



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): May 4, 2023
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Industrial Stormwater
Site/Facility Name: Greater Erie Transfer & Recycling Center
Permittee: Waste Management of PA Inc.
Address: 1154 W. 16th Street, Erie, PA 16502
Latitude: 42.111111 N **Longitude:** -80.104444 W
County/Parish: Erie County
General Permit #: PAG-03
Specific Permit #: PAR508304
Main Surface Waters: Cascade Creek
NAICS Code: 562111 **SIC:** 4212
Unique Project #: 3E23WN044A
Facility Representative(s): **Point of Contact**

Mr. Paul Frank
Phone: 724-413-2691 Email: Pfrank1@wm.com
Mr. Elden Veach Sr.
Phone: 814-824-7823 Email: EVeach@wm.com
Mr. Elden Veach Jr.
Phone: 814-449-1953 Email: EVeach2@wm.com

EPA Inspectors:

Allison Gieda
Phone: (304) 234-0232 Email: Gieda.allison@epa.gov
Ingrid Hopkins
Phone: (215) 814-5437 Email: Hopkins.ingrid@epa.gov
Angela Weisel
Phone: (215) 814-2124 Email: Weisel.Angela@epa.gov

State/Local Inspectors: N/A

Report Preparer
Signature/Date

Allison Gieda, Inspector Date
NPDES Enforcement Section (3ED32)

Supervisor
Signature/Date

Mark Zolandz, Section Chief Date
NPDES Enforcement Section, (3ED32)

Unique Project#: 3E23WN044A

Table of Contents

I. Introduction 3

 A. Inspection Opening Conference 3

 B. Weather and Precipitation Conditions..... 4

II. Facility Activity..... 4

III. Observations 5

IV. Records Review 5

V. Closing Conference..... 8

List of Attachments

Appendix A: PAG-03 Permit

Appendix B: Exhibit Log

 Exhibit 1 – DMRs (January 1, 2020 – December 31, 2022)

 Exhibit 2 – 2023 Environmental Compliance Awareness Program Training

 Exhibit 3 – 2022 Annual Report

 Exhibit 4 – Monthly Safety and Housekeeping Checklists

 Exhibit 5 – Greater Erie Transfer Station and Recycling Center

 Preparedness, Prevention and Contingency (PPC) Plan – Revised

 September 2019

Appendix C: Photo Log

I. Introduction

On May 4, 2023, an inspection team composed of staff from the U.S. Environmental Protection Agency (EPA) Region III (hereinafter, “EPA Inspection Team”) conducted an inspection of Waste Management of Pennsylvania, Inc. – Erie Transfer and Recycling Center (hereinafter, the “Facility”). The purpose of the inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the Facility’s National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Industrial Activities (PAG-03, Registration No PAR508304; hereinafter, the “Permit”) and applicable State and Federal regulations. The Facility is classified under Sector L of the Permit, Land Transportation and Petroleum Stations and Terminals. A copy of the Permit is included as Appendix A.

The Facility submitted a 2022 PAG-03 General Permit Renewal Application to the Pennsylvania Department of Environmental Protection (PADEP) on February 28, 2023. However, at the time of the inspection, the Facility had not received a notice of issuance that it was covered under PADEPs 2022 PAG-03 General Permit.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the Facility at approximately 8:30 am. The inspection attendee list is provided in Table 1 below:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region III Inspectors and Contractors			
Allison Gieda	Inspector – EPA Region III	(304) 234-0232	Gieda.allison@epa.gov
Ingrid Hopkins	Inspector – EPA Region III	(215) 814-5437	Hopkins.ingrid@epa.gov
Angela Weisel	Inspector – EPA Region III	(215) 814-2124	Weisel.Angela@epa.gov
Site/Facility Representatives			
Mr. Paul Frank	Waste Management Environmental Protection Manager	724-413-2691	Pfrank1@wm.com
Mr. Elden Veach Sr.	Waste Management Senior Manager	814-824-7823	EVeach@wm.com
Mr. Elden Veach Jr.	Waste Management Lead Operator	814-449-1953	EVeach2@wm.com

Ms. Allison Gieda displayed her credentials to Facility representatives at the outset of the inspection and explained that the purpose of the inspection was to observe compliance with its Permit. The EPA Inspection Team informed Facility representatives that any information that the Facility deemed to be confidential business information (“CBI”) should be identified to EPA representatives during the inspection and it would be handled as CBI according to EPA’s CBI procedures.

