

Clean Water Act (CWA) Inspection Report

Inspection Entry Date/Time	05/22/2024 9:30 AM (PST)	Announced: No		
Inspection Exit Date/Time	05/22/2024 1:30 PM (PST)	Access: Granted		
Weather	Partly Cloudy, 53° F			
Media/Statute(s)/Program(s)	Water, Clean Water Act, NPDES, Industrial Stormwater			
Type of Inspection	CEI - Compliance Evaluation Inspection			
Facility Name	Pacific Steel and Recycling – Lewiston			
Physical Address	604 12 th Street North			
City/State/Zip Code	Lewiston, Idaho 83501			
County	Nez Perce County			
Facility GPS Coordinates	46.42668 N -117.015248 W			
Facility Mailing Address	604 12 th Street North			
City/State/Zip Code	Lewiston, Idaho 83501			
FRS ID	110067021975			
NPDES Permit Tracking #	IDR053088			
Inspection Contacts:				
Organization	Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA Region 10	Jon Klemesrud	Lead Inspector	Yes	Yes
Pacific Steel and Recycling – Lewiston	Tom Miller	Branch Manager	Yes	Yes
Pacific Steel and Recycling – Lewiston	David Geiger	HSET Coordination	Yes	Yes
Pacific Steel and Recycling – Lewiston	Danielle Phipps	Office Manager	No	No
Pacific Steel and Recycling	Kirby Farner	HSET Director	No	No
EPA Inspector Signature/Date	JON KLEMESRUD		Digitally signed by JON KLEMESRUD Date: 2024.08.09 11:42:52 -07'00'	
	Jon Klemesrud, FDDWES			
Supervisor Signature/Date	PETER CONTRERAS		Digitally signed by PETER CONTRERAS Date: 2024.08.09 15:29:38 -07'00'	
	Peter Contreras, Chief FDDWES			

This inspection report is based on information supplied by conversations with Mr. Tim Miller, Mr. David Geiger, or direct observations made at the time of the inspection. This inspection report may also include information gathered from a review of EPA/Idaho Department of Environmental Quality (IDEQ) files and/or public records.

SECTION I – INTRODUCTION

Facility Description

Pacific Steel & Recycling - Lewiston (hereinafter referred to as the “Facility”) is a scrap and recycling receiving/processing facility and new steel distributor located within the Port of Lewiston, Idaho. The Facility provides scrap, commercial, consumer and e-recycling services, as well sales and distribution of new steel products within the area. The Facility is one of 34 similar branches operated by Pacific Steel & Recycling across 9 states. The Facility has been at its current location for approximately 25 years, operating on approximately 7.87 acres north of the Clearwater River. See **Attachment A**, Aerial Image (Google Earth®).

There are approximately 18 employees at the Facility, operating from 8am-4pm, Monday through Friday. Operations generally include scrap receiving, scrap storage, scrap processing, scrap shipping, as well as commercial and consumer recycling receiving, storage, processing, and shipping. The Facility also conducts new steel receiving, storage, sales, processing, and shipping. The Facility does not perform any commercial/consumer recycling sorting, only bailing of bailing of the received products.

Industrial areas and material storage areas include truck trailer parking and storage areas, new steel storage areas, scrap loading and unloading areas, scrap processing areas, recycling/bin storage and loading/unloading areas, recycling processing (bailing) areas. A rail spur accesses the property from the southern perimeter.

Permit Information

The Facility is permitted to discharge stormwater to the City of Lewiston’s Municipal Separate Storm Sewer System (MS4) under the National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP). The 2021 MSGP became effective on March 1, 2021, and is set to expire on February 28, 2026. The Facility certified their Notice of Intent (NOI) (permit application) on May 14, 2021 (**Attachment B**). The NPDES tracking number issued to the Facility is IDRO53088. Prior to the 2021 MSGP, the Facility was covered under the previous version of the permit, the 2015 EPA MSGP.

Permitting authority was transferred from EPA Region 10 to Idaho Department of Environmental Quality (IDEQ) on July 1, 2021, as IDEQ became the delegated authority for General NPDES Stormwater Permits under Phase IV of the scheduled transfer.

Within their NOI, the Facility identified six potential discharge points/areas where stormwater can leave the property. In general, the Facility directs stormwater not infiltrated into a single catch basin (Outfall 001) located centrally within the property. The Facility has identified three other substantially identical discharge points where stormwater could leave the property, including Outfall 003, Outfall 004, Outfall 005. There is also a roadside catch basin located outside the property boundary, along 12th Street North that the Facility has identified as Outfall 002. The Facility has identified another substantially identical discharge point to Outfall 002, Outfall 006. Both catch basins (Outfall 001 and Outfall 002) are believed to discharge to the MS4.

As the Facility’s industrial activity falls under the standard industrial classification (SIC) code 5093, (Scrap and Waste Materials), the Facility is subject to the additional requirements of Part 8, Subpart N, Sector N1 (Recycling and Waste Recycling Facilities except Source-Separated), including sector-specific benchmark monitoring for Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), Total Recoverable Iron (Iron), Total Recoverable Aluminum (Aluminum), Total Recoverable Copper (Copper), Total Recoverable Lead (Lead) and Total Recoverable Zinc (Zinc).

Entry and Inspection Chronology

This was an unannounced inspection by EPA Region 10; IDEQ was invited to participate in the inspection but was not in attendance. The inspection consisted of an opening conference, a walk-through of the Facility, a records review, and concluded with a closing conference. During the closing conference I discussed my observations, potential compliance concerns and EPA's general compliance review process.

On the day of the inspection, I arrived at the Facility's main office at 9:30AM and was greeted by Branch Manager, Mr. Tom Miller. I introduced myself and discussed that I had been asked to conduct a routine NPDES compliance inspection regarding the Facility's coverage under the MSGP. Mr. Miller discussed that the Facility's Environmental/Health Safety coordinator, Mr. David Geiger, was the primary on-site staff member associated with stormwater monitoring conducted for MSGP compliance. Mr. Miller stated that Mr. Geiger was currently out of the office and attending a safety seminar at nearby Lewis-Clark State College. Mr. Miller discussed that he would prefer to have Mr. Geiger present for the inspection and would call Mr. Geiger to pull him from the safety seminar. After Mr. Miller contacted Mr. Geiger, we agreed to begin the inspection at 10:15AM, so that Mr. Geiger could return and join us for the inspection. I departed the Facility and then returned at 10:15AM.

Once returned to the main office, Mr. Miller introduced me to Mr. Geiger, and we had initial introductions. Mr. Miller invited us into his back office to begin the inspection. At this time, I presented my EPA inspector credentials and restated the purpose and scope of the inspection. I also provided a copy of EPA's Small Business Resources Information Sheet and EPA Industrial Stormwater Fact Sheet associated with "Scrap Recycling and Waste Recycling Facilities."

During our introductions, it was discussed that Mr. Geiger had been at the Facility for approximately 14 years. Among other duties at the Facility, Mr. Geiger was involved with monitoring/sample collection required by the MSGP. It was discussed that general MSGP direction/support comes from Pacific Steel and Recycling's corporate Health & Safety/Environmental Director, Mr. Kirby Farner. It was discussed that Mr. Farner is located at the corporate headquarters in Great Falls, Montana.

Following introductions, Mr. Miller provided a brief history on the Facility as well as a general background of day-to-day operations. Regarding permit compliance, it was discussed that in 2023, the Facility had experienced issues with their contract laboratory (Energy Labs) in Billings, Montana that resulted in no samples being collected in 2023. It was discussed that the Facility continues to exceed the benchmark parameters for several parameters.

Mr. Miller discussed that the Facility tries to be pro-active regarding stormwater/environmental compliance, emphasizing good housekeeping practices, as the Facility maintains an on-site sweeper and contracts out for routine vacuum sweeping with Valley Sweeping in Lewiston. In addition, berming and infiltration is used to control stormwater discharges from most of the scrap processing areas, various structures and containers are utilized to minimize exposure. To assist in orienting me with the Facility's layout and control measures, a Site Plan was provided (**Attachment C**).

After a brief review of the Site Plan, we prepared to continue the inspection with a site walk-through. Mr. Miller brought in and introduced me to the Facility's Office Manager, Ms. Danielle Phipps; it was discussed that Ms. Phipps would be joining on the walk-through to take duplicate photographs for the Facility during the inspection. We then began the walk-through outside of the main office, along the eastern property boundary. Photographs taken during the inspection are attached to this inspection report as **Attachment D**, Photograph Log.

I was accompanied throughout the inspection by Mr. Miller and Mr. Geiger. Ms. Phipps was present for only the walk-through.

SECTION II – OBSERVATIONS

Site Review

As discussed earlier in this report, industrial areas at the Facility generally include truck trailer parking and storage areas, new steel storage areas, scrap loading and unloading areas, scrap processing areas, recycling/bin storage and loading/unloading areas, recycling processing (bailing) areas. The Facility has identified potential pollutant sources exposed to stormwater to include aluminum cans, motor blocks, ferrous and non-ferrous metal, oil, and grease. Potential pollutants include aluminum, copper, iron, lead, zinc, oil, and grease.

Examples of best management practices (BMPs) adopted by the Facility include but not limited to minimizing exposure and discharges, good housekeeping, routine sweeping, preventive maintenance of vehicles/equipment, spill prevention and response, on-site inspections, employee training, sediment, and erosion control, inlet protection, berming, management of runoff.

As discussed earlier in this report, the Facility identified six potential discharge points/areas where stormwater can leave the property. In general, the Facility directs stormwater not infiltrated into a single catch basin (Outfall 001) located centrally within a paved area of the property. There is also a roadside catch basin located outside the property boundary, along 12th Street North (Outfall 002). Both catch basins are believed to discharge to the MS4.

Walk-Through Observations:

Location: Eastern Perimeter, Entrance Areas, Northern Perimeter

Observation #: OB-001

We first walked north from the main office and observed the unpaved areas along the northeast portions of the Facility (**Photo 1**). Perimeter fencing surrounds the property, there were two open gated entrances along the northeast perimeter. One primary paved entrance is used for the main office and the employee parking area, the second entrance is just north of the primary entrance and is unpaved and is generally used for truck trailer entry and exit. The northern portion of the Facility is unpaved and flat, stormwater is generally infiltrated within the graveled surface. The area is used for truck/trailer parking and storage, new steel storage and temporary scrap and recycling storage bins.

From the eastern perimeter along 12th Street North, we first observed a roadside catch basin that the Facility has identified as Outfall 002 (**Photo 2**) within the Site Plan (**Attachment C**). The catch basin is located outside of the Facility's perimeter fencing and collects stormwater along 12th Street North. An adjacent strip of graveled land/surface separates the Facility's fenced areas and 12th Street North. No discharge into the catch basin was observed at the time of inspection. Due to the slope and surface types, it appeared that during rain events, most of the flow to the catch basin would be from the paved areas of 12th Street North and not from the paved/unpaved portions of the Facility. As 12th Street North is within the Port of Lewison, I discussed that to the extent possible, the Facility should consider direction of flow and source if/when collecting a sample from Outfall 002 (to ensure the flow is representative of Facility's contribution/operations).

We continued north along the 12th Street North. and observed a parked trailer containing some scrap metal to be parked along the adjacent strip of graveled land/surface (**Photo 3**). Mr. Miller discussed that the trailer and parking area is not associated with the business; however, potential customers will occasionally arrive after hours and leave items/trailers within the area and then return for scrap sales/delivery.

While referencing the Site Plan (**Attachment C**), Mr. Geiger and Mr. Miller attempted to verify the location of

Outfall 006, shown to be in the general area that we were standing. They were unsure if the potential outfall was a catch basin/inlet structure. Based upon no observed catch basin or inlet structure, it was believed that Outfall 006 was not a catch basin or inlet, rather a potential area for stormwater not-infiltrated to leave the property.

We continued inside the northern gated entrance and observed the norther unpaved portions of the property including the storage areas. We observed empty totes and new steel storage/culverts (**Photo 4**). Mr. Miller discussed that the empty totes were triple rinsed and are staged at this location to be later utilized by for scrap sorting and storage/transport, as the plastic also serves as a containment structure for any residual debris.

