

UNPERMITTED INDUSTRIAL FACILITY STORMWATER INSPECTION CHECKLIST

Inspection Date	May 14, 2024	
Time	Entry: 9:10 AM	Exit: 10:30 AM
Weather Conditions	80°F's and sunny	
Media/Program	Water – CWA § 301, 402 – Industrial SW/NEC	
Operator Name:	J&J Metals Recycling, Inc.	
Facility or Site Name:	J&J Metals Recycling, Inc.	
Permit ID or Tracking #:	N/A; No permit at the time of the inspection	
SIC Code:	SIC 5093 - Scrap and Waste Materials	
Facility Address:	5601 Azle Ave	
(city, state, zip code)	Fort Worth, TX 76114	
Geographic Coordinates:	32.810699°, -97.404053°	
Mailing address:	5601 Azle Ave	
(city, state, zip code)	Fort Worth, TX 76114	
County:	Tarrant County	
Regular Days/Hours of Operation:	8:00 AM – 5:00 PM (Monday – Friday); 8:00 AM – 4:00 PM (Saturday); Closed (Sunday)	
# of Employees at location:	2	
Size of Facility (in acres):	Approximately 1.25 acres	
Receiving Water(s):	Unnamed tributary to Marine Creek Reservoir. The unnamed tributary is located approximately 250 feet west of the Facility.	
Date facility est. @ location:	1985	
Onsite Representatives:		
Name: Johnny Tesar	Title: Owner	Phone: (817) 229-5948
	Email: jjmetal817@sbcglobal.net	
Authorized Official: Contacted? ☒ Yes ☐ No		
Name: Johnny Tesar	Title: Owner	Phone: (817) 229-5948
	Email: jjmetal817@sbcglobal.net	
Additional Personnel Participating in Inspection:		
Name: N/A	Title: N/A	
Inspector(s):	Title:	Company:
Chris Pardo	Lead Inspector	Eastern Research Group, Inc.
Ryan Marrero-Vila	Inspector	Eastern Research Group, Inc.
Carol Johnson	Inspector	Environmental Protection Agency, Region 6

Destinee Agwuna	Inspector	Environmental Protection Agency, Region 6
Inspection Report Author:		
Name: Chris Pardo	Signature: <i>CPardo</i>	Date: 7/4/2024
Supervisor Review:		
Name Lori Tanner (acting for Ruben Alayon-Gonzalez)	Signature: <i>Lori E Tanner</i>	Date 07/10/2024

SECTION I – INTRODUCTION Purpose of the Inspection

The purpose of the inspection was to determine compliance with the industrial stormwater requirements under §§ 301 and 402(p) of the Clean Water Act (CWA) and its implementing regulations found at 40 Code of Federal Regulation (CFR) Part 122.26. The inspection was unannounced and consisted of interviewing Facility representatives, recording field observations, and taking photographs to document site conditions throughout the Facility at the time of the inspection.

Opening Conference

- 1) Brief narrative documenting those present, introductions, presentation of credentials, and explanation of the purpose of the inspection.

On May 14, 2024, a U.S. Environmental Protection Agency (EPA) contractor, Eastern Research Group, Inc. (ERG), conducted an industrial stormwater non-filer inspection at J&J Metals Recycling, Inc. located in Fort Worth, Texas (Facility). Carol Johnson and Destinee Agwuna of EPA Region 6, and Chris Pardo and Ryan Marrero-Vila of ERG (collectively, EPA Inspection Team) met with the Facility representative, Johnny Tesar. The EPA Inspection Team presented their credentials and explained that it was EPA's understanding that the Facility did not have an industrial stormwater permit. The EPA Inspection Team explained they were onsite to conduct a Clean Water Act stormwater inspection, which includes observing the current operations of the Facility and assessing the potential for stormwater discharges from the Facility.

The weather at the time of the inspection was sunny and approximately 80°F. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA)¹, the Fort Worth, Texas area received trace amounts of rain the day prior to the inspection and no rain the day of the inspection.

- 2) Credentials presented to: Johnny Tesar
- 3) Facility acknowledged receiving previous outreach materials or correspondence on Permit requirements?
☐ Yes ☒ No Describe: N/A
- 4) Facility has been individually notified by permit authority or EPA that it is subject to stormwater requirements?
☐ Yes ☒ No Describe: N/A

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

FACILITY'S OPERATION & PRODUCT DESCRIPTION	
Description of business and industrial activities occurring throughout the site. (Include operator's description and note any documentation that further establishes SIC code (permit applications, reports, business registries, website...)). J&J Metals Recycling, Inc. is a scrap metals recycling facility [refer to <u>Appendix B, Photograph Log (Photograph 34)</u>]. The Facility accepts non-ferrous metals and used lead-acid batteries from commercial and public sources. According to the Facility representative, the Facility uses an industrial shear for cutting aluminum and copper, but no other processing occurs onsite [refer to <u>Appendix B, Photograph Log (Photograph 31)</u>]. The scrap metal is sorted, sheared if needed, and placed in metal storage containers [refer to <u>Appendix B, Photograph Log (Photographs 12, 21-23, 28-30, 54 and 55)</u>]. These containers are loaded onto a pickup truck and hauled offsite to be sold [refer to <u>Appendix B, Photograph Log (Photographs 14 and 15)</u>]. Other industrial facilities owned/operated by same business entity? ☐ Yes ☒ No Describe: N/A	

