

INSPECTION REPORT

Inspection Entry Date/Time	04/18/2024 02:52 PM (CT)	Announced: No
Inspection Exit Date/Time	04/18/2024 3:42 PM (CT)	Access: Granted
Weather	Intermittent rain and close to 60 degrees Fahrenheit	
Media	Water	
Statute(s)/Program(s)	Clean Water Act, NPDES, Stormwater – Industrial	
Type of Inspection	Industrial Stormwater Inspection (ISI)	
Permittee Name	Northeast Asphalt, Inc. (Pearl Quarry)	
Facility or Site Name	Northeast Asphalt, Inc. (Pearl Quarry)	
Facility/Site Physical Address	W1396 Pearl Street	
City, State, Zip Code	Oneida, Wisconsin 54165	
County	Outagamie	
Facility GPS Coordinates	44.519465, - 88.257141	
Mailing Address	N3 W23650 Badinger Road	
City, State, Zip Code	Waukesha, WI 53118	
FRS ID		
Permit Number	WIR051IA0B	
SIC and/or NEACS	1422	
Regulatory Representatives Participating in Inspection:		
Title	Name	Organization
N/A	N/A	N/A
Lead Inspector:		
Danny Nguyen	DANNY NGUYEN Digitally signed by DANNY NGUYEN Date: 2024.06.14 07:30:54 -04'00'	
	EPA REGION 5	nguyen.danny@epa.gov (440) 250-1709
Supervisor Review:		
Mr. Brooke Furio	BROOKE FURIO Digitally signed by BROOKE FURIO Date: 2024.06.14 07:46:28 -04'00'	
	EPA REGION 5	furio.brooke@epa.gov (440) 250-1705

SECTION I – INTRODUCTION

Site Entry and Inspection Objectives

EPA REGION 5 inspector, Danny Nguyen, arrived at Northeast Asphalt, Inc. Pearl Quarry (NEA – Pearl), located at W1396 Pearl Street, Oneida, Wisconsin 54165, at 02:52PM (CT) on 04/18/2024 for an unannounced inspection. Mr. Nguyen presented his credentials to Mr. Zach Leitner and informed him that this was an EPA REGION 5 inspection to investigate elements of the Clean Water Act (CWA) and applicable regulations. This report is based on information supplied by NEA - Pearl’s representatives, direct observations made by the EPA REGION 5 inspectors, records and reports maintained by the permittee and other information including: photographs taken by EPA REGION 5 inspectors, physical evidence collected by the EPA REGION 5 inspectors, measurements taken by EPA REGION 5 inspectors, verbal or written statements made by information supplied by NEA - Pearl’s representatives during or subsequent to the on-site inspection, and materials, processes, data, photographs, or documents shown, demonstrated, or submitted to the EPA REGION 5 inspectors by NEA - Pearl’s representatives during or subsequent to the on-site inspection. In addition, information gathered prior to or subsequent to the inspection from a review of EPA, State, and/or public records may be included in this report.

Attendees

Organization	Attendee Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA REGION 5	Danny Nguyen	NPDES Inspector	Yes	Yes
Walbec Group	Zach Leitner	Environmental Coordinator	Yes	Yes

Facility/Site Description

EPA REGION 5 inspector confirmed the following Facility information:

NEA - Pearl applied for and was issued a Multi Sector General Permit (MSGP) to Discharge Under the United States Environmental Protection Agency (EPA) National Pollution Discharge Elimination System NPDES ID WIR05IA0B. Northeast Asphalt, Inc. (NEA) is one of six companies that make up the Walbec Group who produces construction materials and services to their customers. NEA produces and provides asphalt pavement services and products throughout Northern Wisconsin. According to the site’s Notice of Intent (NOI), Pearl Quarry is a nonmetallic sand and gravel pit/quarry, in which sand and stone are excavated/blasted, crushed, and sorted into specified gradation stockpiles. Mobile petroleum crushing plants are brought in for crushing and washing operations. Pearl Quarry is owned by the Oneida Tribal Nation and NEA-Pearl leases the quarry for operations.