We observed several roll-off bins/containers south of the northern storage areas (**Photo 5**). It was discussed that the roll-off bins/containers are received and staged at the location until they are brought back to the scrap area for processing/crushing. Bins are typically only staged at this receiving location for a half-day.

We continued west to the northwest perimeter and observed the fencing and a slight berm separating the northwestern areas from what was described as a marsh area that was heavily vegetated (**Photo 6**). It was discussed that the marsh area is adjacent to the City of Lewiston's wastewater treatment plant and is not part of the Facility's property.

Location: Central Paved Areas, Outfall 001, New Steel Building, Scrap Processing

Observation #: OB-002

We continued south into the central areas of the Facility, towards the "new steel building" where pavement begins. The new steel building is an enclosed building where various new steel products are stored and processed/cut indoors under cover. It was discussed that new steel items 20-feet and under are processed/cut indoors, new steel items greater than 20-feet are processed/cut outdoors, generally west of the new steel building.

Northeast of the new steel building, we observed the central catch basin identified as Outfall 001 (**Photo 7**). The paved area was sloped so that the central catch basin receives stormwater from the surrounding paved areas to north, south, east, and west. In general, the paved areas near Outfall 001 appeared to be well maintained and free of debris/staining. These areas include the areas northwest of the office building, areas north and east of the new steel building and areas north of the mixed recycling bins (**Photo 8, Photo 9**).

The central catch basin was equipped with sediment filter fabric, Mr. Geiger discussed that the fabric was last changed out in February 2024. It was discussed that the central catch basin (Outfall 001) is the primary sample collection point for stormwater monitoring. I asked Mr. Geiger how samples are collected from the catch basin, and he explained that a sheet flow sample is collected from the paved surface as stormwater enters the catch basin and sediment filter fabric.

We walked around the north side of the new steel building to the western perimeter and observed the cutting area used to process/cut the longer lengths of new steel product (**Photo 10**). We observed the plate sheering machine/area outdoors under cover on a concrete slab. The torch/cutting area was within an uncovered graveled area north of the plate sheering machine/area. Various steel products were observed to be stored north of the new steel building on storage racks (**Photo 11**).

We continued southwest of the new steel building towards the scrap processing area. We observed the Facility's vehicle fluid drain station used to empty/collect fluids from scrap vehicles before they are processed (**Photo 12**). The area utilizes an asphalt berm for containment, staining was observed throughout the containment area. Noth of the area, a large, vegetated berm and swale extends along the north perimeter,

between the Facility's property and the vegetative marsh area. Concrete ecology blocks also extend across a portion the north perimeter, between the Facility's access road and the vegetative perimeter (**Photo 13**).

We continued west through the scrap processing area, where scrap metal sorted and compacted. It was discussed that processed scrap is ultimately delivered to Schnitzer Steel in Portland, Oregon. We observed the vegetated berm and swale throughout the northern perimeter (**Photo 14**), as well as the vegetated berm continuing across the western perimeter of the scrap processing area (**Photo 15**). We then observed the southern and central portions of scrap processing area. Southern portions of the scrap processing area were unpaved and stacked concrete ecology blocks extended across the southern property line and rail spur entrance (**Photo 16, Photo 17**). Primary/central scrap sorting and processing areas remain unpaved, and stormwater is designed to be infiltrated (**Photo 18, Photo 19**).

Location: Fuel/Lubricant Storage Area, Consumer/Commercial Recycling Storage Area

Observation #: OB-003

Following our time near within the scrap processing area, we continued along the southern perimeter to the Facility's enclosed fuel/lubricant storage area, contained within a repurposed rail car. Stored materials included diesel fuel, hydraulic oil, and engine oil (**Photo 20**). The diesel tank was double walled, and each product was within secondary containment. In general, the area appeared to be well maintained, stormwater is generally designed to flow south to a vegetated area along the rail spur. North of the fuel/lubricant storage area we observed/discussed a stockpile of absorbant material used for spill response. We also observed the Facility's sweeper attachment (**Photo 21**). It was discussed that in-house sweeping occurs once per week and as needed. In addition, the Facility utilizes Valley Sweeping for vacuum sweeping services every other week. Mr. Miller discussed that he would have to verify the contracted schedule Valley Sweeping.

We continued east along the southern perimeter to the area south of the New Steel Building, we observed the receiving area for the consumer/commercial recycling areas (**Photo 22**). Materials include mixed recycling, cardboard and newspaper. It was discussed that no sorting consumer/commercial recycling occurs at the Facility, only bailing of the received materials for shipping/transport. The area is generally sloped that stormwater would travel towards Outfall 001.

The bailing machine was located just east of the area under cover. NE of the covered bailing area we observed a pile of aluminum piping (**Photo 23**). It was discussed that due to the longer lengths of piping, the material was temporarily stored at the location so it could be sheared into smaller lengths prior to further processing. From this area we viewed the paved collection area south of Outfall 001, east of the new steel building (**Photo 24**).

Location: Non-Ferrous Scrap Staging Areas, Loading Areas, Southeast Perimeter, Public Recycling/Receiving Area

Observation #: OB-004

We continued around the south side for the bailing building and observed stockpiled aluminum scrap awaiting pick-up/shipping (**Photo 25**). It was discussed that in general, processed materials awaiting pick-up/shipping are stored under cover within shipping containers. Mr. Miller discussed that the stockpiled aluminum materials observed were just pulled from the shipping containers, in preparation for truck shipment to Post Falls, Idaho.

We continued to the shipping/loading areas within the southeast corner (**Photo 26**) and then then exited the

Facility, via a southeast gate along 12th Street North. We then observed the downslope areas south of the Facility's perimeter fencing (**Photo 27**). We also observed the entrance/exit area used for shipping (**Photo 28**). Mr. Geiger and Mr. Miller attempted to verify the location of Outfall 003, Outfall 004, and Outfall 005 (**Attachment C**), shown to be in the general area that we were standing/observing. They were unsure if potential outfalls were catch basin/inlet structures. Based upon no observed catch basin or inlet structure, it was believed that the potential outfalls were not catch basin or inlets, rather a potential area for stormwater not-infiltrated to leave the property. Due to the slope of the area, the Facility had also recently updated their Site Plan to include potential inflow areas (**Attachment C**). We observed one roadside catch basin/inlet south of the Facility's property, upslope along 12th Street N (**Photo 29**).

The walk-through concluded after observing the Facility's smaller receiving area typically used for smaller deliveries, including batteries, aluminum cans and copper wire (**Photo 30**).

SECTION III – Records Review

The following records were reviewed as part of the inspection:

Record: Discharge Monitoring Reports (DMRs) & Laboratory Analytical Data

Ref #: RR-001

As discussed earlier within this report, the Facility is subject to benchmark monitoring for COD, TSS, Aluminum, Copper, Iron, Lead, and Zinc.

Prior to the inspection, I reviewed quarterly DMR data submitted over the past 5-years (May 2019 – May 2024). This was also completed by a review of an exceedance report generated by EPA's Integrated Compliance Information System (ICIS). According to the Facility records, sampling of discharge events occurred on May 17, 2019, January 28, 2020, June 29, 2020, November 18, 2020, March 3, 2022, September 22, 2022, and January 25, 2024. The review noted 14 benchmark exceedances, including exceedances for COD, TSS, Iron, Zinc, Aluminum and Lead:

Quarter (Q):	Parameter:	Reported Value:	Benchmark Value:
Q1 2020	TSS	100 mg/L	138 mg/L
Q1 2020	Iron	12.6 mg/L	1.00 mg/L
Q1 2020	Aluminum	4.92 mg/L	0.75 mg/L
Q1 2020	Zinc	0.138 mg/L	0.11 mg/L
Q2 2020	Iron	4.00 mg/L	1.0 mg/L
Q2 2020	Aluminum	4.52 mg/L	0.75 mg/L
Q4 2020	Lead	0.0690 mg/L	0.0796 mg/L

Q4 2020	TSS	115 mg/L	100 mg/L
Quarter (Q):	Parameter:	Reported Value:	Benchmark Value:
Q4 2020	Iron	9.05 mg/L	1.0 mg/L
Q4 2020	Aluminum	4.52 mg/L	0.75 mg/L
Q4 2020	Zinc	0.222 mg/L	0.110 mg/L
Q1 2022	TSS	476 mg/L	100 mg/L
Q1 2024	TSS	309 mg/L	100 mg/L
Q1 2024	COD	168 mg/L	120 mg/L

At the time of inspection, it was discussed that benchmark and effluent monitoring samples are collected by Mr. Geiger. Samples are mailed via ground shipping to the contract laboratory Energy Labs in Billings, MT for analysis. Chain-of-custody documentation is completed, and samples are placed on bags of ice prior to shipping.

As discussed earlier within this report, in 2023, the Facility had experienced issues receiving new sample bottles from Energy Labs, including new bottles not received and/or sent to wrong addresses, which in part resulted in no samples being collected in 2023.

As a subsample, I reviewed analytical reports including chain-of-custody documentation from the January 25, 2024, and September 22, 2022, sampling events. It was noted that samples were received at the lab 5 days after collection/mailling resulting in sample temperatures recorded at 21.1 °C and 10.8 °C, respectively.

Record: Stormwater Pollution Prevention Plan (SWPPP)

Ref #: RR-002

At the time of the inspection, I conducted a cursory review of the Facility's SWPPP that was certified on August 4, 2021. The SWPPP was developed using the Industrial SWPPP template and appeared to meet the minimum requirements of the MSGP. The Facility's Site Plan (map) was last updated on December 26, 2023 (**Attachment C**).

Corrective action documentation was also included within the SWPPP (**Attachment E**). Documentation included a January 12, 2024, report discussing that the first quarter inspection in 2023 was missed, and an inspection was conducted 10 days later during the second quarter. The corrective action was documented in response to a Notice of Noncompliance received from IDEQ, which indicated the missed inspection. Based upon the corrective action plan, IDEQ responded with a Compliance Determination Letter (**Attachment F**).

In addition, the SWPPP contained two items serving as corrective action documentation associated with triggering "Additional Implementation Measures (AIM)" under the MSGP, due to the benchmark exceedances. The first correction action was in response to triggering AIM 1 and was dated October 14, 2022. The corrective action discussed increasing contracted sweeping frequency to once per week and increasing the frequency of brooming within the loading area of the non-ferrous areas. The second corrective action was in response to

triggering AIM 2 and was dated February 12, 2014. The corrective action discussed that “based on these results (in comparison to results from other Pacific branches), I don’t believe they are reflective of true pollutant constitutes leaving our property” and “therefore, on future sampling, please use a “Sheet Flow Method” which will provide a more true analysis.”

Site Inspection Reports, Visual Assessments & Annual Reports

Ref #: RR-003

At the time of inspection, I requested to review Quarterly Site Inspection Reports, Visual Assessments and Annual Report documentation over the past 5-years (May 2019 – May 2024). Site inspection reports and visual assessments are maintained on-site and were generated using the MSGP templates. See **Attachment G**, 2024 Q1 Quarterly Visual Assessment Form and Routine Facility Inspection Report. Documented site inspections and visual assessments are currently conducted by Mr. Geiger. Site inspections and visual assessments conducted in 2019 were documented as begin conducted by Mr. Jordan Smith.

Quarterly site inspections and visual assessment forms were documented as being completed on the following dates: May 17, 2019, September 30, 2019, December 27, 2019, January 28, 2019, June 29, 2020, September 30, 2020, November 18, 2020, April 6, 2021, June 30, 2021, September 30, 2021, December 27, 2021, March 3, 2022, June 18, 2022, September 22, 2022, December 19, 2023, January 25, 2024. Applicable annual reports (2019-2023) and were also reviewed.

SECTION IV– SAMPLING ACTIVITIES AND ANALYTICAL RESULTS

No sampling was conducted for this inspection.

SECTION V - AREAS OF CONCERN

The presentation of Area(s) of Concern (AOC) does not constitute a formal compliance determination or violation. The following AOCs were identified as part of the inspection:

AOC Reference #: AOC-1

Permit Coverage Signage Location

Regulation and/or Permit Requirement:

Section 1.3.5 of the 2021 MSGP indicates that notice of permit coverage must be posted in a “safe, publicly assessable location in close proximity to your facility” and “use a font large enough to be readily viewed from a public right-of-way”

At the time of inspection, when discussing the permit requirement, Mr. Miller and Mr. Geiger directed me the notice of permit coverage signage, which was posted inside of the main office on the wall of the entrance/exit.