B. Weather and Precipitation Conditions

During the inspection, the weather was cloudy. The closest National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in the table below:

Table 2: Precipitation Data

Station Name	Date	Precipitation Amount (inches) ¹
ERIE INTERNATIONAL AIRPORT, PA US USW00014860	04/29/23	0.09
ERIE INTERNATIONAL AIRPORT, PA US USW00014860	04/30/23	0.01
ERIE INTERNATIONAL AIRPORT, PA US USW00014860	05/01/23	0.19
ERIE INTERNATIONAL AIRPORT, PA US USW00014860	05/02/23	0.50
ERIE INTERNATIONAL AIRPORT, PA US USW00014860	05/03/23	0.32
ERIE INTERNATIONAL AIRPORT, PA US USW00014860	05/04/23	T

II. Facility Activity

The Facility is a municipal solid waste transfer station that encompasses approximately 1.97 acres of land in Erie County, PA. It is contracted by the City of Erie to accept refuse containing residential, commercial, and light residential waste components. The processing of solid wastes and recyclables takes place in a transfer station and/or recycling building. The solid waste is then transferred to the Lakeview Landfill, and commercial and residential recycling materials are transferred to the Pittsburgh Materials Recovery Facility. The Facility does not accept chemicals, liquids or Hazardous Waste.

The Facility employs 4 staff and houses an office building, a transfer station building, two recycling buildings and a container storage area. The eastern portion of the Facility discharges to the municipal separate storm sewer system (MS4) which then discharges to Cascade Creek. The western portion of the Facility discharges to the Erie City sanitary sewer system.

Equipment maintenance is conducted in the western portion of the Facility and is limited to the loading equipment, compacters, baler, and yard tractors and trailers. The Facility hires a third party, RUDD, to perform maintenance on its heavy equipment.

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

III. Observations

The inspection began with a records review and interview questions. The inspection observations below are made pursuant to the requirements of the Permit. Photographs were taken during the inspection by Ms. Angela Weisel and are provided in Appendix C.

The Facility has four stormwater catch basins. Samples are pulled from the last catch basin at the Facility that discharges to the MS4 (refer to Appendix C, Photographs 33-35) and sent to a laboratory called Geochemical Testing. The EPA Inspection Team asked that the Facility provide copies of Discharge Monitoring Reports (DMRs) from January 1, 2020 – December 31, 2022. Copies of the DMRs are included in Appendix B, Exhibit 1.

Facility representatives stated that there are no floor drains at the Facility and that there are no Erosion and Sedimentation (E&S) controls onsite since most of the Facility is paved. Facility representatives stated that there is one loader onsite with approximately 100 gallons of hydraulic oil and one 300-gallon offroad diesel fuel tank which is covered and located on the western side of the Facility (refer to Appendix C, Photographs 13 and 16). Facility representatives also stated that there have been no spills within the past year and that there haven't been any reports of noncompliance to PADEP within the past three years.

The Facility's Environmental Compliance Awareness Program (ECAP) training, which is conducted annually, includes a module on stormwater. A copy of the 2023 ECAP training specific to stormwater is included in Appendix B, Exhibit 2.

The EPA inspection Team observed the Facility's 2022 Annual Report signed April 10, 2023, included in Appendix B, Exhibit 3, as well as monthly safety and housekeeping checklists. Examples of two monthly safety and housekeeping checklists are included in Appendix B, Exhibit 4, and include a yard and fuel inspection component. Facility representatives stated that the semi-annual inspections conducted in coordination with a sampling event are independent of the monthly safety and housekeeping inspections. Facility representatives also stated that in order to minimize pollutant discharges, the western portion of the Facility has been graded to direct discharges to the sanitary sewer system (refer to Appendix C, Photographs 2, 3, 10 and 19) and ultimately to Outfall 002. Additionally, the Facility is swept after every rain event and on an as needed basis. In the Spring and Fall seasons, the Facility hires Mansfield Sanitation to utilize its vacuum trucks to perform catch basin and scale cleaning services.

Preparedness, Prevention and Contingency (PPC) Plan

Prior to the Inspection, EPA requested the most recent version of the Facility's PPC Plan. The Facility provided the PPC Plan electronically which was last revised in September 2019 and included in Appendix B, Exhibit 5. During the inspection, the EPA Inspection Team observed that the Facility's PPC Plan is dated April 25, 2018 (refer to Appendix C, Photograph 1). Facility representatives stated that the PPC Plan will be updated upon receipt of its new PAG-03 permit issuance.

Part C.IV.A of the Permit states, “The permittee shall develop and implement a PPC Plan in accordance with 25 Pa. Code § 91.34 following the guidance contained in DEP’s “Guidelines for the Development and Implementation of Environmental Emergency Response Plans” (DEP ID 400-2200-001), its NPDES-specific addendum and the minimum requirements below.