Stormwater does not directly discharge from the quarry. Stormwater is collected at the southeast corner in the quarry in a sump hole. NEA – Pearl conducts dewatering operations on an as needed basis by pumping out the stormwater from the quarry sump hole and discharges through a hose to a stormwater ditch that flows south where it merges with a west-east flowing community stormwater ditch.

Facility/Site Information

Responsible official	Zach Leitner
Verify SIC Code	1422
Personnel conducting inspections/sampling	Max Pace

Sampling locations	Samples taken from end of pump hose discharging to the stormwater ditch
Copy of the SWPPP	Yes
Number of employees	1 operator at site
Receiving Water	Unnamed tributary to Duck Creek
Number/location of Stormwater Inlets/ Outfalls/Drains including near docks or storage areas and where they initially drain (MS4, ditch detention basin)	Stormwater is discharged through dewatering operations from a sump hole in the quarry via hose and discharged to a stormwater ditch that flows south parallel to the site entrance road. No direct discharge outfalls at the site.
BMPs/Stormwater Treatment	Frequent visual inspections, good housekeeping, erosion control, spill prevention and response.
Industrial activities exposed to stormwater	Aggregate stockpiles, mobile crushing plants, and portable fuel storage tanks
Industrial Sector/Sub-sector	J/J2
Type of Operation	Nonmetallic sand and stone excavation/blasting, crushing, and washing
Shifts/Hours/Days of Operations/Shutdowns	During non-winter months 6:00 AM – 5:00 PM, winter months 7:00 AM – 3:00 PM Monday through Friday
Size of Facility	21 acres
Is the SWPPP team present	No
Name of the person engaging with the inspector	Zach Leitner
Type of materials and/or vehicles stored outdoors	Aggregate materials, mobile crushing plants, and portable fuel storage tanks

Location(s)

Location/Area/Sub-area	Description
Outdoor area	The outdoor area consists of aggregate stockpiles within the quarry. Outside the quarry is grass and vegetated areas with a large dirt pile on the northeast side of the site outside the quarry.

SECTION II – OBSERVATIONS

Location: Opening Conference		
Observation #: DN1-OC-001	Date: 04/18/2024	Weather: Intermittent heavy rain and close to 60 degrees Fahrenheit
EPA observed the following, during the opening conference: - Mr. Leitner stated the entire Pearl Quarry property is currently being leased from the Oneida Tribal Nation. Oneida is the owner/lessor and NEA is the lessee for the entire property (reference document number 2020-0006 commercial lease dated March 2, 2020). - Pearl Quarry conducts similar operations as the Hobart Aggregate Site that is owned by NEA. - Mr. Leitner stated there is no direct discharge of stormwater from the quarry into any receiving waters. Stormwater collects in a sump hole on the southeast corner of the quarry and is pumped to the top of the quarry via a pump and hose where the stormwater is discharged into the site's stormwater ditch which ultimately merges with a west to east stormwater ditch that runs parallel with Pearl Street and ultimately discharges to Duck Creek approximately a mile away.		

Location: Outdoor area		
Observation #: DN1-OB-001	Date: 04/18/2024	Weather: Intermittent heavy rain and close to 60 degrees Fahrenheit
EPA observed the following, during the walkthrough of the outdoor area: - On the north side of the site outside the quarry, Mr. Nguyen observed a retention depression filled with water. The depression is contained by a high berm around its perimeter. The depression is not listed in the NEA – Pearl's SWPPP. - Mr. Nguyen observed stormwater pooled in another depression on the north side close to the neighbor's property line per Mr. Leitner. - At the top of the quarry next to the stormwater ditch, Mr. Nguyen observed the dewatering of stormwater discharging from the sump hole to the ditch via the discharge hose. Mr. Leitner stated samples and quarterly assessments are taken from the end of the discharge hose into the ditch. He stated that routine inspections were not being conducted. - Mr. Nguyen observed the stormwater discharged from the hose flowing south parallel to the site entrance road. Mr. Leitner stated the ditch merges with a west to east flowing ditch that collects from other sites and facilities and ultimately to Duck Creek. - No permit coverage sign was observed during the walkthrough. Mr. Leitner stated the facility did not have a coverage sign displayed on the property.		