Based upon the language in the permit, the concern is that the signage was not viewable from a public right-of-way/location. Post-inspection, on June 12, 2024, Mr. Miller provided an update via email that a permit coverage sign was installed facing the 12th Street North main Facility entrance. See **Attachment H**, Post Inspection Correspondence.

AOC Reference #: AOC-2**Corrective Action Documentation****Regulation and/or Permit Requirement:**

Section 3.2.2.5, 5.1.1 and 5.1.1.5 of the MSGP identifies conditions requiring corrective action documentation, including SWPPP review and revision: “whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam.)” “You must review and revise, as appropriate, your SWPPP (e.g. source of pollution; spill and leak procedures; non-stormwater discharges; the selection, design, installation and implementation of your stormwater control measures) so that this permit’s effluent limits are met, and pollutant discharges are minimized.”

At the time of inspection, it was discussed/observed that corrective action documentation is not completed during incidences of observed stormwater pollution (e.g. color, odor, floating solids, settled solids, suspended solids, foam.) during the quarterly visual assessments. According to the MSGP Visual Assessment Form for January 25, 2024 (**Attachment G**), the collected sample was described as “dark brown,” and the clarity indicator was marked “cloudy.” Based upon the language in the permit, the concern is that no corresponding record of SWPPP review/revision (or correct action) was being documented.

Post-inspection, on June 12, 2024, Mr. Miller provided an update via email that included the comment from Mr. Farner: “it’s a “best practice” to try and correct concerns in “real time” if visually observed. I suggest documenting an attempted improvement (CA) on p.16 of your SWPPP, when visual assessment concerns appear.” See **Attachment H**, Post Inspection Correspondence.

AOC Reference #: AOC-3**Additional Implementation Measures (AIM) Level 2 Response****Regulation and/or Permit Requirement:**

Section 5.2.4.1 of the MSGP discusses the Aim Level 2 responses, and states that “you must review you SWPPP and implement additional pollution prevention/good housekeeping SCMs conditional on prevention/good housekeeping SCMs, considering good engineering practices, beyond what you did in your AIM Level 1 responses that would reasonably be expected to bring your exceedances below the parameter’s benchmark threshold. Refer to the MSGP sector-specific fact sheets for recommended controls found at [<https://www.epa.gov/npdes/stormwater-dischargesindustrial-activities-fact-sheets-and-guidance>]

As discussed earlier within this report, based upon the continued benchmark exceedances, the Facility has triggered AIM Level 2 Status. At the time of inspection, it was discussed/observed that the AIM Level 2 corrective action response, dated February 12, 2014, discussed that “based on these results (in comparison to results from other Pacific branches), I don’t believe they are reflective of true pollutant constitutes leaving our property” and “therefore, on future sampling, please use a “Sheet Flow Method” which will provide a more true analysis.”

The concern is that the documented corrective action would not reasonably be expected to lower the exceedances below the parameters benchmark threshold. In addition, it was discussed that sample collection already occurs via a sheet flow method.

Post-inspection, on June 12, 2024, Mr. Miller provided an update via email that included the comment from Mr. Farner: “I respectfully submit that the corrective action in this case was a “re-training” of Sheet Flow Sampling Method which could result in bringing constituent levels down and more representative results. This is substantiated in writing (on February 12, 2024) with the six-minute YouTube link as part of the CA. It is possible, that a refined sampling process would reduce a cloudy visual sample and potentially unrepresentative results.

AOC Reference #: AOC-4**Sample Preservation Temperature****Regulation and/or Permit Requirement:**

Section 4.2. of the MSGP discusses that required monitoring, including benchmark, “unless otherwise specified, samples must be analyzed consistent with 40 CFR Part 136 analytical methods that are sufficiently sensitive for the monitored parameter. Within 40 CFR Part 136, Table II (Required Containers, Preservation Techniques, and Holding Times) states “Aqueous samples must be preserved at $\leq 6^{\circ}\text{C}$ ”

Per the Industrial Stormwater Monitoring and Sampling Guide “samples should be kept at approximately 39°F (4°C) until the cooler is delivered to the lab.”

As discussed earlier in this report, at the time of inspection it was discussed that the facility utilizes Energy Labs in Billings, MT for sample analysis and bag of ice are used during ground shipping. When reviewing chain-of-custody documentation for the samples, it was noted that were taking approximately 5-days to be received at the contract laboratory and were received at temperatures such as 21.1°C and 10.8°C .

The concern was that samples were not being received within the required preservation temperature. Ensuring proper sample preservation will help confirm the accuracy and precision of the lab’s analysis. I discussed that the Facility might consider overnight shipping, switching to a more local laboratory, or adjust the ice/cooling method.

Post-inspection, on June 12, 2024, Mr. Miller provided an update via email that “on June 3rd we had a qualifying rain event, and we were able to obtain a sample as outlined by the “Sheet Flow Sampling Method.” After David packaged the sample correctly, I had the cooler next day air freight to Energy Labs in Billings. This should eliminate any delays and ensure the quality of the sample. See **Attachment H**, Post Inspection Correspondence.”

AOC Reference #: AOC-5**2023 Benchmark Monitoring and Visual Assessments****Regulation and/or Permit Requirement:**

Section 3.2.1 of the MSGP discusses the required Visual Assessment Frequency, required quarterly.
Section 4.2.2.3. of the MSGP discusses the required Benchmark Monitoring Schedule, required quarterly.
Section 8.N.7. of the MSGP identifies sector specific benchmarks that apply to Sector N.

As discussed earlier within this report, at the time of inspection it was discussed that the Facility had experienced issues receiving new sample bottles from Energy Labs, including new bottles not received and/or sent to wrong addresses, which in part resulted in no samples being collected in 2023. The 2023 Annual Report stated that “there were no discharges/sample events” and “there were no discharge/sample events qualifying a visual assessment.”

Based upon the impervious areas and outfall(s) observed at the time of inspection, it is assumed that the Facility would routinely discharge during rain events, providing an opportunity for sample collection and a visual assessment. Based upon the permit language, the concern is that the Facility did not collect a quarterly benchmark sample or visual assessment during any quarter within 2023.

Post-inspection, on June 12, 2024, Mr. Miller provided an update via email that included the comment from Mr. Farner: “It’s fair to say that for a sig. portion CY23, the facility was not able to sample due to two errors made by Energy Labs (Billings) in getting coolers to #25. This is well documented. These errors were corrected (by the lab) and Branch #25 sampled in January 2024.”

SECTION VI – CLOSING CONFERENCE AND POST INSPECTION ACTIVITIES

Closing Conference

Following the Facility tour and records review, a closing conference was held with Mr. Miller and Mr. Geiger. I discussed my general observations, potential area of concerns and next steps. I then thanked everyone for their time and cooperation with the inspection and departed the Facility.

Post-Inspection Activities

Post Inspection, on May 31, 2024, I called the City of Lewiston and spoke with Mr. Joe Kaufman, Engineering Project Supervisor: Stormwater – Wastewater, regarding the MS4 Drainage system along 12th Street North. Mr. Kaufman discussed/provided stormwater infrastructure mapping detailing the MS4 connection system within the area. According to the City, the collection system associated with the Facility drains subsurface to a discharge pipe and into the marsh/pond area located north/northwest of the Facility. The marsh/pond is part of the Lewiston Levee system which is pumped to the Clearwater River (**Attachment H**).

Post-inspection, on May 31, 2024, I provided a follow-up email summarizing the inspection activities and observations, including areas of concern. I also discussed my communication with the City of Lewiston and provided a copy of the MS4 mapping (**Attachment H**).

On June 12, 2024, Mr. Miller responded to my email and provided an update to the potential areas of concern discussed at the time of inspection. The email also included comments made by Mr. Miller (**Attachment H**).

SECTION VII – LIST OF APPENDICES

Attachment A – Aerial Image (Google Earth)

Attachment B – Notice of Intent (NOI)

Attachment C – Site Plan

Attachment D – Photograph Log

Attachment E – Corrective Action Documentation

Attachment F – IDEQ Notice of Noncompliance & Compliance Determination Letter

Attachment G – 2024 Q1 Quarterly Visual Assessment Form & Routine Facility Inspection Report

Attachment H – Post-Inspection Email Correspondence & City of Lewiston MS4 Mapping

ATTACHMENT A

Aerial Image (Google Earth)



ATTACHMENT B

Notice of Intent (NOI)

NPDES
FORM
3510-6

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, DC 20460
NOTICE OF INTENT (NOI) FOR STORMWATER DISCHARGES ASSOCIATED WITH
INDUSTRIAL ACTIVITY UNDER THE NPDES MULTI-SECTOR GENERAL PERMIT

FORM
Approved OMB No.
2040-0004

Permit Information

Master Permit Number: IDR050000NPDES ID: IDR053088

Eligibility Information

State/territory where your facility is discharging: IDDoes your facility discharge to federally recognized Indian Country lands? No

Are you a "Federal Operator" as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

NoWhich type of form would you like to submit? Notice of Intent (NOI)

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.1.2 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the allowable stormwater and non-stormwater discharges listed in Parts 1.2.1. and 1.2.2. will be discharged, they must be covered under another NPDES permit.

Yes

Are you a new discharger or a new source as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

No➔ Have stormwater discharges from your facility been covered previously under an NPDES permit? Yes

➔ If yes, provide your most current NPDES ID (i.e., permit tracking number) if you had coverage under EPA's MSGP or the NPDES permit number if you had coverage under an EPA individual permit:

IDR053088

➔ Are you discharging to any waters of the U.S. that are designated by the state or tribal authority under its antidegradation policy as a Tier 3 water (Outstanding National Resource water)? (See Appendix L (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_l_-_list_of_tier_3_tier_2_and_tier_2.5_waters.pdf))

No

Does your facility discharge to a federal CERCLA site listed in Appendix P (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_p_-_list_of_federal_cercla_sites.pdf)?

No

What is the legal name of the Operator as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

PACIFIC STEEL AND RECYCLING

What is the name of your facility or activity as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)?

PACIFIC STEEL AND RECYCLING

Operator Information

Operator Information

Operator Name: PACIFIC STEEL AND RECYCLING

Operator Mailing Address

Address Line 1: 604 12th Street North

Address Line 2:

City: Lewiston

ZIP/Postal Code: 83501

State: ID

County or Similar Division: Nez Perce

Operator Point of Contact Information

First Name Middle Initial Last Name: Tom . Miller

Title: Manager

Phone: 208-743-2181

Ext.:

Email: tom_miller@pacific-steel.com

Facility Information

Facility Information

Facility Name: PACIFIC STEEL AND RECYCLING

Facility Address

Address Line 1: 604 12TH STREET NORTH

Address Line 2:

City: LEWISTON

ZIP/Postal Code: 59404

State: ID

County or Similar Division: Nez Perce

Latitude/Longitude for the Facility

Latitude/Longitude: 48.3034°N, 116.5408°W

Latitude/Longitude Data Source: Map

Horizontal Reference Datum: NAD 27

General Facility Information

What is the ownership type of the facility? Corporation

Estimated area of industrial activity at your facility exposed to stormwater (rounded to the nearest quarter acre): 2.5

Is your facility presently inactive and unstaffed? No

Exception for Inactive and Unstaffed Facilities: The requirement for indicator monitoring, impaired waters monitoring, and/or benchmark monitoring does not apply at a facility that is inactive and unstaffed, as long as there are no industrial materials or activities exposed to stormwater.

2024 CWA NPDES ID# 53088 Inspection Report

If circumstances change during the permit term that affect your qualifications for this exception to monitoring requirements (e.g., changes in facility activities exposure to stormwater or your facility's active/inactive and staffed/unstaffed status) you must submit a NOI notifying EPA of the change in circumstances.