1. The PPC Plan must identify all potential sources of pollutants that may reasonably be expected to affect the quality of stormwater discharges from the facility.
2. The PPC Plan must describe preventative measures and BMPs that will be implemented to reduce or eliminate pollutants from coming into contact with stormwater resulting from routine site activities and spills.
3. The PPC Plan must address actions that will be taken in response to on-site spills or other pollution incidents.
4. The PPC Plan must identify areas which, due to topography or other factors, have a high potential for soil erosion, and identify measures to limit erosion. Where necessary, erosion and sediment control measures must be developed and implemented in accordance with 25 Pa. Code Chapter 102 and DEP’s “Erosion and Sediment Pollution Control Manual” (DEP ID 363-2134-008).
5. The PPC Plan must address security measures to prevent accidental or intentional entry which could result in an unintentional discharge of pollutants.
6. The PPC Plan must include a plan for training employees and contractors on pollution prevention, BMPs, and emergency response measures. This training must be conducted in accordance with Part C II.E.3.
7. If the facility is subject to SARA Title III, Section 313, the PPC Plan must identify releases of “Water Priority Chemicals” within the previous three years. Water Priority Chemicals are those identified in EPA’s “Guidance for the Determination of Appropriate Methods for the Detection of Section 313 Water Priority Chemicals” (EPA 833-B-94-001, April 1994). The Plan must include an evaluation of all activities that may result in the stormwater discharge of Water Priority Chemicals.
8. Spill Prevention Control and Countermeasure (SPCC) plans may be used to meet the requirements of this section if the minimum requirements are addressed.”

Observation 1: The EPA Inspection team observed rocks placed upgradient of a catch basin intended to control the amount of sediment from entering the catch basin (refer to Appendix C, Photographs 22 and 24). This best management practice was not described in the Facility’s PPC Plan.

Part C.IV.B of the Permit states “The permittee shall review and if necessary update the PPC Plan on an annual basis, at a minimum, and when one or more of the following occur:

1. Applicable DEP or federal regulations are revised, or this General Permit is revised.
2. The PPC Plan fails in an emergency.
3. The facility’s design, industrial process, operation, maintenance, or other circumstances change in a manner that materially increases the potential for fires, explosions or releases of toxic or hazardous constituents; or which changes the response necessary in an emergency.
4. The list of emergency coordinators or equipment changes.

5. When notified in writing by DEP.

The permittee shall maintain all PPC Plan updates on-site, make the updates available to DEP upon request, and document the updates in Annual Reports.”

Observation 2: The Facility’s PPC Plan states that the “Comprehensive Site Inspection and Evaluation will be documented on the Comprehensive Site Inspection and Evaluation Form presented in Appendix D.” However, Facility representatives stated that the Comprehensive Site Inspection and Evaluation Form is dated, and that documentation of the semi-annual comprehensive site inspections are documented in the Facility’s Annual Report. Additionally, the PPC Plan that was provided prior to the inspection was last updated in September of 2019.

Best Management Practices (BMPs)

Part B.1.D of the Permit states, “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), including BMPs that are installed or used by the permittee to achieve compliance with the terms and conditions of this General Permit.”

Observation 3: The EPA Inspection Team observed rocks placed upgradient of a catch basin intended to control the amount of sediment from entering the catch basin (refer to Appendix C, Photographs 22-24). However, the rocks were observed to be covered in sediment and in need of replacement and/or cleaning.

Part C.II.A of the Permit states, “The permittee shall implement and maintain all BMPs specified in the applicable sector-specific appendix or appendices, as identified on page 1 of this General Permit, unless DEP makes a determination and notifies the permittee that alternative pollution prevention measures provide equivalent protection.”

Observation 4: The EPA Inspection Team observed an oily sheen in a catch basin (refer to Appendix C, Photograph 27) and in a puddle adjacent to a catch basin (refer to Appendix C, Photograph 35).

V. Records Review

As part of this inspection, the EPA Inspection Team reviewed the documents identified in Appendix B of this report.

VI. Closing Conference

At the conclusion of the inspection, the EPA Inspection Team conducted a closing conference with Facility representatives and shared preliminary observations. The EPA Inspection Team reiterated to the Facility representatives that all preliminary observations discussed were not compliance determinations. Preliminary observations shared with the Facility are subject to further investigation by EPA, including additional review of records and documentation. As a result, additional observations may be contained in this inspection report that were not identified at the time of the closing conference. The inspection concluded at approximately 11:00 AM (EDT).