



United States Environmental Protection Agency, Region 2
Caribbean Environmental Protection Division
Multimedia Permits and Compliance Branch

**NPDES Stormwater Inspection
Industrial Facility**

Operator

R&F ASPHALT UNLIMITED, INC.
P.O. Box 801028, Ponce, Puerto Rico 00780
Telephone Numbers: (787) 848-1210 / (787) 848-1212

Facility

ASPHALT CEMENT MANUFACTURING FACILITY
PR-14 Road, Km. 9.6, Coto Laurel Ward
Ponce, Puerto Rico 00780
Coordinates: 18.050906° N; 66.543734° W
Telephone Number: (787) 376-3923

Statute / Regulations

Sections 301(a), 308(b), and 402(p) of the Clean Water Act

NPDES Regulations: 40 C.F.R. Part 122

NPDES ID Number: PRR05J02K

Inspection Date: February 25, 2025

Participating Personnel:

U.S. EPA:

Arturo Arzón
Environmental Engineer

Jorge Canellas
Student Intern

R&F ASPHALT UNLIMITED, INC:

Billy J. González
Plant Operator

Juan R. Robles
Plant Manager

Inspection Report
Prepared by:

**ARTURO
ARZON**

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Arturo Arzón
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Date

Inspection Report
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**JOSE
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José A. Rivera
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Date

1. INTRODUCTION

This Inspection Report includes findings and observations concerning the National Pollutant Discharge Elimination System (“NPDES”) Stormwater Inspection (the “Inspection”) performed by Arturo Arzón (the “EPA Inspector”), Environmental Engineer, of the U.S. Environmental Protection Agency’s (“EPA” or the “Agency”) Caribbean Environmental Protection Division (“CEPD”), at the R&F Asphalt Unlimited, Inc. (“R&F”) asphalt cement manufacturing facility (the “Facility”) on February 25, 2025.¹ The purpose of the Inspection was to evaluate compliance with the 2021 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (“2021 MSGP” or the “Permit”).

The EPA Inspector performed the Inspection under the authority of Section 308(b) of the Federal Water Pollution Control Act (“CWA” or the “Act”), as amended. The Inspection consisted of an entry meeting to discuss the purpose of the Inspection, a limited document review to assess maintenance of a records management system in compliance with the Permit, a walkthrough of the Facility, and a closing meeting to discuss findings and areas of concern.

2. PARTICIPANTS

The following officials represented R&F during the Inspection:

Billy J. González, Plant Operator
Tel: (787) 376-3923
Email: bgonzalez@empresasrobles.com

Juan R. Robles, Plant Manager
Tel: (787) 376-3923
Email: jrobles@empresasrobles.com

3. GENERAL INFORMATION ABOUT THE OPERATOR

R&F Asphalt Unlimited, Inc. is a for-profit corporation organized under the laws of the Commonwealth of Puerto Rico. R&F was established on February 18, 1997. R&F is registered with the Puerto Rico Department of State under registration number 96988 (Source: www.estado.gobierno.pr). R&F is a corporation and, as such, meets the definition of a “person” pursuant to Section 502(5) of the CWA. The president and Resident Agent of R&F is Mr. Raúl Robles.

R&F is primarily engaged with the sale of bitumen and manufacturing of asphalt concrete in Puerto Rico.

¹ Jorge Canellas, an EPA Student Trainee, accompanied the EPA Inspector.

3. FACILITY DESCRIPTION

The Facility is located at PR-14 Road, Km. 9.6, Coto Laure Ward, Ponce, Puerto Rico (the “Site”). **Image 1** (below) shows an aerial image of the Site.



Image 1: Aerial image of the Site (Source: Google Earth Pro™, 2024).

The primary Standard Industrial Classification (“SIC”) Code that best describes the industrial activities performed at the Facility is 2951, which is defined as Asphalt Paving and Roofing Materials. The NPDES regulations at 40 C.F.R. §122.26(b)(14)(ii) include storm water discharges from industrial activities engaged in asphalt paving and roofing materials. Facilities identified under SIC Code 2951 are also subject to requirements and conditions described in Sector D, Subsector D1, of the 2021 MSGP.

The Facility produces asphalt concrete generally used for pavement. Asphalt concrete is a mixture of bitumen, aggregate materials, and air voids. The manufacturing of asphalt concrete at the Facility is performed in four stages:

- a. **Loading and Containment:** Aggregate is loaded and contained for processing.
- b. **Screening:** The aggregate is transported via a conveyor belt to the scalper screens.