Sector-Specific Information

Primary Sector: N

Primary Subsector: N1

Primary SIC Code: 5093

Discharge Information

By indicating "Yes" below, I confirm that I understand that the MSGP only authorizes the stormwater discharges in Part 1.2.1 and the allowable non-stormwater discharges listed in Part 1.2.2. Any discharges not expressly authorized in this permit cannot become authorized or shielded from liability under CWA section 402(k) by disclosure to EPA, state, or local authorities after issuance of this permit via any means, including the Notice of Intent (NOI) to be covered by the permit, the Stormwater Pollution Prevention Plan (SWPPP), during an inspection, etc. If any discharges requiring NPDES permit coverage other than the authorized stormwater and non-stormwater discharges listed in Parts 1.2.1 and 1.2.2 will be discharged, they must be covered under another NPDES permit.

Yes

Federal Effluent Limitation Guidelines

Identify the Effluent Limitation Guideline(s) that apply to your stormwater discharges.

There are no guidelines associated with the sector(s) selected in the Facility Information section above.

Are you requesting permit coverage for any stormwater discharges subject to effluent limitation guidelines? No

Other Discharge Information

Does your facility discharge into a Municipal Separate Sewer System (MS4)? Yes

➔ If yes, provide the name of the MS4 operator: City of Lewiston

Receiving Waters Information

List all of the stormwater discharge points from your facility.

Discharge Point 001:

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
☒	N - SCRAP RECYCLING FACILITIES	N1 - Scrap Recycling and Waste Recycling Facilities except Source-Separated	5093

Latitude/Longitude: 46.4276°N, 117.0163°W

☐ This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Clearwater River

2024 CWA NPDES ID: 053088 Inspection Report
Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

➔ What is the hardness of your receiving water(s)? 87.5
(mg/L)

Impaired Waters Monitoring

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 003:

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
☒	N - SCRAP RECYCLING FACILITIES	N1 - Scrap Recycling and Waste Recycling Facilities except Source-Separated	5093

Latitude/Longitude: 46.427°N, 117.0154°W

☒ This discharge point is *Substantially Identical* to an existing discharge point.

➔ Substantially Identical to Discharge Point ID: 001

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Clearwater River

Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)? 2024-GWA-TMP-PS-DR-05208 No

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

➔ What is the hardness of your receiving water(s)? 87.5
(mg/L)

Impaired Waters Monitoring

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 007: 002

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
☒	N - SCRAP RECYCLING FACILITIES	N1 - Scrap Recycling and Waste Recycling Facilities except Source-Separated	5093

Latitude/Longitude: 46.427505°N, 117.015384°W

☐ This discharge point is *Substantially Identical* to an existing discharge point.

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Clearwater River

Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

➔ What is the hardness of your receiving water(s)? 87.5
(mg/L)

Impaired Waters Monitoring

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 008: 004

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
☒	N - SCRAP RECYCLING FACILITIES	N1 - Scrap Recycling and Waste Recycling Facilities except Source-Separated	5093

Latitude/Longitude: 46.426983°N, 117.015743°W

☒ This discharge point is *Substantially Identical* to an existing discharge point.

➔ Substantially Identical to Discharge Point ID: 007

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Clearwater River

Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes



What is the hardness of your receiving water(s)? 87.5

(mg/L)

Impaired Waters Monitoring

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 009: 005

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
☒	N - SCRAP RECYCLING FACILITIES	N1 - Scrap Recycling and Waste Recycling Facilities except Source-Separated	5093

Latitude/Longitude: 46.427043°N, 117.017358°W

☒ This discharge point is *Substantially Identical* to an existing discharge point.



Substantially Identical to Discharge Point ID: 007

Receiving Water

GNIS Name:

n/a

Waterbody Name:

Clearwater River

Listed Water ID:

n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes



What is the hardness of your receiving water(s)? 87.5

(mg/L)

Impaired Waters Monitoring

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

Discharge Point 010: 006

Applicable Sectors

Select the Sectors/Subsector(s) that apply to this discharge point.

	Sector	Subsector	SIC/Activity Code
☒	N - SCRAP RECYCLING FACILITIES	N1 - Scrap Recycling and Waste Recycling Facilities except Source-Separated	5093

Latitude/Longitude: 46.427989°N, 117.015394°W

☒ This discharge point is *Substantially Identical* to an existing discharge point.

➔ Substantially Identical to Discharge Point ID: 001

Receiving Water

GNIS Name:
n/a

Waterbody Name:
Clearwater River

Listed Water ID:
n/a

Is this receiving water saltwater or freshwater? Freshwater

Is this receiving water designated by the state or tribal authority under its antidegradation policy as a Tier 2 (or Tier 2.5) water (water quality exceeds levels necessary to support propagation of fish, shellfish, and wildlife and recreation in and on the water)?

No

Will you have stormwater discharges from paved surfaces that will be initially sealed or re-sealed with coal-tar sealcoat where industrial activities are located during coverage under this permit?

No

Benchmark Monitoring

Are you subject to benchmark monitoring requirements for a hardness-dependent metal? Yes

➔ What is the hardness of your receiving water(s)? 87.5
(mg/L)

Impaired Waters Monitoring

Is the receiving water listed as impaired on the 303(d) list and in need of a TMDL? No

Has a TMDL been completed for this receiving waterbody? No

SWPPP Information

Has the SWPPP been prepared in advance of filing this NOI, as required? Yes

SWPPP Contact Information:

First Name Middle Initial Last Name: Tom Miller

Phone: 208-743-2181

Ext.:

Email: tom_miller@pacific-steel.com

SWPPP Availability:

Your current SWPPP or certain information from your SWPPP must be made available through one of the following three options. Select one of the options and provide the required information.

Note: you are not required to post any confidential business information (CBI) or restricted information (as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)) (such information may be redacted), but you must clearly identify those portions of the SWPPP that are being withheld from public access.

☐ Option 1: Attach a current copy of your SWPPP to this NOI.

☐ Option 2: Maintain a Current Copy of your SWPPP on an Internet page (Universal Resource Locator or URL).

☒ Option 3: Provide the following information from your SWPPP:

A. Describe your onsite industrial activities exposed to stormwater and potential spill and leak areas.

e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams

Aluminum Cans, Motor Blocks, Ferrous Metal, Non-Ferrous Metal, Oil/Grease

B. List the pollutants(s) or pollutant constituent(s) associated with each industrial activity exposed to stormwater that could be discharged in stormwater and/or in any authorized non-stormwater discharges listed in Part 1.1.3.

Aluminum, Copper, Iron, Lead, Zinc, Oil/Grease

C. Describe the control measures you will employ to comply with the non-numeric technology-based effluent limits required in Part 2.1.2 and Part 8, and any other measures taken to comply with the requirements in Part 2.2 Water Quality-Based Effluent Limitations (see Part 5.2.4).

Good housekeeping, Preventative Maintenance, Spill Prevention and Response, Internal Inspections, Employee Training, Sediment and Erosion Control, Management of Runoff

D. Provide a schedule for good housekeeping and maintenance (see Part 5.2.5.1) and a schedule for all inspections required in Part 4 (see Part 5.2.5.2).

Best Management Practices/Controls will be conducted daily/weekly/quarterly unless corrective actions are implemented that requisite new measures and/or more detail.

The following questions will help you determine your eligibility under Part 1.1.4 of the permit with respect to protection of Endangered Species Act (ESA) species and critical habitat(s). Please refer to Appendix E (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_e_-_procedures_relating_to_endangered_species_protection.pdf) of the 2021 MSGP for important information regarding your obligations under this permit concerning ESA-protected species and critical habitat(s).

Determine ESA Eligibility Criterion

Are your industrial activities already addressed in another operator's valid certification of eligibility for your "action area" under eligibility criteria A, C, D, or E of the 2021 MSGP?

No

Are your industrial activities the subject of a permit under section 10 of the ESA by the USFWS and/or NMFS, and this authorization addresses the effects of your facility's discharges and discharge-related activities on ESA-listed species and critical habitat?

No

You must determine whether species listed as either threatened or endangered under the Endangered Species Act, and/or their critical habitat are located in your facility's action area. ESA-listed species and critical habitat are under the purview of the NMFS and the USFWS.

Determine Your Action Area

Your "action area" (as defined in Appendix A (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_a_-_definitions.pdf)) includes all areas to be affected directly or indirectly by the action and not merely the immediate area involved in the action, including areas beyond the footprint of the facility that are likely to be affected by stormwater discharges, discharge-related activities, and authorized non-stormwater discharges. You must select and confirm that all the following are true:

- ➔ In determining my "action area", I have considered that discharges of pollutants into downstream areas can expand the action area well beyond the footprint of my facility and the discharge point(s). I have taken into account the controls I will be implementing to minimize pollutants and the receiving waterbody characteristics (e.g. perennial, intermittent, ephemeral) in determining the extent of physical, chemical, and/or biotic effects of the discharges. I confirm that all receiving waterbodies that could receive pollutants from my facility are included in my action area.

True

- ➔ In determining my "action area", I have considered that discharge-related activities must also be accounted for in determining my action area. I understand that discharge-related activities are any activities that cause, contribute to, or result in stormwater and authorized non-stormwater point source discharges, and measures such as the siting, construction, and operation of stormwater controls to control, reduce, or prevent pollutants from being discharged. I understand that any new or modified stormwater controls that will have noise or other similar effects, and any disturbances associated with construction of controls, are part of my action area.

True

Provide a written description of your action area and explain your rationale for the extent of the action area drawn on your map. Click here for an example.

In terms of NMFS - Action Area logically constitutes the West Coast Region by which Waters of the State have conveyance associated with this Permit. In terms of USFW, Action Area reasonably constitutes immediate receiving waters.

Attach a map of the action area for your facility. Mapping tool IPaC (the Information, Planning, and Consultation System) located at <http://ecos.fws.gov/ipac/> (<https://ecos.fws.gov/ipac/>) or click here (/net-msgp/documents/action_area_example.pdf) for an example.

Name	Uploaded Date	Size
 IPAC Resource List - Nez Perce County 051121.pdf (attachment/710553)	05/14/2021	3.60 MB

Determine if ESA-listed species and/or critical habitat are in your facility's action area.

National Marine Fisheries Service (NMFS)

To obtain NMFS-listed species and critical habitat information, use the resources listed below:

General Resources:

- NOAA Fisheries, Regions Page (<https://www.fisheries.noaa.gov/regions>) ⓘ

For the Northeastern U.S.:

- NOAA Fisheries Greater Atlantic Region ESA Section 7 Mapper (<https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27>)

For Puerto Rico:

- *Acropora* critical habitat map (<https://www.fisheries.noaa.gov/resource/map/acropora-elkhorn-and-staghorn-coral-critical-habitat-map-and-gis-data>)
- Green turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/green-turtle-critical-habitat-map-and-gis-data>)
- Hawksbill Turtle critical habitat map (<https://www.fisheries.noaa.gov/resource/map/hawksbill-turtle-critical-habitat-map-and-gis-data>)

Western U.S.:

- West Coast Region Protected Resources App (<https://www.webapps.nwfsc.noaa.gov/portal/apps/webappviewer/index.html?id=7514c715b8594944a6e468dd25aaacc9>)

Pacific Islands:

- Contact the Pacific Islands Regional Office at (808) 725-5000 or pirohonolulu@noaa.gov (<mailto:pirohonolulu@noaa.gov>)

I have checked the webpages listed above and confirmed that: There are NMFS-listed species and/or critical habitat in my action area.

For NMFS species, include the full printout from the Species Directory with the correct Region selected.

Name	Uploaded Date	Size
📎 NOAA Species Directory - West Coast 051121.pdf (attachment/710555)	05/14/2021	4.57 MB

U.S. Fish and Wildlife Service (USFWS)

To obtain FWS-listed species and critical habitat information, use the resources listed below:

- IPaC (the Information, Planning, and Consultation System) (<https://ecos.fws.gov/ipac/>)
- For instructions for using IPaC, click here.

I have checked the webpages listed above and confirmed that: There are FWS-listed species and/or critical habitat in my action area.

For FWS species, include the full printout from your IPaC query/Official Species List.

Name	Uploaded Date	Size
📎 IPaC Resource List - Nez Perce County 051121.pdf (attachment/710556)	05/14/2021	3.60 MB

You may be eligible under **Criterion C**. You must assess whether your discharges and discharge-related activities are likely to adversely affect ESA-listed species or critical habitat, and whether any additional measures are necessary to ensure no likely adverse effects. In order to make a determination of your facility's likelihood of adverse effects, you must complete the Criterion C Eligibility fields below.

