed Mr. Wolfe's attention to the ISGP S1, Permit Coverage discussion and in particular ISGP S1.A, the facilities required to seek coverage under the ISGP, and ISGP S1.A.1, Table 1, which lists industrial activities requiring ISGP coverage and the associated North American Industry Classification System (NAICS) groups. I have noted that Table 1 includes the NAICS group Fabricated Metal Product Manufacturing, 332xxx.

Available information indicates NAICS 332313 covers industrial establishments primarily engaged in manufacturing fabricated metal plate work by cutting, punching, bending, shaping, and welding metal plate (e.g., metal weldments), including the manufacture of cyclones, ducts, etc. Available information also indicates NAICS 332322 covers industrial establishments

engaged in manufacturing sheet metal work. In my initial post-inspection September 14 follow-up email to Mr. Wolfe, I recommended that SSI review the various Table 1 NAICS groups, including the various Fabricated Metal Product Manufacturing 332xxx codes to determine SSI's NAICS code(s) determinations and potential Table 1 ISGP industrial activities applicability.

V. Recon Inspection Chronology & Walk-Around

This was an unannounced recon inspection. Sylvia Graham, Ecology-Bellingham field office stormwater permit manager and inspector, accompanied me on the WEC ISGP CEI earlier Tuesday, September 12, prior to the SSI Facility recon inspection. Ms. Graham accompanied me on the unannounced recon inspection of the SSI Facility.

During the WEC CEI, we made observations of the SSI Facility from the WEC facility as we conducted a walk-through of the WEC facility that included inspection of the WEC facility's stormwater drainage systems and infrastructure, including the WEC's biofiltration swale (including the swale's west segment, generally north-south orientation) and areas near the WEC's three catch basin stormwater discharge system segment (CBs A1 – A3) located on the WEC facility's western boundary.

We arrived at the SSI Facility on Tuesday, September 12, 2023 at approximately 2:15 p.m., and checked in at the office. We explained the recon inspection purposes to the Facility office employee, who then contacted Mark Wolfe, General Manager. Mr. Wolfe arrived shortly from within the Facility and escorted us to his office. Shortly after our initial introduction, I presented my EPA-issued inspector credentials to Mr. Wolfe and provided him a copy of EPA's Small Business Resources Information Sheet.

The SSI Facility inspection consisted of a short initial opening conference in Mr. Wolfe's office where we discussed the purpose and scope of the recon inspection, followed by a Facility walk-around of most of the exterior building and almost the entire site.

During the opening conference, we explained that we had conducted an ISGP CEI of the WEC facility and made observations from the WEC facility of the SSI Facility and related infrastructure (e.g., catch basin in SSI Facility parking lot, at that time an estimated 18"+ diameter discharge culvert coming from an east-facing swale embankment into the WEC biofiltration swale at the southwest corner junction of the biofiltration swale's western and southern segments, etc.). *See, e.g., Attachment D, WEC 2016 Grading Permit Excerpt, Sheet 5 of 7 (existing 24" diameter culvert coming from westerly direction into access road swale).*

We discussed ISGP applicability criteria and WEC's stormwater discharge system and infrastructure discharge pathways to Indian Slough and Padilla Bay.

At the end of the opening conference, we asked for consent to conduct an inspection by walk-around of the SSI Facility building exterior areas and associated outside equipment parking and material storage areas to view any stormwater discharge systems and infrastructure and readily visible off-site discharge locations. Mr. Wolfe consented to the inspection walk-around request

and he accompanied the inspectors throughout the entire walk-around. We were not denied access to any exterior Facility location we asked to view and observe.

We exited the office and walked around the southern end of the building. We noted earlier the apparent existence of a catch basin in the SSI Facility office parking lot.

Along the approximate southern one-third of the building's west side, I observed three (3) roof downspouts. The first downspout was connected to an approximately 4" diameter white PVC header-like system that appeared to drain northward. The next or second downspout was near broken white PVC piping and no longer connected to the PVC piping resulting in a substantial erosion of the building banking about 4'-5' feet below to the adjacent agricultural field. The next or third downspout was connected to black flexible piping disappearing into the ground – no white PVC piping was readily visible at this third downspout location. Mr. Wolfe indicated he was not aware of the ultimate discharge and disposal location(s) of roof downspouts serving the west side of the building's west-side roof area.

We walked back to and around the office building extension observing office roof downspout(s) to underground-directed piping. Mr. Wolfe indicated he was not aware of the ultimate discharge and disposal location(s) of the office roof downspout discharges.