Photos

1. [DSCN0700.JPG](#)
2. [DSCN0701.JPG](#)
3. [DSCN0702.JPG](#)
4. [DSCN0703.JPG](#)
5. [DSCN0704.JPG](#)
6. [DSCN0705.JPG](#)
7. [DSCN0706.JPG](#)
8. [DSCN0707.JPG](#)
9. [DSCN0708.JPG](#)
10. [DSCN0709.JPG](#)
11. [DSCN0710.JPG](#)
12. [DSCN0711.JPG](#)
13. [DSCN0712.JPG](#)
14. [DSCN0713.JPG](#)
15. [DSCN0714.JPG](#)
16. [DSCN0715.JPG](#)
17. [DSCN0716.JPG](#)
18. [DSCN0717.JPG](#)
19. [DSCN0718.JPG](#)
20. [DSCN0719.JPG](#)
21. [DSCN0720.JPG](#)
22. [DSCN0721.JPG](#)

SECTION III – RECORDS REVIEW

Records may not be in sequential order.

Record: SWPPP		AOC: Yes
Ref #: DN1-RR-001	Reviewed By: Danny Nguyen	Reviewed Date: 04/26/2024
The latest SWPPP (12/19/2022) was reviewed and the following observations were made: • The SWPPP still references Wisconsin state stormwater permit program. The Multi-Sector General Permit (MSGP) is a USEPA program for industrial facilities that fall within Tribal lands. • The SWPPP did not include 'Site Description' meeting all requirements in Section 6.2.2 of the MSGP. • The SWPPP did not include inspection and corrective action procedures meeting requirements in Section 6.2.5.2 of the MSGP.		
Record: Personnel Training		AOC: Yes
Ref #: DN1-RR-002	Reviewed By: Danny Nguyen	Reviewed Date: 04/18/2024
Documentation of employee training as required under the permit was not provided.		
Record: Inspection Reports		AOC: Yes
Ref #: DN1-RR-003	Reviewed By:	Reviewed Date:
Documentation of inspections (routine or quarterly assessments) as required under the permit were not provided. Mr. Leitner stated that routine inspections were not being conducted and quarterly visual assessments were not being conducted since no stormwater is leaving the active operations in the quarry.		

SECTION IV – SAMPLING ACTIVITIES AND ANALYTICAL RESULTS

No sampling was conducted.

SECTION V - AREA OF CONCERN

Areas of Concern may not be in sequential order.

The presentation of Areas of Concern does not constitute a formal compliance determination or violation.

AOC Reference #: DN1-OC-001	Location: Opening Conference
Regulation and/or Permit Requirement	
Section 3.2.1 of the EPA Multi-Sector General Permit (MSGP) requires <i>“The permittee once each quarter for the entire permit coverage, must collect a stormwater sample from each discharge point (except as noted in Part 3.2.4) and conduct a visual assessment of each of these samples”</i> and Section 3.2.2.1 through 3.2.2.5 <i>“must conduct the quarterly visual assessment procedures outlined in Sections 3.2.2.1 through 3.2.2.5 of the samples.”</i> Additionally, Section 3.2.3 of the EPA MSGP requires <i>“The permittee must document the results of the visual assessments with information outlined in Sections 3.2.3.1 through 3.2.3.8 in the MSGP and maintain onsite with the SWPPP.”</i>	
AOC: Quarterly visual assessments are not being conducted and documented as required in the MSGP.	

AOC Reference #: DN1-OB-001	Location: Outdoor area
Regulation and/or Permit Requirement	
Section 1.3.5 of the EPA MSGP requires <i>“The permittee must post a sign or notice of your permit coverage at a safe, publicly accessible location in close proximity to the facility”</i>	
AOC: No sign or notice of permit coverage was observed during the facility walkthrough.	