Criterion C Eligibility

Select which applies:

Criterion C2: Facility eligible for Criterion C in the 2015 MSGP with changes to ESA-listed species, critical habitat, or action area.

Your facility was eligible for Criterion C in the 2015 MSGP, but there have been changes in your facility's action area, and/or there are additional ESA-listed species and/or critical habitat under the jurisdiction of the USFWS and/or NMFS in your action area since your certification under Criterion C under the 2015 MSGP. You must provide a description of the basis of this criterion selected on your NOI form and provide documentation supporting your eligibility determination in your SWPPP.

Select which applies:

I am seeking coverage under the MSGP as an existing discharger and there are no modifications to my facility.

Provide a description of the changes in the facility's action area. Enter N/A if not applicable.

N/A

Provide the USFWS and/or NMFS resources consulted that helped you determine that additional species and/or critical habitat have been listed/designated by either of the Services in your action area.

NOAA Fisheries and IPAC Resource List

What ESA-listed species and/or critical habitat are located in your "action area"?

Several Threatened and Endangered. Attached in NOI and Facility SWPPP Binder

Distance in miles between your site and the ESA-listed species and/or critical habitat within the action area: 2000

Provide a description of EPA approved measures you will implement or will continue to implement to ensure no likely adverse effects on ESA-listed species and/or critical habitat.

1. No discharge off site as best possible.
2. Source Control and Housekeeping of potential pollutants (SWPPP Intent)

Note: Any missing or incomplete information in this section may result in a delay of your coverage under the permit.

Historic Preservation: Criterion A

The following questions will help you determine your eligibility under Part 1.1.5 of the permit with respect to preservation of historic properties. You may still use the paper instructions in Appendix F (https://www.epa.gov/sites/production/files/2021-01/documents/2021_msgp_-_appendix_f_-_procedures_relating_to_historic_properties_preservation.pdf) of the MSGP in advance or in conjunction with answering the questions in this section of the form. For more information about your State Historic Preservation Office (SHPO) or Tribal Historic Preservation Office (THPO), please visit the National Park Service (NPS) websites at:

- State Historic Preservation Office (SHPO) (<https://www.nps.gov/subjects/nationalregister/state-historic-preservation-offices.htm>)
- Tribal Historic Preservation Office (THPO) (https://www.nps.gov/history/tribes/Tribal_Historic_Preservation_Officers_Program.htm)

Are you an existing facility that is resubmitting for certification under the 2021 MSGP? Yes



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If you are an existing facility you should have already addressed National Historic Preservation Act (NHSA) Section 106 coverage under the 2015 MSGP, you were required to certify that you were either not affecting historic properties or had obtained written agreement from the relevant SHPO or THPO regarding methods of mitigating potential impacts.

Will you be constructing or installing any new stormwater control measures? No

You are eligible under **Criterion A**

Certification Information

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I have no personal knowledge that the information submitted is other than true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. Signing an electronic document on behalf of another person is subject to criminal, civil, administrative, or other lawful action.

Certified By: Kirby Farner

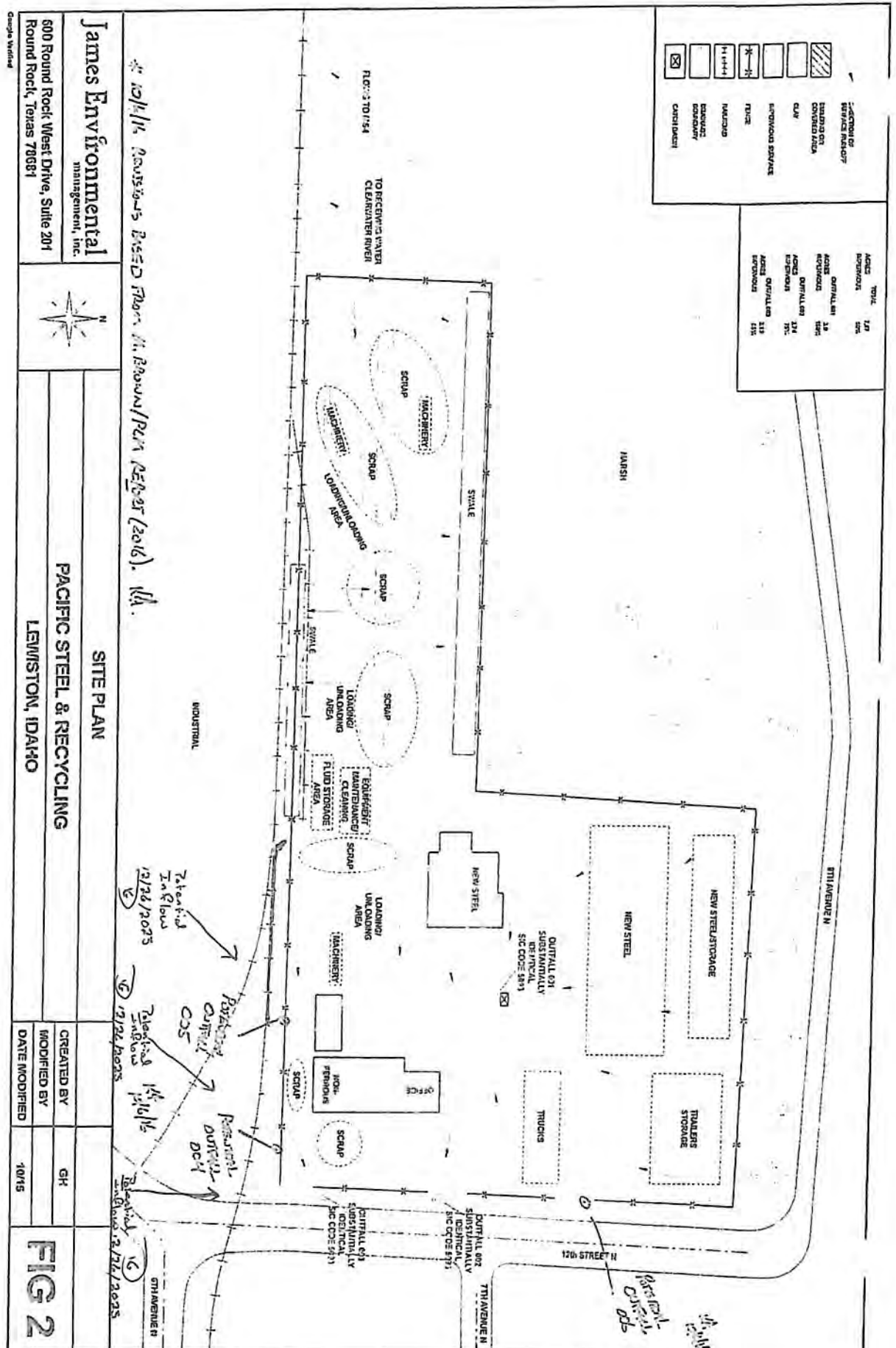
Certifier Title: HSET Director

Certifier Email: kirby_farner@pacific-steel.com

Certified On: 05/14/2021 11:45 AM ET

ATTACHMENT C

Site Plan



ATTACHMENT D

Photograph Log

All photographs taken by Jon Klemesrud on May 22, 2024

Nikon Coolpix AW100

Photograph Log – Pacific Steel & Recycling - Lewiston



Photo #:01 (DSCN3740)

Description: Facing west, photo of material storage and trailer parking area located in the northern portion of the Facility.



Photo #:02 (DSCN3741)

Description: Facing south, photo of stormwater Outfall 002. Roadside catch basin located along 12th Street North.



Photo #:03 (DSCN3742)

Description: Facing south, photo from 12th Street North. Facility boundary is within the fenced area. Parked trailer observed within the public right of way. Was discussed the trailer was likely from a customer who arrive outside of business hours.



Photo #:04 (DSCN3743)

Description: Facing west, photo of material storage area north of the Facility. Triple rinsed/empty totes are stored and used to package and transport materials off-site.

Photograph Log - Pacific Steel & Recycling - Lewiston



Photo #:05 (DSCN3744)
Description: Facing south, photo within material storage area. Bins are delivered and stored temporarily until brought into the crushing/processing area.



Photo #:06 (DSCN3745)
Description: Facing south, photo of western perimeter along the northern material storage area.



Photo #:07 (DSCN3746)
Description: Facing east, photo of central catch basin identified as Outfall 001. Filter/sediment fabric installed within catch basin. Catch basin is located northeast of the New Steel Building.



Photo #:08 (DSCN3747)
Description: Facing south, photo of catch basin drainage/collection area for Outfall 001. Photo taken east of the New Steel Building.

Photograph Log - Pacific Steel & Recycling - Lewiston



Photo #:09 (DSCN3748)

Description: Facing west, photo of catch basin/collection area for Outfall 001. Photo taken east of New Steel Building.



Photo #:10 (DSCN3749)

Description: Facing south, photo of unpaved area east of the New Steel Building. Area is used for cutting/torching of longer metal pieces.



Photo #:11 (DSCN3750)

Description: Facing east, photo of material storage area located north of the New Steel Building.



Photo #:12 (DSCN3751)

Description: Photo of bermed area used for fluid drainage of scrap vehicles.

Photograph Log - Pacific Steel & Recycling - Lewiston



Photo #:13 (DSCN3752)

Description: Facing east, photo paved access road to crushing/processing area. Berm trench runs along the north end of the crushing/processing area.



Photo #:14 (DSCN3753)

Description: Facing east, photo paved access road to crushing/processing area. Berm trench runs along the north end of the crushing/processing area.



Photo #:15 (DSCN3754)

Description: Facing north, Photo of the bermed western perimeter of the Facility.



Photo #:16 (DSCN3755)

Description: Facing east, photo of the southwest perimeter of the Facility

Photograph Log - Pacific Steel & Recycling - Lewiston



Photo #:17 (DSCN3756)
Description: Facing west, photo of rail spur located along the south.



Photo #:18 (DSCN3757)
Description: Facing northeast, photo of central processing/sorting area.



Photo #:19 (DSCN3758)
Description: Facing north, photo of central processing/sorting area.



Photo #:20 (DSCN3759)
Description: Facing south, photo of covered fueling/lubricant area.

Photograph Log - Pacific Steel & Recycling - Lewiston



Photo #:21 (DSCN3760)
Description: Facing east, photo of stockpiled absorbent materials and sweeper/broom attachment.



Photo #:22 (DSCN3761)
Description: Facing south, photo of mixed recycling receiving area.



Photo #:23 (DSCN3762)
Description: Facing southeast, photo of staged aluminum piping awaiting cutting. Due to length/size, piping was staged at location. Area is northeast of mixed recycling receiving area.



Photo #:24 (DSCN3763)
Description: Facing north, photo of paved collection area for catch basin Outfall 001.

Photograph Log - Pacific Steel & Recycling - Lewiston



Photo #:25 (DSCN3764)

Description: Facing east, photo of aluminum scrap awaiting pick-up/transport off-site. Shipping container is normally used to store the material awaiting pick-up/transport.



Photo #:26 (DSCN3765)

Description: Facing east, photo of shipping/loading area.



Photo #:27 (DSCN3766)

Description: Facing west, photo of southeast perimeter fencing between railway and Facility.



Photo #:28 (DSCN3767)

Description: Facing north, photo of eastern perimeter fencing between 12th Street North

Photograph Log - Pacific Steel & Recycling - Lewiston

Photo #:29 (DSCN3768)

Description: Facing north, photo of roadside catch basin located south of the Facility along 12th Street North.



Photo #:30 (DSCN3769)

Description: Facing south, photo from inside material receiving area.

ATTACHMENT E

Corrective Action Documentation



CORRECTIVE ACTION PLAN

"Plan, Do, Check, Act"

ID # 25

Issue:	An administrative/process error
Responsibility:	David Geiger
Root Cause Analysis:	First quarter inspection report in 2023 was sent in 10 days late.
Action Needed:	A plan to ensure a Noncompliance like this can not happen
Resources Needed:	All resources are available.