Note: I did not take any photographs while conducting this recon inspection of the SSI Facility. For purposes of this recon inspection report, I have included in Attachment A, a photo array of some CEI photos I took during the WEC inspection which provide additional visual context and background for the following recon inspection's observation discussion. Photo references below are to Attachment A, Photo Array, of this recon inspection report.

We walked down the asphalt-surfaced SSI Facility truck entrance that drains toward the WEC CB-A3 (**Photo 2**). Photo 2 also details what inspectors observed on-site – Facility roof downspouts can be observed on the industrial portion of the building which downspouts outlet and discharge to the eastern sloping area towards the WEC property line.

The SSI Facility truck entrance is located near the CB-A3 portion of the WEC's CB A1-A3 stormwater drainage system segment that drains and discharges under the SSI-area access road to the WEC biofiltration swale located on the north side of the SSI access road (**Photo 1**).

We walked down into the infiltration swale where I showed Mr. Wolfe the large discharge culvert pipe extending and discharging from a westerly direction from the east-facing swale embankment of the SSI Facility (**Photo 4**). At this junction of the two biofiltration swale segments (**Photo 3**), the swale flows in an easterly direction (**Photo 5**) and **Photo 6** shows the western biofiltration swale segment, with the chain-link fence on the SSI/WEC border along the western swale segment.

Attachment D to this recon inspection report is an excerpt from the WEC 2016 grading permit package available on the Skagit County property information website. The Attachment D excerpt is Sheet 5 of 7 from the Sound Development Group (August 2016) Drawing Name:

12025PLN.dwg. Sheet 5 depicts the proposed WEC expansion including the proposed biofiltration swale including known existing infrastructure.

Sheet 5 shows an existing 8" diameter culvert entering the existing north-side road access swale from a southerly direction which is likely the outlet culvert for the WEC's CB A1-A3 stormwater discharge system segment. Sheet 5 also shows an existing 24" diameter culvert entering the existing north-side road access swale from a westerly direction (i.e., east-facing embankment) from the SSI Facility site (**Photo 4**).

From the biofiltration swale location, we proceeded to walk north between the building and the east-side material and equipment storage areas which grade is sloped toward the SSI/WEC border and the WEC biofiltration swale. Much of the stored materials appeared to be galvanized steel. Observations were also made of the roof downspouts which discharged to the sloped grade in an easterly direction. The Attachment C aerial images, Aerial B and Aerial C, were apparently take in August 2022 but they accurately depict the general equipment and material storage conditions observed on September 12. *See*, Attachment C, Superior Systems Inc. Aerials B and C (Google Earth Pro 08.07.2022).

We also walked the northern area of the Facility site, along the northern-located equipment and material storage areas. We observed 3 stormwater catch basins (CB), spaced approximately 75 feet apart, running in an east-west direction along the gravel travel area of the SSI Facility's northern material storage areas. *See*, Attachment C, Superior Systems Inc. Aerial B (three red arrows pointing to CB locations (Google Earth Pro 08.07.2022)).

I observed that the first CB located on the western end of this 3-CB segment appeared to have no inlet pipe on the south, west and north sides and only one outlet on the east side of the basin. Additionally, the eastern most CB appeared to be about 75 feet from the SSI Facility's eastern chain link fence line abutting the WEC biofiltration swale. I walked to the eastern edge of the SSI Facility, just south of the large tree pictured in Photo 6, and viewing the grade through tall, stalked weed growth, there is an approximate 4'-5' downward slope (i.e., gradual drop-off) towards and then under the fence to the base of the WEC biofiltration swale bottom.

We discussed these particular CB observations and were collectively in general agreement this 3-CB stormwater drainage segment was likely designed to discharge in an easterly direction given its configuration, orientation and the general Facility grade in the northern part of the Facility, but Mr. Wolfe explained he did not know the ultimate final discharge location for this 3-CB segment.

VI. Area of Concern

Observations, document reviews, discussions and other applicable information results in the identification of the following area of concern:

A. Unpermitted Stormwater Discharges Associated with Industrial Activities

The CWA Section 301(a), 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person from any point source into waters of the United States except, *inter alia*, as authorized by an NPDES permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342.

ISGP S1.A provides in part: “This statewide permit applies to facilities conducting industrial activities that discharge stormwater to a surface waterbody or to a storm sewer system that drains to a surface waterbody.”