- c. **Drying and Mixing:** The aggregate is dried and mixed with Bitumen in the dryer, producing the asphalt concrete.
- d. **Storage:** The produced asphalt concrete is stored in silos.

The Facility is composed of the following areas: asphalt cement processing plant, aggregates storage area, recycled asphalt concrete storage area, parking lot, mechanical shop, storage area, operations room, administrative offices, and asphalt testing laboratories.

At the Facility, stormwater is managed using a drainage system consisting of concrete channels and surface flow that direct stormwater runoff to four drainage grates. These grates convey the stormwater into a stormwater catch basin where it is mixed. After mixing, the stormwater is discharged into a detention pond. Storm water collected in the detention pond is then reutilized in the facility for asphalt processing. To maintain a constant water level, the detention pond utilizes an extraction pump system that draws water from the Inabón River (the “River”).

4. DESCRIPTION OF THE BODY OF WATER WITHIN SITE ACTION AREA

The Inabón River is the nearby surface water near the south boundary of the Site. The River is classified as a SD water in the Puerto Rico Water Quality Standards Regulation (“PRWQSR”) promulgated by the Puerto Rico Department of Natural and Environmental Resources (“DNER”) on November 23, 2022. **Image 2** (below) shows an aerial image of the Facility and the River location within the Facility action area.



Image 2: Shows the body of water within the Facility Action Area (Source: Google Earth Pro™, dated, 2024).

4. NPDES PERMITTING

NPDES Stormwater Permit Application Regulations

Pursuant to the NPDES stormwater permit application regulations in 40 C.F.R. § 122.26, the activities at the Facility meet the definition of industrial activity. The industrial activity definition at 40 C.F.R. §§ 122.26(b)(14)(ii)

NPDES Permitting for the Site

On January 15, 2021, the EPA issued the 2021 MSGP. The 2021 MSGP became effective on March 1, 2021. The 2021 MSGP was modified on June 12, 2023. The 2021 MSGP expires on February 28, 2026. As stated hereinabove, Parts 8.D of the 2021 MSGP include additional requirements for asphalt paving and roofing materials and lubricant manufacturing facilities

On February 24, 2025, the EPA Inspector conducted a review of the EPA NOI database found at <https://permitsearch.epa.gov/epermit-search/ui/search>, and found among other things, the following:

- a. Mr. Moises Estrada signed and submitted an electronic NOI (“eNOI”) form to EPA on September 1, 2021, seeking coverage under the 2021 MSGP for the Facility.²
- b. The operator of the Facility named in the eNOI is Juan R. Robles.
- c. The facility name in the eNOI is R&F Asphalt Unlimited, Inc.
- d. The discharge information provided in the NOI identified four discharge points, namely:
 - 1) Outfall 001 described as 001-RF Inlet to Detention Pond.
 - 2) Outfall 002 described as 002-RF Inlet to Detention Pond.
 - 3) Outfall 003 as 002-RF Detention Pond.
 - 4) Outfall 004 as 004-RF Headwall to Detention Pond.
- e. The Detention Pond was identified as the receiving water for each of the four outfalls.
- f. On October 31, 2021, EPA granted Juan R. Robles coverage under the 2021 MSGP for the Facility under NPDES ID Number PRR05J02K.

² The EPA Inspector learned during the Inspection that Mr. Estrada is no longer employed at the Facility.

5. PRE-INSPECTION ACTIVITIES

The EPA Inspector sent an email to a R&F official on Monday, February 24, 2024, providing notice of the Inspection. The EPA Inspector discussed Inspection's logistics and NPDES permitting for the Facility, and reviewed public-available aerial images of the Facility.

6. ENTRY MEETING

The EPA Inspector Arzón and Mr. Canellas arrived at the Facility on or about 10:00 a.m. and were greeted by R&F representatives in the parking lot. Upon arriving at the Facility Administrative Offices, where the entry meeting was set to take place, the EPA Inspector presented his credentials. The Inspection commenced at 10:15 a.m., with an entry meeting where the EPA Inspector met with Billy J. González (the "R&F Representative" or "Mr. González"). The purpose of the Entry Meeting was to explain the Inspection's objective, which was to evaluate compliance with the Permit.