Corrective Action:	Implement reminders to ensure reporting times are not forgotten again.
Responsibility:	David Geiger
Action Taken:	Added my own notifications to my calendar reminding me when reports are due. Added weather updates to my computer and phone to keep up on the weather to stay on top of storm sampling.
Measure of Success:	100% Compliance with permit conditions
Signature/Completion Date:	<i>David Geiger</i> 01/12/2024

Kirby Farner

From: Kirby Farner
Sent: Friday, October 14, 2022 11:10 AM
To: David Geiger
Cc: Tom Miller
Subject: Storm Water Test Results: Lewiston #25 (July-Sept '22) -- SIO #2 & #6
Attachments: Corrective Action 101422.pdf

David:

Thank you for taking a sample and being in compliance with Permit # IDR053088. We are over "*benchmark*" four of five parameter tested on SIO #2 & #6. Please note, the laboratory contacted me upon cooler receipt and said a lid came off one of the bottles during shipment and not all parameters could be tested. Just awareness for the opportunity to tighten lids in the future.

It is not a violation to be over Benchmark but it does trigger us into a Corrective Action under the Permit's AIM program:

- **NEW** – A new Corrective Action System is being put into play called AIM or Additional Implementation Measures...
 - After each CY of Permit, if a sample average of a parameter is 4x times over Benchmark, we are put into AIM 1 and required to complete Corrective Action with added engineering/housekeeping controls to bring exceedance level(s) down.
 - If a sample average of a parameter is repeated 4x times over Benchmark for a 2nd straight CY, we are put into AIM 2 and required to complete Corrective Action with added engineering/housekeeping controls to bring exceedance level(s) down.
 - If a sample average of a parameter is repeated 4x times over Benchmark, for a 3rd straight CY, we are put in AIM 3 and required to complete Corrective Action with added structural/facility control (which will be very expensive to the branch).
 - If at any point in the process, we improve (i.e. < 4x) for subject parameter, we go back to Baseline Status (in front of AIM 1).

This documentation serves as a Corrective Action for YEAR TWO (AIM 1) since we have exceeded 4x on at least one parameter. The facility is immediately enhancing sweeping services/practices as described in the attached.

Corrective Action: October 14, 2022

SIO (1, 3, 4, & 5)

Chemical Oxygen Demand:

Benchmark: 120 mg/L
 Results 03/03/22: 116 mg/L – OVER
 Results 11/18/20: 87 mg/L – UNDER
 Results 06/29/20: 58 mg/L – UNDER
 Results 05/17/19: 184 mg/L – OVER

Total Suspended Solids:

Benchmark: 100 mg/L
 Results 03/03/22: 476 mg/L – OVER
 Results 11/18/20: 115 mg/L – OVER
 Results 06/29/20: 62 mg/L – UNDER
 Results 05/17/19: 232 mg/L – OVER

Total Recoverable Aluminum:

Benchmark: .75 mg

Results 03/03/22: 8.35 mg/L – OVER

Results 11/18/20: 4.52 mg/L – OVER

Results 06/29/20: 1.94 mg/L – OVER

Results 05/17/19: 14.4 mg/L – OVER

Total Recoverable Copper:

Benchmark: .0123 mg/L

Results 03/03/22: .134 mg/L – OVER

Results 11/18/20: .0640 mg/L – OVER

Results 06/29/20: .043 mg/L – OVER

Results 05/17/19: .192 mg/L – OVER

Total Recoverable Iron:

Benchmark: 1.0 mg/L

Results 03/03/22: 20.9 mg/L – OVER

Results 11/18/20: 9.05 mg/L – OVER

Results 06/29/20: 4.00 mg/L – OVER

Results 05/17/19: 31.1 mg/L – OVER

Total Recoverable Lead:

Benchmark: .069 mg/L

Results 03/03/22: .140 mg/L – OVER

Results 11/18/20: .0796 mg/L – OVER

Results 06/29/20: .023 mg/L – UNDER

Results 05/17/19: .172 mg/L – OVER

Total Recoverable Zinc:

Benchmark: .11 mg/L

Results 03/03/22: .354 mg/L – OVER

Results 11/18/20: .222 mg/L – OVER

Results 06/29/20: .086 mg/L – UNDER

Results 02/14/19: .154 mg/L - OVER

SIO (2 & 6)

Chemical Oxygen Demand:

Benchmark: 120 mg/L

Results 09/22/22: 90 mg/L – UNDER

Results 01/28/20: 36 mg/L – UNDER

Results 05/17/19: 10 mg/L – UNDER

Total Suspended Solids:

Benchmark: 100 mg/L

Results 09/22/22: No data – Sample Jar Spilled

Results 01/28/20: 138 mg/L – OVER

Results 05/17/19: 17 mg/L – UNDER

Total Recoverable Aluminum:

Benchmark: .75 mg

Results 09/22/22: 3.4 mg/L – OVER

Results 01/28/20: 4.92 mg/L – OVER

Results 05/17/19: .25 mg/L – UNDER

Total Recoverable Copper:

Benchmark: .0123 mg/L

Results 09/22/22: .0663 mg/L – OVER

Results 01/28/20: .0550 mg/L – OVER

Results 05/17/19: .0114 mg/L – OVER

Total Recoverable Iron:

Benchmark: 1.0 mg/L

Results 09/22/22: No data – Sample Jar Spilled

Results 01/28/20: 12.6 mg/L – OVER

Results 05/17/19: .41 mg/L – UNDER

Total Recoverable Lead:

Benchmark: .069 mg/L

Results 09/22/22: .0928 mg/L – OVER

Results 01/28/20: .0358 mg/L – UNDER

Results 05/17/19: .0066 mg/L – UNDER

Total Recoverable Zinc:

Benchmark: .11 mg/L

Results 09/22/22: .198 mg/L – OVER

Results 01/28/20: .138 mg/L – OVER

Results 05/17/19: .045 mg/L – UNDER

PAHs:

Benchmark: Report Only

Results 09/22/22: No data (Corrected)

Thank you,

Kirby L. Farner

H.S.E.T. Director

Pacific Steel and Recycling

Great Falls, MT 59403

Phone: 406.791.8509

Storm Water Improvements

In an effort to improve on our water sampling and over all SWPP program we have a sweeper coming in once a week to sweep the entire parking lot and sweeping the curb side out on the street as well. this not only helps with keeping the dirt from traffic flow down it also helps keep any of the loose debris cleaned up like alum, brass, steel shavings. We have increased the running of our own sweeper in the yard to help cut down on the dirt being tracked out of the steel yard plus help prevent punctured tires.

In our Non-Ferris recycling area, the employees have increased the number of times they run a broom over their loading area especially when they are moving/loading borings. There are 3 shipping containers that are used to store all lead, copper, and aluminum borings to keep them out of the weather and dry. This helps stop any residual cutting fluid from getting off the property and helps keep the product dry for shipping.

We feel these efforts will immensely improve our water sampling and all-around environmental quality.

Kirby Farner

From: Kirby Farner
Sent: Monday, February 12, 2024 9:02 AM
To: David Geiger
Cc: Tom Miller; Chris Kimball
Subject: Storm Water Test Results: Lewiston #25 (Jan-March '24) -- SIO #1, #3, #4, & #5

David:

Thank you for taking a sample and being in compliance with Permit # IDR053088. We are over "benchmark" **six of six** parameters tested on SIO #1, #3, #4 & #5.

It is not a violation to be over Benchmark but it does trigger to a Corrective Action under the Permit's AIM program:

- **NEW** – A new Corrective Action System is being put into play called **AIM** or Additional Implementation Measures...
 - After each CY of Permit, if a sample average of a parameter is 4x times over Benchmark, we are put into **AIM 1** and required to complete Corrective Action with added engineering/housekeeping controls to bring exceedance level(s) down.
 - If a sample average of a parameter is repeated 4x times over Benchmark for a 2nd straight CY, we are put into **AIM 2** and required to complete Corrective Action with added engineering/housekeeping controls to bring exceedance level(s) down.
 - If a sample average of a parameter is repeated 4x times over Benchmark, for a 3rd straight CY, we are put in **AIM 3** and required to complete Corrective Action with added structural/facility control (which will be very expensive to the branch).
 - If at any point in the process, we improve (i.e. < 4x) for subject parameter, we go back to Baseline Status (in front of **AIM 1**).

This documentation serves as a Corrective Action for **YEAR THREE (AIM 2)** since we have exceeded 4x on at least one parameter. Based on these results (in comparison to results from other Pacific branches), I don't believe they are reflective of true pollutant constituents leaving our property. Consequently, this data in public portals is potentially damaging to the branch and/or company in the future. Therefore, on future sampling, please use a "Sheet Flow Method" which will provide a more true analysis. The method takes a little more time, but provides greater value to the process and authenticity of results and defense of our SWPPP practices...

Sheet Flow Sampling Method:

<https://www.youtube.com/watch?v=AmEJUNp44aU> (six minutes)

Corrective Action: February 12, 2024

SIO (1, 3, 4, & 5)

Chemical Oxygen Demand:

Benchmark: 120 mg/L

Results 01/25/24: 168 mg/L – OVER

Results 03/03/22: 116 mg/L – OVER

Results 11/18/20: 87 mg/L – UNDER

Results 06/29/20: 58 mg/L – UNDER

Total Suspended Solids:

Benchmark: 100 mg/L

Results 01/25/24: 309 mg/L – OVER

Results 03/03/22: 476 mg/L – OVER
 Results 11/18/20: 115 mg/L – OVER
 Results 06/29/20: 62 mg/L – UNDER

Total Recoverable Aluminum:

Benchmark: .75 mg

Results 01/25/24: 6.57 mg/L – OVER

Results 03/03/22: 8.35 mg/L – OVER

Results 11/18/20: 4.52 mg/L – OVER

Results 06/29/20: 1.94 mg/L – OVER

Total Recoverable Copper:

Benchmark: .0123 mg/L

Results 01/25/24: .18 mg/L – OVER

Results 03/03/22: .134 mg/L – OVER

Results 11/18/20: .0640 mg/L – OVER

Results 06/29/20: .043 mg/L – OVER

Total Recoverable Lead:

Benchmark: .069 mg/L

Results 01/25/24: .294 mg/L – OVER

Results 03/03/22: .140 mg/L – OVER

Results 11/18/20: .0796 mg/L – OVER

Results 06/29/20: .023 mg/L – UNDER

Total Recoverable Zinc:

Benchmark: .11 mg/L

Results 01/25/24: .453 mg/L – OVER

Results 03/03/22: .354 mg/L – OVER

Results 11/18/20: .222 mg/L – OVER

Results 06/29/20: .086 mg/L – UNDER

SIO (2 & 6)

Chemical Oxygen Demand:

Benchmark: 120 mg/L

Results 09/22/22: 90 mg/L – UNDER

Results 01/28/20: 36 mg/L – UNDER

Results 05/17/19: 10 mg/L – UNDER

Total Suspended Solids:

Benchmark: 100 mg/L

Results 09/22/22: No data – Sample Jar Spilled

Results 01/28/20: 138 mg/L – OVER

Results 05/17/19: 17 mg/L – UNDER

Total Recoverable Aluminum:

Benchmark: .75 mg

Results 09/22/22: 3.4 mg/L – OVER

Results 01/28/20: 4.92 mg/L – OVER

Results 05/17/19: .25 mg/L – UNDER

Total Recoverable Copper:

Benchmark: .0123 mg/L

Results 09/22/22: .0663 mg/L – OVER

Results 01/28/20: .0550 mg/L – OVER
Results 05/17/19: .0114 mg/L – OVER

Total Recoverable Lead:

Benchmark: .069 mg/L
Results 09/22/22: .0928 mg/L – OVER
Results 01/28/20: .0358 mg/L – UNDER
Results 05/17/19: .0066 mg/L – UNDER

Total Recoverable Zinc:

Benchmark: .11 mg/L
Results 09/22/22: .198 mg/L – OVER
Results 01/28/20: .138 mg/L – OVER
Results 05/17/19: .045 mg/L – UNDER

Thank you,

Kirby L. Farner
H.S.E.T. Director
Pacific Steel and Recycling
Great Falls, MT 59403
Phone: 406.791.8509

ATTACHMENT F

IDEQ Notice of Noncompliance & Compliance Determination Letter

1118 F St, Lewiston, ID 83501
(208) 799-4370



Brad Little, Governor
Jess Byrne, Director

January 11, 2024

Kirby Farner
HSET Director
Pacific Steel and Recycling
5 River Drive South
Great Falls, MT 59404

Subject: Notice of Noncompliance – Pacific Steel and Recycling Idaho Pollutant Discharge Elimination System (IPDES) Permit IDR053088

Dear Mr. Farner:

The Idaho Department of Environmental Quality (DEQ) has determined that Pacific Steel and Recycling is out of compliance with IPDES Permit IDR053088. The non-compliance is due to:

- Failure to conduct an inspection during the first quarter of 2023.