Regulation and/or Permit Requirement	
AOC Reference #: DN1-RR-001	Record: SWPPP
Regulation and/or Permit Requirement	
Section 6.2.2 of the EPA MSGP requires <i>“The permittee must include in the SWPPP a site description as required in Sections 6.2.2.1 through 6.2.2.3.”</i>	
AOC: The most current SWPPP reviewed did not include site description meeting requirements in Section 6.2.2.	

AOC Reference #: DN1-RR-001	Record: SWPPP
Regulation and/or Permit Requirement	
Section 6.2.5.2 of the EPA MSGP requires <i>“The permittee must document in the SWPPP your procedures for performing, as appropriate, the types of inspections specified by the permit”</i> and Section 6.2.5.3 requires <i>“The permittee must document in the SWPPP procedures for conducting the six types of analytical stormwater discharge monitoring specified by the permit.”</i>	
AOC:	
The SWPPP did not include inspection and corrective action procedures meeting requirements in Section 6.2.5.2.	

AOC Reference #: DN1-RR-002	Records: Training
Regulation and/or Permit Requirement	
Section 2.1.2.8 (a) & (b) of the EPA MSGP requires <i>“The permittee must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to comply with this permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team”</i> and Section 6.2.5.1(e) <i>“The elements of your employee training plan shall include all, but not necessarily limited to, the requirements set forth in Part 2.1.2.8, and also the content of the training, the frequency/schedule of training for employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to meet the conditions of this permit and a log of the dates on which specific employees received training.”</i> Additionally, Part 8, Section 8.J.5.1 of the MSGP for sector specific requirements requires <i>“The permittee must conduct employee training at least annually at active and temporarily inactive sites. (See also Part 2.1.2.8).”</i>	
AOC:	
Documentation of employee training as required under the permit was not provided.	

AOC Reference #: DN1-RR-003	Records: Inspections
Regulation and/or Permit Requirement	
Section 3.1 and 3.1.6 of the EPA Multi-Sector General Permit (MSGP) requires <i>“The permittee must perform routine facility inspections of areas as covered by requirements in the permit”</i> and to <i>“document the findings of the inspections and maintain the reports in the SWPPP.”</i>	
AOC: No documentation on routine inspections was provided.	