7. DOCUMENT REVIEW

After the Entry Meeting, the EPA Inspector requested specific records from the R&F Representative related to monitoring, implementation of programs, and activities to comply with the requirements of the Permit. The following summarizes the limited review of the records reviewed:

- a. Mr. González presented a copy of the Storm Water Pollution Prevention Plan ("SWPPP") prepared for the Facility. The EPA Inspector performed a limited reviewed of the SWPPP and found that it did not have a date or an official signature.
- b. Mr. González presented copies of documents for Routine Facility Inspections dated 03/15/2024, 06/20/2024, 09/15/2024, and 12/07/2024. The EPA Inspector reviewed such documents and found that the Assessments were conducted by Mr. González. The EPA Inspector inquired about Mr. Gonzalez qualifications to perform the assessments, but no proof of training was provided to corroborate that Mr. González meets "qualified personnel" requirements in Part 3.1.1 of the Permit.

It is noted that the R&F Representative did not provide the following records for on-site review:

- c. Quarterly Visual Assessment of Stormwater Discharges
- d. Rain Gage Logs
- e. Polycyclic Aromatic Hydrocarbons Indicator Monitoring
- f. Annual Reports

- g. Sector-Specific Benchmark Monitoring
- h. Corrective Action Reports
- i. Employee Training Documentation

8. FIELD ACTIVITIES

Upon completion of the Entry Meeting, the EPA Inspector, Mr. Canellas, Mr. Gonzales and Mr. Robles conducted a walkthrough of the Site between 11:00 a.m. and 1:00 p.m. The EPA Inspector took pictures using an EPA-owned Canon EOS Rebel T7 digital camera. All pictures taken by the EPA Inspector were unaltered transferred to the EPA Inspector's EPA-owned laptop at F:\R&FAsphalt\Pictures inspection file. Please refer to Attachment 1 of this Inspection Report for the photo-documentation of the Facility walkthrough, which includes additional findings and observations.

The following observations and findings were made during the walkthrough and interviews:

- a. The Facility's stormwater collection and conveyance system has four storm sewer drain inlets. These stormwater from the inlets is mixed before being discharged into the detention pond. The stormwater runoff collected in the detention pond is used at the Facility for asphalt cement manufacturing processing. Refer to Pictures 1 through 7 in Attachment 1 for pictures depicting appurtenances of the stormwater runoff collection and conveyance system.
- b. The EPA inspector observed that storm sewer drain inlets lacked protection measures. Refer to Pictures 1 through 5, 11, 15 and 16 in Attachment 1 for pictures of the inlets lacking protection measures.
- c. Within the Facility's action area, a body of water, the Inabón River was observed. Refer to Picture 8 in Attachment 1 for a picture of the Inabón River.
- d. Raw materials for asphalt cement manufacturing were observed stored in a covered and locked shed. However, even though the shed was raised from the ground, it lacked secondary containment structure. Refer to Picture 9 of Attachment 1.
- e. Drums were scattered throughout the Facility without proper secondary containment. Refer to Picture 10 in Attachment 1.
- f. Spill response materials were located at a neighboring facility owned by R&F. However, spill containment devices were not readily available near potential spill areas.

- g. Trash was observed scattered throughout the Site. A buildup of plastic bottles was found inside a storm sewer drain located in the aggregate storage area. Refer to Picture 11 in Attachment 1.
- h. Storage areas were observed with excessive amounts of trash, unused drums, containers, and machinery parts. No organized housekeeping measures were evident in these areas.
- i. No erosion control measures were observed in place at the Site. The only sediment control measure seen was a damaged silt fence. Refer to Picture 12 in Attachment 1.
- j. An asphalt spill was observed at the Facility. The spill occurred while a Facility personnel was filling a wheelbarrow with asphalt, causing asphalt to spill onto the ground. This practice took place in front of the laboratory offices, and spill containment structures were in place. No organized housekeeping measures were evident in these areas. However, after the concern was raised, the Facility personnel were observed cleaning the spill. Refer to Picture 5 of Attachment 1.
- k. An oil spill was observed entering a stormwater catch basin in the vehicle washing area. Upon notification by the EPA inspector, facility staff implemented corrective measures, utilizing spill containment and cleanup devices to remove the remaining oil. Refer to Pictures 14 through 16 for pictures of the oil spill and implemented corrective measures.
- l. Catch basins were observed with heavy sediment build-up.
- m. No signs or marking of stormwater outfalls were observed at the Facility.
- n. A sign or other notice of Permit coverage was not observed.³
- o. Based on observations made during the Facility walkthrough, the SWPPP has not been updated and/or modified.