Part 3.1.4 of the Permit states *"The qualified personnel must conduct inspections at least quarterly..."*

DEQ is providing this notice so Pacific Steel and Recycling may correct the noncompliance with IPDES Permit IDR053088. Please provide the following information or documentation by **February 11, 2024**:

- Written explanation why the facility failed to conduct the inspection during the first quarter of 2023, and what the facility is doing to prevent the recurrence of future noncompliance.

DEQ appreciates your cooperation in resolving this matter. DEQ encourages you to continue your compliance efforts; responsibility for compliance with the IPDES permit rests with the permittee.

If you have any questions concerning this matter, please do not hesitate to contact me at (208) 799-4887 or via email carolyn.whitney@deq.idaho.gov.

Sincerely,

A handwritten signature in blue ink that reads "Carolyn Whitney".

Carolyn Whitney
IPDES Compliance Officer
Lewiston Regional Office

cc: AJ Maupin, DEQ Lewiston Regional Office
Ann Lefler, DEQ State Office

From: [Klemesrud, Jon](#)
To: tom_miller@pacific-steel.com
Cc: [Carolyn Whitney](#)
Subject: EPA Stormwater Inspection - Pacific Steel & Recycling (Lewiston)
Date: Friday, May 31, 2024 4:07:00 PM
Attachments: [Storm Drainage Nr 12th St North.pdf](#)

Hi Tom,

Thanks again for your time and assistance last week for the EPA inspection in Lewiston, I enjoyed meeting you, Dave, and Danielle. You were great hosts and seemed very knowledgeable on many items related to stormwater compliance.

If helpful just to summarize again, I was tasked by EPA Region 10 (R10) to conduct an on-site Clean Water Act (CWA) inspection, pursuant to the facility's coverage under the industrial stormwater [2021 Multi-Sector General Permit \(MSGP\)](#) (Tracking #IDR053088). R10 routinely works with IDEQ (and others) on conducting inspections under the CWA. Note that the inspection last week was routine in nature and not based off any complaints. According to EPA/IDEQ records, the facility hadn't been inspected for permit compliance in recent years.

As discussed on-site, I will be reviewing my notes/photographs while preparing my inspection report that will be transmitted to you electronically upon completion. I wanted to send this initial/inspection follow-up email to ensure you have my contact information and to circle back on a few items that were discussed.

1. Regarding the [Stormwater Collection System](#), as you recall while walking the facility there were a few questions regarding discharge/outfall locations when comparing what we saw vs what was included in the SWPPP. Post-inspection, I reached out to the City of Lewiston for some stormwater infrastructure mapping for the areas around 12th Street N. The City provided me with the **attached map** which seems to align with observations on site, one central catch basin inlet located NE of the "New Steel Building" (Outfall 001) and once catch basin inlet located on 12th Street N, adjacent from 7th Ave N (Outfall 002). It's also the City's understanding that there is a buried pipe connection (Asset #6474) to a central manhole (Asset #99058) near "Potential Outfall 005 along the railway south of the property." Per the City, the collection system within the mapping area drains subsurface to a discharge pipe (Asset #6315) into the marsh/pond area that is located north of the Facility. I believe the marsh/pond is part of the Lewiston Levee system which is pumped to the Clearwater River. I wanted to share this information with you as I think it could be helpful in implementing your SWPPP moving forward.
2. Regarding [Corrective Action Documentation](#), Section 5.1.1 and 5.1.1.5. of the MSGP (page 45 of the permit) discusses that "Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits are Met" are to include "whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam.) Page 14 of the [MSGP 2021 Record Keeping Template](#) offers a template to document corrective actions. At the time of inspection, it was discussed that corrective action

1118 F St, Lewiston, ID 83501
(208) 799-4370



Brad Little, Governor
Jess Byrne, Director

January 17, 2024

Kirby Farner
HSET Director
Pacific Steel and Recycling
5 River Drive South
Great Falls, MT 59404

Subject: Compliance Determination Letter – Pacific Steel and Recycling, Idaho Pollutant Discharge Elimination System (IPDES) Permit IDR053088

Dear Mr. Farner:

This letter is a follow-up from the Idaho Department of Environmental Quality (DEQ) regarding the Notice of Noncompliance on January 11, 2024. Based upon the corrective action plan submitted, the reminders implemented by David Geiger, and information available to DEQ at this time, DEQ has determined that you are currently compliant regarding this matter. The receipt of this letter from DEQ is your documentation of this determination and it is recommended that you retain this letter in your facility records.

DEQ appreciates your cooperation in resolving this matter. DEQ encourages you to continue your compliance efforts; responsibility for compliance with the IPDES permit rests with the permittee.

If you have any questions concerning this matter, please do not hesitate to contact me at (208) 799-4887 or via email carolyn.whitney@deq.idaho.gov.

Sincerely,

A handwritten signature in blue ink that reads "Carolyn Whitney".

Carolyn Whitney
IPDES Compliance Officer
Lewiston Regional Office

cc: AJ Maupin, DEQ Lewiston Regional Office
Ann Lefler, DEQ State Office

ATTACHMENT G

2024 Q1 Quarterly Visual Assessment Form & Routine Facility Inspection Report

MSGP Quarterly Visual Assessment Form

(Complete a separate form for each outfall you assess)

Name of Facility: PACIFIC STEEL & RECYCLING		Permit No.: IDR050000	
Street Address: 604 12TH STREET NORTH		City: LEWISTON	State: ID Zip Code: 83501
Outfall Number: # 1	"Substantially Identical Outfall"? ☒ No Yes (identify substantially identical outfalls):		
Quarter/Year: 2nd / 2024	Substitute Sample?: ☒ No Yes (identify quarter/year when sample was originally scheduled to be collected):		
Person(s)/Title(s) collecting sample: David Geiger - HSET COORDINATOR			
Person(s)/Title(s) examining sample: David Geiger - HSET COORDINATOR			
Date & Time Storm or (Snowmelt) Began:	Date & Time Sample Collected:	Date & Time Sample Examined:	
01/25/2024 7:00 am	01/25/2024 9:00 am	01/25/2024 9:20 am	
Nature of Discharge: Rainfall ☒ Snowmelt			
Rainfall Amount: inches	Previous Storm Ended > 72 hours Before Start of This Storm? ☒ (Yes) No* (explain):		
Parameter			
Color	None ☒ Other (describe): Dark Brown		
Odor	☒ None Musty Sewage Sulfur Sour Petroleum/Gas Solvents Other (describe):		
Clarity	Clear Slightly Cloudy ☒ Cloudy Opaque Other (describe):		
Floating Solids	☒ No Yes (describe):		
Settled Solids**	No ☒ Yes (describe): Looks like Dirt		
Suspended Solids	☒ No Yes (describe):		
Oil Sheen	☒ None Flecks Globs Sheen Slick Other (describe):		
Foam (gently shake sample)	☒ No Yes (describe):		
Other Obvious Indicators of Storm Water Pollution	☒ No Yes (describe):		

* The 72-hour interval can be waived when the previous storm did not yield a measurable discharge or if you are able to document (attach applicable documentation) that less than a 72-hour interval is representative of local storm events during the sampling period.

** Observe for settled solids after allowing the sample to sit for approximately one-half hour.

Sampling not performed due to adverse conditions: ☒ No Yes (explain):

Sampling not performed due to no measurable storm event occurring that resulted in a discharge during the monitoring quarter:
☒ No Yes (explain):

Detail any concerns, additional comments, descriptions of pictures taken, and any corrective actions taken below (attach additional sheets as necessary).

Certification by Facility Responsible Official (Refer to MSGP Subpart 11 Appendix B for Signatory Requirements)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

A. Name David Geiger

B. Title HSET COORDINATOR

C. Signature David Geiger

D. Date Signed 01/25/2024

Stormwater Industrial Routine Facility Inspection Report

2024 CWA NPDES ID#053088 Inspection Report

General Information

Facility Name	Pacific Steel & Recycling		
NPDES Tracking No.	IDR053088		
Date of Inspection	01/25/2024	Start/End Time	9:02 am / 9:15 am
Inspector's Name(s)	David Geiger		
Inspector's Title(s)	H-Set Coordinator		
Inspector's Contact Information	david_geiger@pacific-steel.com		
Inspector's Qualifications	H-Set Coordinator		

Weather Information

Weather at time of this inspection?

☐ Clear ☒ Cloudy ☐ Rain ☐ Sleet ☐ Fog ☐ Snow ☐ High Winds ☐ Other: Temperature: 32°

Have any previously unidentified discharges of pollutants occurred since the last inspection? ☐ Yes ☒ No

If yes, describe:

Are there any discharges occurring at the time of inspection? ☐ Yes ☐ No Outfalls Inspected # 1, 2, 3, 4, 5, 6

If yes, describe:

Control Measures

- Number the structural stormwater control measures identified in your SWPPP on your site map and list them below (add as many control measures as are implemented on-site). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required control measures at your facility.
- initiated, date completed, and note the person that completed the work in the Corrective Action Log.

	Structural Control Measure	Control Measure is Operating Effectively?	If No, In Need of Maintenance, Repair, or Replacement?	Corrective Action Needed and Notes (identify needed maintenance and repairs, or any failed control measures that need replacement)
1	Proper Housekeeping	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
2	Indoor Storage	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
3	Inbound Material Control	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
4	Sediment Control	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
5	Erosion Control	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
6	Maintain Equipment	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
7	Spill Prevention	☒ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
8		☐ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
9		☐ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	
10		☐ Yes ☐ No	☐ Maintenance ☐ Repair ☐ Replacement	

Areas of Industrial Materials or Activities exposed to stormwater

Below are some general areas that should be assessed during routine inspections. Customize this list as needed for the specific types of industrial materials or activities at your facility.

	Area/Activity	Inspected?	Controls Adequate (appropriate, effective, and operating)?	Corrective Action Needed and Notes
1	Material loading/unloading and storage areas	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
2	Equipment operations and maintenance areas	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
3	Fueling areas	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
4	Outdoor vehicle and equipment washing areas	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
5	Waste handling and disposal areas	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
6	Erodible areas/construction	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
7	Non-stormwater/ illicit connections	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
8	Salt storage piles or pile containing salt	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
9	Dust generation and vehicle tracking	☒ Yes ☐ No ☐ N/A	☒ Yes ☐ No	
10	(Other)	☐ Yes ☐ No ☐ N/A	☐ Yes ☐ No	
11	(Other)	☐ Yes ☐ No ☐ N/A	☐ Yes ☐ No	
12	(Other)	☐ Yes ☐ No ☐ N/A	☐ Yes ☐ No	

Non-Compliance

Describe any incidents of non-compliance observed and not described above:

N/A

Additional Control Measures

Describe any additional control measures needed to comply with the permit requirements:

N/A

Notes

Use this space for any additional notes or observations from the inspection:

The extra Sweeping we are doing with our own Sweeper and the contracted Sweeper are doing well.

CERTIFICATION STATEMENT

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name and title: David Geiger H-Set CoordinatorSignature: David Geiger Date: 01/25/2024

ATTACHMENT H

Post-Inspection Email Correspondence & City of Lewiston MS4 Mapping

documentation is not completed during incidences of “observed pollution” during visual assessments.