SECTION II – OBSERVATIONS

SITE EVALUATION	
Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
Loading/Unloading Operations	The Facility unloads metal materials from commercial and public customers outside on the gravel lot by the main entrance [refer to <u>Appendix B, Photograph Log (Photograph 13)</u>]. Once the materials are sorted, and sheared if needed, metals are placed in uncovered, metal containers outside until they are hauled offsite via company pickup truck to be sold [refer to <u>Appendix B, Photograph Log (Photographs 14 and 15)</u>]. Based on visual observations and the slope of the facility, stormwater would commingle with these uncovered materials and convey north towards Discharge Point #1 and west towards an unnamed tributary to Marine Creek Reservoir.
Industrial Manufacturing/Processing Operations	The Facility maintains one (1) shearing machine inside the large warehouse for cutting aluminum and copper into pieces measuring approximately 6x5 inches [refer to <u>Appendix B, Photograph Log (Photographs 31 and 32)</u>]. According to the Facility representative, no torch cutting machines or bailers are used or kept onsite.

Industrial Machinery & Equipment Storage	The Facility stores two (2) forklifts inside the warehouse. An additional out-of-service forklift is stored outside among the miscellaneous scrap metal storage area in the western portion of the Facility [refer to <u>Appendix B, Photograph Log (Photographs 24, 27 and 55)</u>]. The Facility representative stated that the out-of-service forklift
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SITE EVALUATION	
Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
	had been stored outside for approximately one (1) year. The Facility's one (1) shearing machine is stored within the large warehouse [refer to <u>Appendix B, Photograph Log (Photograph 31)</u>]. Additionally, the EPA Inspection Team observed an industrial aluminum can crusher, located partially under an awning, attached to the warehouse [refer to <u>Appendix B, Photograph Log (Photographs 47 and 51)</u>]. A tire inflator with an attached, uncovered lead acid battery was observed outside in the southern portion of the Facility [refer to <u>Appendix B, Photograph Log (Photograph 56)</u>]. Based on visual observations and the slope of the facility, stormwater would commingle with the tire inflator and uncovered lead acid battery and convey north towards Discharge Point #1 and west towards an unnamed tributary to Marine Creek Reservoir.

Storage of Industrial Materials or Products	The Facility stores scrap metals throughout all areas of the property. Materials were observed stored inside the warehouse [refer to Appendix B, Photograph Log (Photograph 32)], uncovered outside within 1.5 cubic yard metal containers [refer to Appendix B, Photograph Log (Photographs 12, 21-23, 28-30, 54 and 55)], and uncovered outside directly on the ground [refer to Appendix B, Photograph Log (Photographs 16-20, 26, and 27)]. Based on visual observations and the slope of the facility, stormwater would commingle with these uncovered materials and convey north towards Discharge Point #1 and west towards an unnamed tributary to Marine Creek Reservoir. The EPA Inspection Team observed stainless steel materials stored outside in the southwestern portion of the Facility. The stainless steel materials were stored off the ground on a rusted metal pad which was approximately six (6) feet in width and 20 feet in length [refer to Appendix B, Photograph Log (Photograph 25)]. Additionally, the EPA Inspection Team observed crushed aluminum cans stored outside within a partially covered truck bed [refer to Appendix B, Photograph Log (Photograph 48)]. Based on visual observations, stormwater would commingle with the uncovered stainless steel materials and the partially covered truck bed containing crushed aluminum cans and convey towards Discharge Point #1.
Liquid Storage (e.g., Tanks, Liquid Storage Drums)	The Facility does not accept liquids. No liquid storage was observed or reported at the Facility. According to the Facility representative, used oils from routine maintenance of the
SITE EVALUATION	
Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
	forklifts are hauled offsite.
Waste Storage/Disposal Areas (solid and/or hazardous)	The Facility had one (1) approximate six (6) cubic yard solid waste dumpster with a permanent cover/lid which was used for miscellaneous waste [refer to Appendix B, Photograph Log (Photograph 14)]. According to the Facility representative, used batteries are stored inside under cover within the large warehouse.
Waste Treatment Facilities (e.g., Pretreatment Systems)	None observed or reported at the Facility.