Upon completing the walkthrough, the EPA Inspector and Mr. Canellas returned to the Administrative Offices and proceeded to conduct the Closing Meeting.

³ See, Part 1.3.5 of the Permit.

9. CLOSING MEETING

The EPA Inspector conducted an exit meeting from 1:00 p.m. to 1:30 p.m. Mr. González and Mr. Juan R. Robles represented R&F. The EPA Inspector highlighted his findings and areas of concern, which are summarized below:

- Raw materials for asphalt production were observed stored in a covered and locked shed. However, even though the shed was raised from the ground, it lacked a dike or any spill containment structure to prevent contamination.
- Drums and oil containers were scattered throughout the Facility without proper secondary containment structures.
- Spill response materials were located at a neighboring facility owned by the same company. However, spill containment devices were not readily available near potential spill areas.
- Trash was observed scattered throughout the Site. A buildup of plastic bottles was found in the drainage grate located in the aggregate storage area.
- Storage areas were observed with excessive amounts of trash, unused drums, containers, and machinery parts. No organized housekeeping measures were evident in these areas.
- No erosion control measures were observed in place at the Facility. The only sediment control measure seen was a damaged silt fence.
- Stormwater runoff was not properly managed through berms, swales, or containment structures. No berms, swales, or containment areas were observed during the Inspection.
- No signs marking stormwater outfalls were observed at the Facility.
- No NPDES permit sign was posted at the facility entrance.
- Stormwater containing oil spill was observed flowing into a storm sewer drain inlet located near the vehicle washing area.
- Storm sewer drain inlets lacking protection measures.
- The certifier of the eNOI is no longer employed at the Facility, raising compliance concerns on the implementation of required Permit conditions and requirements.

Upon conclusion of the Closing Conference, the Inspection concluded, and the EPA personnel left the premises.

End of Report

Attachment 1: Photo-Documentation

Attachment 1: Photo-Documentation

R&F Asphalt Unlimited, Inc.

NPDES ID Number: PRR1000K2

NPDES Stormwater Inspection Report



Picture 1 shows concrete swale that conveys stormwater runoff into the storm sewer drain inlet located near the mechanical shop. This drainage system collects stormwater runoff flowing from the asphalt cement processing plant. The inlet (depicted by the red circle) can be seen in the background. No inlet protection was observed. The blue arrows depict the flow path of the stormwater runoff.



Picture 2 shows the asphalt cement processing plant and stormwater runoff flowing towards the storm sewer drain inlet shown in the previous picture. The blue arrows depict the flow path of stormwater runoff.



Picture 3 shows the aggregate bin feed system and a drainage grate. A tote for water storage is also visible in the picture. The holding tank was empty at the time. Unused equipment parts can also be seen. The blue arrow depicts the flow path of storm water. No inlet protection measure was observed for the storm sewer drain inlet. Also, the picture shows an aggregate spill from the bin loading machine (indicated by the red arrows).



Picture 4 shows a storm sewer drain inlet (depicted by the red circle) located in the asphalt cement processing plant area. The inlet did not have inlet protection measure. A significant amount of sediment is visible around the inlet and in the stormwater runoff path. The blue arrows depict the flow path of stormwater runoff.



Picture 5 shows two storm sewer drain inlets next to each other without inlet protection measure and accumulated trash in the top of one of the inlet grates.



Picture 6 shows the detention pond. The picture also shows a floating device where two pipes are connected (indicated by the red arrow). There is a pump at the Inabón River that when turn-on, conveys river water into the detention pond. This system is no longer in use.



Picture 7 shows stormwater being discharged into the detention pond (indicated by the red arrow). The picture also shows water from the Inabón River being discharged into the pond (indicated by the yellow arrow).



Picture 8 shows a segment of the Inabón River near the Site.