3. Regarding Permit Coverage Signage, Section 1.3.5 of the MSGP (page 14 of the permit) indicates that the notice of permit coverage must be posted in a “safe, publicly accessible location in close proximity to your facility” and “use a font large enough to be readily viewed from a public right-of-way.” At the time of inspection, the permit coverage signage was posted inside the office on the wall.
4. Regarding AIM Level 2 Responses, Section 5.2.4.1 of the MSGP (page 49) discusses the Aim Level 2 Responses, and states that “you must review your SWPPP and implement additional pollution prevention/good housekeeping SCMs, considering good engineering practices, beyond what you did in your AIM Level 1 responses that would reasonably be expected to bring your exceedances below the parameter’s benchmark threshold.” At the time of inspection, SWPPP documentation indicated the corrective action for the AIM Level 2 Response would be “use a Sheet Flow Method” for sample collection. My concern is that the documented corrective action would not reasonably be expected to lower the exceedances below the parameter’s benchmark threshold. In addition, it was discussed that the sample was collected via a sheet flow method.
5. Regarding sample transport/analysis, at the time of inspection it was discussed that the facility utilizes Energy Labs in Billings, MT. for sample analysis and ice is used during transport. When reviewing chain-of-custody documentation for the samples, it was noted that were taking approximately 5-days to be received at the contract laboratory and were received at temperatures such as 21.1 degrees C and 10.8 degrees C. Per the Industrial Stormwater Monitoring and Sampling Guide, as seen on page 30 and 32 of the guide, based upon holding time and sample preservation “samples should be kept at approximately 39 degrees F (4 degrees C) until the cooler is delivered to the lab.” Ensuring proper sample preservation will help confirm the accuracy and precision of the lab’s analysis. The Facility might consider overnight shipping or switching to a more local laboratory to address the re-occurring issue of samples being received at a temperature greater than 4 degrees C.
6. It was also discussed that in 2023, the Facility had issues receiving sampling materials from their contract laboratory in Billings, MT. lab which resulted in no samples collected during 2023. My concern is that a stormwater sample was not collected during a discharge event in 2023.
7. Regarding on-site observations near the aluminum shipping area, Section 8.N.3.1.2 (page 159 of the permit) states that “minimize contact of stormwater with stockpiled materials, processed materials, and nonrecyclable wastes through implementation of control measures.” At the time of inspection, we observed several covered storage areas (shipping containers) to be used for material storage that weren’t being utilized.

As a reminder, my observations on-site should not be interpreted as a final compliance determination. If you have any further questions about the inspection process or want to discuss any items in more detail, please feel free to reach out to myself, or Carolyn Whitney (IDEQ) (cc’d).

Jon Klemesrud
Field, Data, & Drinking Water Enforcement Section
Enforcement & Compliance Assurance Division (M/S 20-C04)
U.S. Environmental Protection Agency, Region 10
(206) 553-5068

2024 CWA NPDES IDR053088 Inspection Report



From: [Tom Miller](#)
To: [Klemesrud, Jon](#); [Kirby Farner](#)
Cc: [David Geiger](#); [Tom Miller](#); [Chris Kimball](#)
Subject: Update. EPA Stormwater Inspection - Pacific Steel & Recycling (Lewiston)
Date: Wednesday, June 12, 2024 12:03:22 PM

Caution: This email originated from outside EPA, please exercise additional caution when deciding whether to open attachments or click on provided links.

Jon,

I shared your summery with Kirby Farner, our Corporate HSET Director. Below you will find his input in red. I hope this is helpful.

I appreciated your visit because it was a chance for me to grow in knowledge about what is expected regarding managing our facility. No matter how prepared you believe you are, there is always room to improve and get better. As a team in Lewiston, David and I are committed to do just that. Since your visit, we have made the following improvements:

1. Stormwater Collection System. With the help of the map that you provided and some internal conversations, we fully understand what drainage goes where and how it gets there without question.
2. Permit Coverage Signage has been installed, see photo. It's facing 12th St North the main entrance into the facility.
3. I have informed Valley Sweeping of Lewiston, that we do want weekly sweeping of the pavement and along the curb and gutter of 12th St North property line. This is done with their vacuum sweeper. We still maintain our own sweeper as well. Together, this will help ensure proper maintenance is achieved.
4. I believe there might have been some confusion on the aluminum storage areas. Yes, we do have covered storage areas and yes, we do use them. See attached photo. However, the day you were here is also the day we loaded them into a truck for shipment to Real Alloys in Post Falls, ID. See attached dispatch sheet. My crew did have them staged outside to make loading the product more efficient and to verify the weights and the grade of materials loaded. They did this in preparation for the load leaving. It was an unfortunate coincidence during your visit.
5. Storm Water Sampling. On June 3rd we had a qualifying rain event, and we were able to obtain a sample as outlined by the "Sheet Flow Sampling Method." After David packaged the sample correctly, I had the cooler next day air freight to Energy Labs in Billings. This should eliminate any delays and ensure the quality of the sample. As of today, I have no details of the results from the sample. I am happy to forward them to you once I receive them.

Please feel free to correspond any other questions you may have about our facility. Kirby, David, and I are happy to respond.

Thank you!

Tom

Tom Miller
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From: Klemesrud, Jon <Klemesrud.Jon@epa.gov>
Sent: Friday, May 31, 2024 4:08 PM
To: Tom Miller <Tom_Miller@pacific-steel.com>
Cc: Carolyn Whitney <carolyn.whitney@deq.idaho.gov>
Subject: [EXTERNAL] EPA Stormwater Inspection - Pacific Steel & Recycling (Lewiston)

Hi Tom,

Thanks again for your time and assistance last week for the EPA inspection in Lewiston, I enjoyed meeting you, Dave, and Danielle. You were great hosts and seemed very knowledgeable on many items related to stormwater compliance.

If helpful just to summarize again, I was tasked by EPA Region 10 (R10) to conduct an on-site Clean Water Act (CWA) inspection, pursuant to the facility's coverage under the industrial stormwater [2021 Multi-Sector General Permit \(MSGP\)](#) (Tracking #IDRO53088). R10 routinely works with IDEQ (and others) on conducting inspections under the CWA. Note that the inspection last week was routine in nature and not based off any complaints. According to EPA/IDEQ records, the facility hadn't been inspected for permit compliance in recent years.

As discussed on-site, I will be reviewing my notes/photographs while preparing my inspection report that will be transmitted to you electronically upon completion. I wanted to send this initial/inspection follow-up email to ensure you have my contact information and to circle back on a few items that were discussed.

1. Regarding the [Stormwater Collection System](#), as you recall while walking the facility there were a few questions regarding discharge/outfall locations when comparing what we saw vs what was included in the SWPPP. Post-inspection, I reached out to the City of Lewiston for some stormwater infrastructure mapping for the areas around 12th Street N. The City provided me with the **attached map** which seems to align with observations on site, one central catch basin inlet located NE of the "New Steel Building" (Outfall 001) and once catch basin inlet located on 12th Street N, adjacent from 7th Ave N (Outfall 002). It's also the City's understanding that there is a buried pipe connection (Asset #6474) to a central manhole (Asset #99058) near "Potential Outfall 005 along the railway south of the property." Per the City, the collection system within the mapping area drains subsurface to a discharge pipe (Asset #6315) into the marsh/pond area that

is located north of the Facility. I believe the marsh/pond is part of the Lewiston Levee system which is pumped to the Clearwater River. I wanted to share this information with you as I think it could be helpful in implementing your SWPPP moving forward. This was Pacific's understanding too, as documented in the Notice of Intent (NOI) – conveyance to the City of Lewiston MS4 system and eventually to the Clearwater River. The attached map (MS4 System) is helpful. Let's print-off and put in our Binder (behind our SWPPP site maps). I will do that at Corporate, too.

2. Regarding Corrective Action Documentation, Section 5.1.1 and 5.1.1.5. of the MSGP (page 45 of the permit) discusses that "Conditions Requiring SWPPP Review and Revision to Ensure Effluent Limits are Met" are to include "whenever a visual assessment shows evidence of stormwater pollution (e.g., color, odor, floating solids, settled solids, suspended solids, foam.) Page 14 of the [MSGP 2021 Record Keeping Template](#) offers a template to document corrective actions. At the time of inspection, it was discussed that corrective action documentation is not completed during incidences of "observed pollution" during visual assessments. This one is a little confusing (in permit language) since we are not required "to ensure effluent limits are met." Instead, we are under Benchmark Status and AIM/Correction Action Program (i.e. four quarter average). But, either way it's a "best practice" to try and correct concerns in "real time" if visually observed. I suggest documenting an attempted improvement (CA) on p.16 of your SWPPP, when visual assessment concerns appear.
3. Regarding Permit Coverage Signage, Section 1.3.5 of the MSGP (page 14 of the permit) indicates that the notice of permit coverage must be posted in a "safe, publicly accessible location in close proximity to your facility" and "use a font large enough to be readily viewed from a public right-of-way." At the time of inspection, the permit coverage signage was posted inside the office on the wall. The key line in this part is "public right-of-way". That is defined as street, avenue, road, sidewalk, etc. Depending on facility, signage can be seen via public right-of-way by means of an office window. However, this may not always be the case. Consequently, it's agreed at our #25 location, signage on a property fence (in front-of-public right of way) is more aligned with intent.
4. Regarding AIM Level 2 Responses, Section 5.2.4.1 of the MSGP (page 49) discusses the Aim Level 2 Responses, and states that "you must review your SWPPP and implement additional pollution prevention/good housekeeping SCMs, considering good engineering practices, beyond what you did in your AIM Level 1 responses that would reasonably be expected to bring your exceedances below the parameter's benchmark threshold." At the time of inspection, SWPPP documentation indicated the corrective action for the AIM Level 2 Response would be "use a Sheet Flow Method" for sample collection. My concern is that the documented corrective action would not reasonably be expected to lower the exceedances below the parameter's benchmark threshold. In addition, it was discussed that the sample was collected via a sheet flow method. I respectfully submit that the corrective action in this case was a "re-training" of Sheet Flow Sampling Method which could result in bringing constituent levels down and more representative results. This is substantiated in writing (on February 12, 2024) with the six-minute YouTube link [as part of the CA](#). It is possible, that a refined sampling process would reduce a cloudy visual sample and potentially unrepresentative results.
5. Regarding sample transport/analysis, at the time of inspection it was discussed that the facility utilizes Energy Labs in Billings, MT. for sample analysis and ice is used during transport. When reviewing chain-of-custody documentation for the samples, it was noted that were taking approximately 5-days to be received at the contract laboratory and were received at temperatures such as 21.1 degrees C and 10.8 degrees C.

Per the [Industrial Stormwater Monitoring and Sampling Guide](#), as seen on page 30 and 32 of the guide, based upon holding time and sample preservation “samples should be kept at approximately 39 degrees F (4 degrees C) until the cooler is delivered to the lab.” Ensuring proper sample preservation will help confirm the accuracy and precision of the lab’s analysis. The Facility might consider overnight shipping or switching to a more local laboratory to address the re-occurring issue of samples being received at a temperature greater than 4 degrees C. This is a black/white case. I agree with and appreciate Mr. Klemesrud’s statements. This is a matter where we know that ground shipping works in terms of parameter hold time. But, temperature is a different matter. No matter how much ice we put in the cooler, we can’t always control temperature over a 3-5 day period. And, it seems like, After COVID, ground shipping is taking longer and longer... At the same time, from a management perspective, Energy Labs (Billings) provides a consolidated solution that is manageable (for the company). Unless, there is a hold time issue (like in Boise with E-coli parameter/8 hours), I ask Pacific branches to still go to Energy Labs (Billings). We just need to pack with ice via overnight shipping.

6. It was also discussed that in 2023, the Facility had issues receiving sampling materials from their contract laboratory in Billings, MT. lab which resulted in no samples collected during 2023. My concern is that a stormwater sample was not collected during a discharge event in 2023. It’s fair to say that for a sig. portion CY23, the facility was not able to sample due to two errors made by Energy Labs (Billings) in getting coolers to #25. This is well documented. These errors were corrected (by the lab) and Branch #25 sampled in January, 2024.
7. Regarding on-site observations near the aluminum shipping area, Section 8.N.3.1.2 (page 159 of the permit) states that “minimize contact of stormwater with stockpiled materials, processed materials, and nonrecyclable wastes through implementation of control measures.” At the time of inspection, we observed several covered storage areas (shipping containers) to be used for material storage that weren’t being utilized. Business circumstances are nearly always changing at scrap metal facility. Consequently, it is impractical for best practices (as detailed in a SWPPP) to be followed 100% of the time. Nevertheless, this was a good observation by Mr. Klemesrud and reminder to permitted facility to do the best it can.

As a reminder, my observations on-site should not be interpreted as a final compliance determination. If you have any further questions about the inspection process or want to discuss any items in more detail, please feel free to reach out to myself, or Carolyn Whitney (IDEQ) (cc’d).

Jon Klemesrud
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