Fueling Stations/Equipment Maintenance Areas & Cleaning Areas	Fueling stations were not observed or reported at the Facility. According to the Facility representative, the forklifts receive routine maintenance inside the large warehouse.
Sediment & Erosion Controls	The EPA Inspection Team did not observe any sediment and erosion controls at the Facility.
Spills/Leaks Handling	The EPA Inspection Team did not observe any spill kits. No sources of liquid contaminants were observed or reported at the Facility.
Outside Shelters	Temporary (Date Established _____ N/A _____) ☐ Permanent None observed or reported at the Facility.
Evidence of nonstormwater sources/discharges (allowable if permitted under MSGP)?	Evidence of non-stormwater sources/discharges was not observed during the inspection.
Evidence of process wastewater sources/discharges?	Evidence of process wastewater sources/discharges was not observed during the inspection.

OUTFALL, STORMWATER DISCHARGE & RECEIVING WATER OBSERVATIONS

Number and description of each potential Stormwater Discharge Point from the Facility	The EPA Inspection Team observed that the Facility sloped to the northwest, conveying stormwater discharges towards the Azle Avenue shoulder. Based on visual observations, the EPA Inspection Team identified one (1) stormwater discharge point:
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OUTFALL, STORMWATER DISCHARGE & RECEIVING WATER OBSERVATIONS

	Discharge Point #1 was located at the northern fence line of the Facility. Stormwater from the central portion of the Facility would flow downgradient along a stormwater conveyance channel. This stormwater conveyance channel ran northward from the concrete/gravel covered surface at the center of the Facility, through the alleyway between the warehouse and office building, and across the grassy strip at the northern boundary of the Facility [refer to <u>Appendix B, Photograph Log (Photographs 39-45, 49, and 50)</u>]. The EPA Inspection Team observed discoloration within the stormwater conveyance channel at the grassy strip near the northern boundary, due to erosion, which had denuded the channel
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	of vegetation and had deposited lighter sediments from the gravel/concrete ground surface located within the center of the Facility.
Evidence of pollutants migrating offsite (stains, deposits, ponding) at discharge points, into receiving waters or in MS4	The EPA Inspection Team did not observe evidence of pollutants migrating offsite into receiving waters or an MS4.
Evidence of Nonstormwater Discharges leaving site (authorized or unauthorized)	Evidence of non-stormwater discharges leaving the site was not observed during the inspection.
Description of general gradients/slopes onsite, all apparent discharge points, and discharge pathway from Facility to Receiving Water or MS4 (storm drains, channel, swale, ditches, driveway, pipes, & etc.)	The EPA Inspection Team observed that the ground surface throughout the Facility was mostly unpaved gravel and grass except for a deteriorating concrete pad which was observed immediately to the east of the warehouse at the center of the Facility. The EPA Inspection Team observed the Facility to be sloping downwards to the northwest. Stormwater would convey northwest as overland flow eventually funneling into the stormwater conveyance channel which ran northward between the warehouse and office buildings. See above section labeled “Number and description of each potential Stormwater Discharge Point from the Facility” for more details. Stormwater which exited the Facility via Discharge Point #1 would flow westward for approximately 250 feet along the southern Azle Avenue shoulder and across the parking lot of the adjacent business to the west [refer to Appendix B, Photograph Log (Photographs 57-60)]. Stormwater would then flow down a vegetated stormwater conveyance into an unnamed tributary of Marine Creek Reservoir, which flows northward under Azle Avenue via culvert. This unnamed tributary had observed northward flow for approximately 0.75 miles to Marine Creek Reservoir [refer to Appendix B, Photograph Log (Photographs 1-8, 10, and 11)].

SECTION III – AREAS OF CONCERN

- 1) At the time of the inspection, the EPA Inspection Team identified the following at the Facility:
 - a. The Facility is engaged in storing, processing, and recycling non-ferrous scrap metals. These activities are included in the description of SIC Code 5093 - Scrap and Waste Materials. Businesses classified under SIC Code 5093 are regulated under C.F.R. § 122.26 for stormwater discharges associated with industrial activity.
 - b. The Facility's outdoor areas were used for the industrial activities of loading/unloading scrap metals and storing scrap metals.
 - c. At the time of the inspection, the Facility did not have coverage under the 2021 Multi-General Stormwater Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity.
 - d. Facility stormwater, from areas used for industrial activities, discharges northward at the Facility fence line (Discharge Point #1). Discharged stormwater flows westward along the southern shoulder of Azle Avenue and into an unnamed tributary stream of Marine Creek Reservoir.
- 2) The EPA Inspection Team observed a lack of general good housekeeping along the eastern portion of the Facility which was used for long-term storage of scrap metals [refer to Appendix B, Photograph Log (Photographs 16-20)]. These miscellaneous scrap metals, based off comments made by the Facility representative, had been stored in this location for at least one (1) year. These miscellaneous scrap metals were kept outside in disorderly piles and were not labeled or stored in containers.

SECTION IV – LIST OF APPENDICES

Appendix A – Aerial Location

Appendix B – Photograph Log