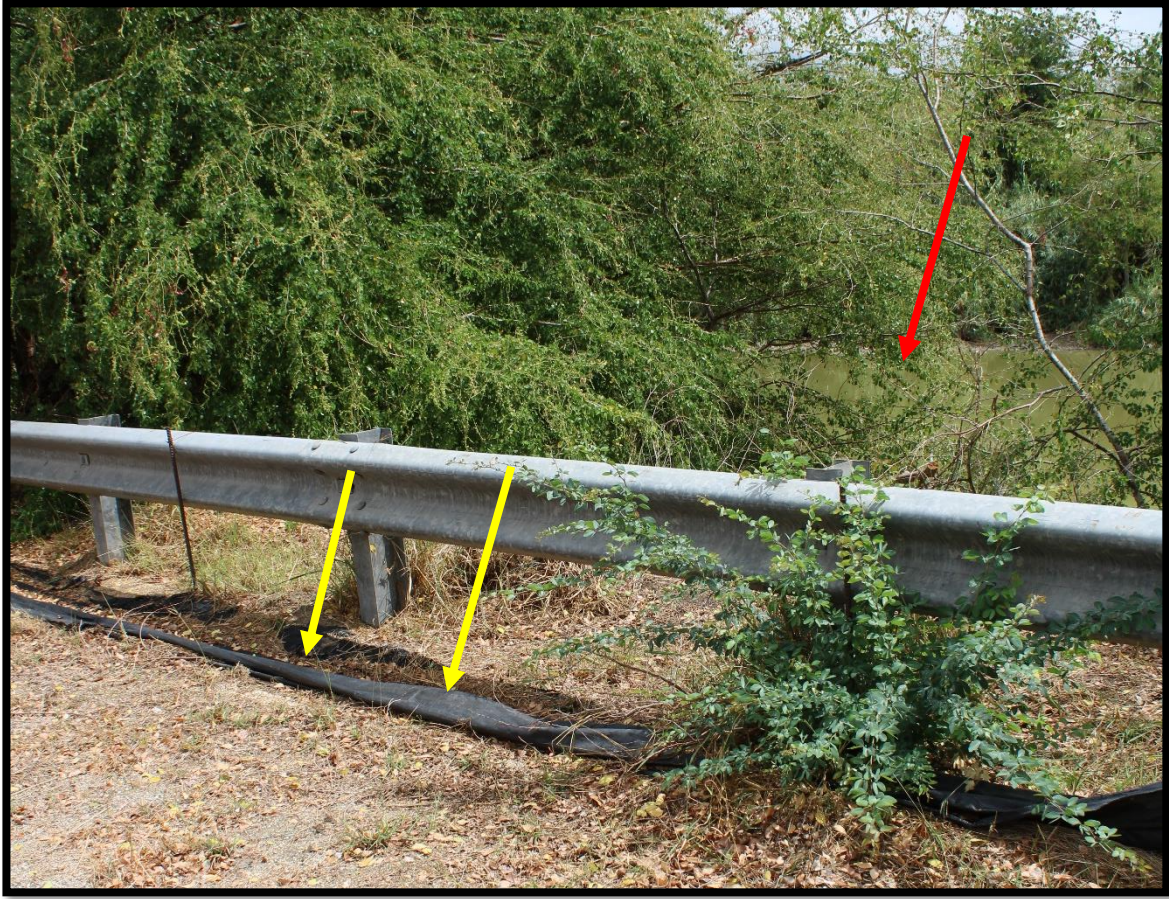
Picture 9 shows raw materials for asphalt production being stored in a covered and locked shed but lacking secondary spill containment structure.



Picture 10 shows two 55-gallon metal drums exposed to rain and lacking secondary spill containment.



Picture 11 shows a buildup of plastic bottles found inside a storm drain inlet located in the aggregate storage area. The accumulated water is turbid and had a light brown color. The inlet lacked protection.



Picture 12 shows a collapsed silt fence (indicated by the yellow arrow). The detention pond can be seen in the background (indicated by the red arrow)



Picture 13 shows an asphalt concrete spill (yellow arrow). No organized housekeeping measures were evident in these areas.



Picture 14 shows an oil spill (indicated by the red arrow) that reached the vehicle washing area. The water in the washing area had oil and was observed flowing into a concrete drainage. The blue arrows indicate the flow path of stormwater runoff into the washing area. Also, they show the flow path into the concrete drainage.



Picture 15 shows the corrective measure implemented by the facility staff at the washing area.



Picture 16 shows the storm sewer drain inlet located in the vehicle washing area. The inlet lacked a protection measure. Also, water containing oil was observed flowing the washing area into the inlet (indicated by the red arrow).