ISGP S1.A.1 and Table 1 provide that facilities engaged in any industrial activities in Table 1 shall apply for ISGP coverage if stormwater from the facility discharges to a surface waterbody, or to a storm sewer system that discharges to a surface waterbody.

Table 1 includes industrial activities associated with fabricated metal product manufacturing. *See, e.g.*, Table 1, Fabricated Metal Product Manufacturing, NAICS 332xxx.

Available information indicates that the SSI Facility does not have Ecology ISGP coverage for Facility stormwater discharges associated with industrial activities or any other applicable individual or general NPDES stormwater discharge permit administered by Ecology or EPA for Facility stormwater discharges associated with industrial activities.

VII. Recon Inspection Follow-Up

On Thursday, September 14, 2023, I sent Mr. Wolfe a recon inspection follow-up email that included a weblink to Ecology’s ISGP website and a copy of the Ecology 2020 ISGP. I explained the purpose of the email was to follow-up the September 12 recon inspection with some additional industrial stormwater regulatory compliance assistance and some recommended next steps for SSI’s consideration.

On Friday, September 29, 2023, I forwarded a copy of my September 14 email to Mr. Wolfe, again including a copy of the Ecology 2020 ISGP. As of the date of this recon inspection report, I have not received any follow-up contact or inquiries for compliance assistance from SSI. Additionally, the Ecology inspector reported that SSI had not submitted an ISGP application/request for ISGP coverage to Ecology, as of November 7, 2023.

ATTACHMENT A – Photo Array

(Photographs were taken by Rick Cool with a Panasonic Lumix FH-25 camera)

**Superior Systems, Inc. (EPA Photos of Wilbur-Ellis Co. StW)
Mt. Vernon, Washington**



Photo 1: P1010483

09/12/2023

WEC West Boundary – Catch Basin A2 (center) – Looking north

**ISGP Recon Inspection September 12, 2023
Photographed by: Rick Cool**



Photo 2: P1010484

09/12/2023

SSI Truck Entrance – WEC Catch Basin A3 – Looking West



Photo 3: P1010485

09/12/2023

Catch Basins A1-A3 Confluence with Biofiltration Swale – Looking South/SW



Photo 4: P1010486

09/12/2023

Discharge Pipe from East-facing Swale Embankment on Superior Systems' Side –
Looking west



Photo 5: P1010487

09/12/2023

Biofiltration Swale at Junction with Swale's North Leg - Looking east



Photo 6: P101488

09/12/2023

WEC Biofiltration Swale on WEC/SSI Border – Looking north

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ATTACHMENT B – WEC 2020 SWPPP, Figure 2 – Site Layout



- | | | | | |
|--------------------------------|-------------------------------------|-----------------------------------|--|------------------|
| Adjacent Wilbur-Ellis Property | Below-Grade Septic System (Offices) | Buildings and Structures | Cascade Natural Gas Corp Enclosure | Catch Basin |
| Containment Area | Culvert/Conveyance Pipe | DA-2 Drain Rock Infiltration Area | Discharge/Sampling Locations | Downspout |
| Drainage Ditch | Employee/Visitor Parking Area | Fences | French Drain | Gravel Areas |
| Onsite Wet Biofiltration Swale | Outfalls | Paved Areas | Potential Conditionally Authorized NSWDs | Potential Run-on |
| Site Boundary | Skagit PUD Water Mains | Surrounding Water Bodies | Underground Conveyor | Railroad Tracks |



Site Layout - Figure 2
 Location: Wilbur-Ellis Company - Mt. Vernon
 Address: 13586 Bayview Edison Rd, Mount Vernon, WA



ATTACHMENT C – Facility Aerial Images, A-C

Superior Systems Inc. Aerial A

Google Earth Pro 08.07.2022 - Superior Systems Inc. Facility - West of Wilbur-Ellis site.