SECTION VI – CLOSING CONFERENCE AND FOLLOW UP

Closing Conference

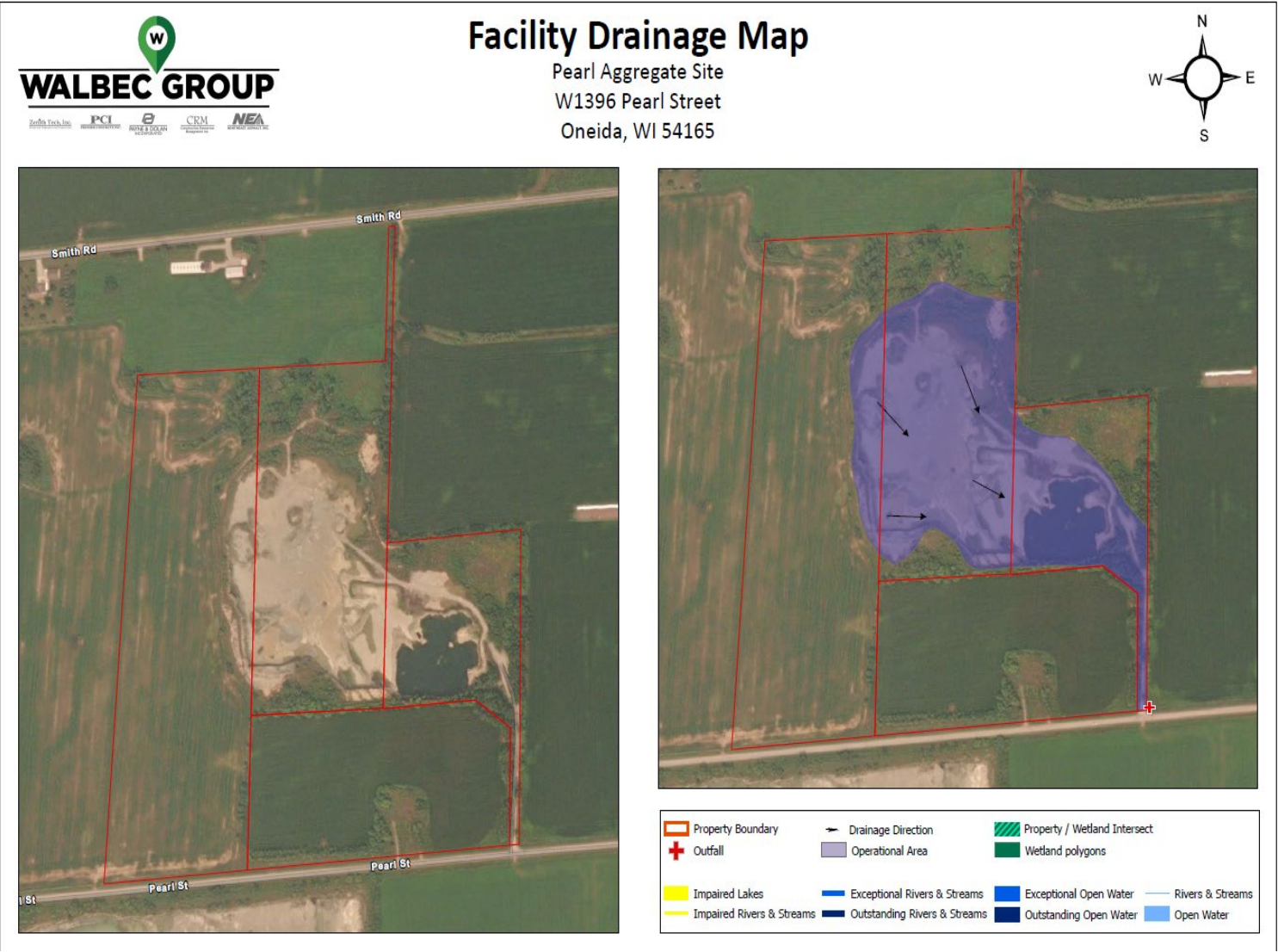
The EPA REGION 5 Inspector held a closing conference with Mr. Leitner at 3:30 PM (CT) on 04/18/2024 for the inspection. During the closing conference, Mr. Nguyen discussed the observations and Area(s) of Concern identified during the inspection. Observations and Area(s) of Concern have not yet been evaluated for a formal compliance determination.

Mr. Leitner did not make a CBI claim. EPA communicated to Mr. Leitner that the inspection report will be emailed to him within 70 days of the day of the inspection.

SECTION VII – LIST OF APPENDICES

- 1. Facility Action Map (from NEA - Pearl’s SWPPP)
- 2. Photo Log
- 3. Document Log

APPENDIX 1: Facility Action Map (from NEA’s SWPPP)



APPENDIX 2: PHOTO LOG



Road Into Quarry			DSCN0700.JPG
04/18/2024 03:04 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor area facing west			44.444175, - 88.179283
Overview of Pearl Quarry			



Inside of Quarry			DSCN0701.JPG
04/18/2024 03:04 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor area in quarry facing southwest			44.518765, - 88.254745
Southeast side in Quarry			



Stormwater Sump Hole			DSCN0702.JPG
04/16/2024 03:05 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor area facing south			44.518618, - 88.254598
Stormwater collection area on southeast corner in quarry			



Stormwater Sump Hole			DSCN0703.JPG
04/18/2024 03:05 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor area facing south			44.518618, - 88.254598
Hose from stormwater sump hole in quarry to discharge area			



Inside of Quarry			DSCN0704.JPG
04/18/2024 03:08 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor area facing northwest			44.518775, - 88.254752
Overview inside of Quarry (northwest side)			



Northside of Quarry			DSCN0705.JPG
04/18/2024 03:10 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor area facing northeast			44.521018, - 88.256548
Dirt pile on north side of quarry			



Stormwater Drainage Ditch			DSCN0706.JPG
04/18/2024 03:12 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing north			44.521048, - 88.256728
Stormwater drainage ditch on north side outside of quarry			



Stormwater Drainage Collection Area			DSCN0707.JPG
04/18/2024 03:14 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing north			44.521612, - 88.257335
Stormwater drainage ditch to collection area north side of quarry			



Stormwater Depression			DSCN0708.JPG
04/18/2024 03:16 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing north			44.521395, - 88.256363
Stormwater collected in depression on north side of quarry (not described in the SWPPP).			



Westside of Quarry			DSCN0709.JPG
04/18/2024 03:20 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing west			44.521205, - 88.25619
Overview of northwest side of quarry			



Westside of Quarry			DSCN0710.JPG
04/16/2024 03:21 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing west			44.519075, - 88.257612
Overview of southwest side of quarry			



Stormwater Hose on Top of Quarry			DSCN0711.JPG
04/18/2024 02:23 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing northeast			44.51812, - 88.254393
Stormwater hose from collection area in quarry up to stormwater ditch			



Stormwater Pump Power Station			DSCN0712.JPG
04/18/2024 03:23 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing west			44.518194, - 88.254218
Stormwater pump power station on top of quarry			



Hose to Stormwater Ditch			DSCN0713.JPG
04/18/2024 03:23 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing south			44.518227, - 88.254253
Stormwater hose from collection area in quarry up to stormwater ditch			



Stormwater Discharge to Ditch			DSCN0714.JPG
04/18/2024 03:23 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing northeast			44.518125, - 88.254277
Stormwater hose from collection area in quarry discharging to stormwater ditch			



Stormwater Ditch Flowing South			DSCN0715.JPG
04/18/2024 03:24 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing south			44.518078, - 88.254292
Stormwater ditch flowing south parallel to site entrance road			



Quarry Overview from Top			DSCN0716.JPG
04/18/2024 03:25 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing north			44.518187, - 88.254228
Overview of Pearl Quarry from top			



Pearl Quarry Entrance			DSCN0717.JPG
04/18/2024 03:25 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing east			44.51812, - 88.254393
Entrance to Pearl Quarry next to stormwater discharge to ditch at top of quarry			



Stormwater Ditch			DSCN0718.JPG
04/18/2024 03:30 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing north			44.51692, - 88.253818
Stormwater flow along ditch out of quarry entrance and parallel to road entrance (on leased property).			



Stormwater Ditch			DSCN0719.JPG
04/18/2024 03:30 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing south			44.516743, - 88.253758
Stormwater flowing along ditch south towards merge with Pearl Street west-east stormwater ditch (on leased property up to Pearl Road and east west ditch)			



Stormwater Ditch to Pearl Street Culver			DSCN0720.JPG
04/18/2024 03:31 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing northeast			44.516457, - 88.25386
Stormwater flow from Pearl Quarry merging with Pearl Street west-east stormwater ditch/culvert			



Pearl Street Stormwater Ditch			DSCN0721.JPG
04/18/2024 03:31 PM	No CBI	No PII	Photographer: Danny Nguyen
Outdoor Area facing east			44.516467, - 88.253602
Stormwater flow under Pearl Quarry Entrance Road culvert flowing east merging with stormwater from other properties. Ultimately flows to Duck Creek approximately 1 mile away (not on leased property).			

APPENDIX 2: DOCUMENT LOG

Document Type	Document Name	Contains CBI	Contains PII	Sent/Uploaded By	Date Received
Email Attachment	Pearl Quarry SWPPP.pdf	No	No	Zach Leitner	04/17/2024