Legend



Superior Systems

Josh Green Ln

Josh Green Ln

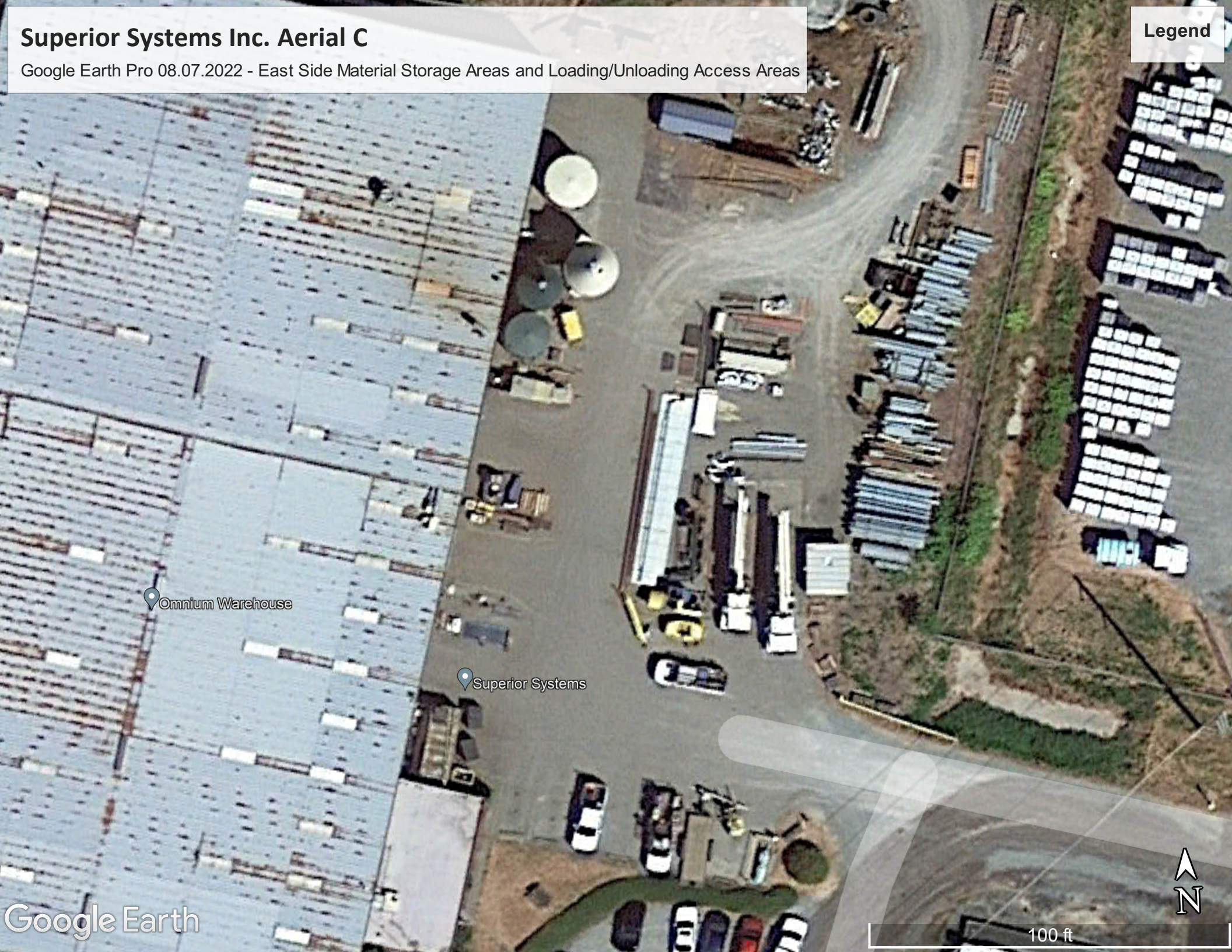
300 ft



Superior Systems Inc. Aerial C

Google Earth Pro 08.07.2022 - East Side Material Storage Areas and Loading/Unloading Access Areas

Legend



Omnium Warehouse

Superior Systems

ATTACHMENT D – WEC 2016 Grading Permit Package Excerpt

[illegible]

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Sound Development Group
ENGINEERING, SURVEYING & LAND DEVELOPMENT SERVICES
P.O. Box 1705 • 1111 Cleveland Avenue, Suite 202
Mount Vernon, WA 98273
Tel: 360-404-2010 Fax: 360-404-2013

**PROPOSED LAYOUT, GRADING
DRAINAGE & UTILITY PLAN**

SCALE	1" = 30'
DRAWN BY:	PLAU
DESIGNED BY:	P. SEVERIN
CHECKED BY:	P. SEVERIN
FIELD BOOK/PAGE:	
DATE:	AUGUST 2006

PROJECT
WILBUR ELLIS BUILDING EXPANSION
FOR
WILBUR ELLIS
ON A PORTION OF SECTION 7, TOWNSHIP 36 N., RANGE 3 E., WM. SEASIDE COUNTY, WASHINGTON

JOB NO.
12025
DRAWING NAME
12025PLN.dwg
SHEET
5 OF 7