

REPORT OF COMPLIANCE EVALUATION INSPECTION

AT

**Cooley Pumping, LLC
101 Railroad Street
Morrison, IA 50657**

FRS No.: IAU001329

BY

**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION**

ON

August 7, 2024

INTRODUCTION

At the request of the Enforcement and Compliance Assurance Division, Water Branch, I conducted a Compliance Evaluation Inspection at Cooley Pumping, LLC on August 7, 2024. The inspection was conducted under the authority of Section 308 of the Clean Water Act (as amended) and in accordance with EPA Region 7 Standard Operating Procedures. This narrative report and attachments present the results of the inspection.

PARTICIPANTS

Cooley Pumping, LLC

Paul Cooley, Owner/President, 417-844-3394, paul@cooleypumping.com

Deb Cooley, Owner, 417-844-3394, deb@cooleypumping.com

U.S. Environmental Protection Agency (EPA), Region 7

Brian D'Alfonso, Biologist, 913-551-5095, dalfonso.brian@epa.gov

INSPECTION PROCEDURES

Facility personnel were not notified prior to the inspection. I arrived at the facility unannounced on the morning of August 7, 2024. I introduced myself and presented my credentials to Mrs. Cooley. After introductions, I explained the purpose of my inspection. Mr. Cooley arrived and joined the inspection during my entrance meeting and discussion of facility operations with Mrs. Cooley. I then conducted a walk-through of the facility's process areas and around the exterior of the facility. Thirty-eight photos were taken during my inspection (attachment 1). An exit briefing was conducted with Mr. and Mrs. Cooley directly after the inspection, and I explained my observations and findings.

FACILITY DESCRIPTION

Cooley pumping is a septic management business that includes porta john rentals and cleanouts, septic system pumping, drain line cleaning and a roll-off container business managed at a different location. The facility consists of multiple storage building where porta johns are stored under roof and facility trucks and equipment are stored. There is also a porta john washout area where porta johns are cleaned out and prepared for future rental.

The facility's potable water is all purchased from the rural water public water supply.

FINDINGS AND OBSERVATIONS

1. Permit: The facility does not have a National Pollution Discharge Elimination System (NPDES) Permit.

2. Facility Operations: The facility is open Monday through Friday, 7:00 a.m. to 6:00 p.m. and has approximately 25 employees. The business was started in 1993 and covers approximately three acres.

3. Waste Water Generation: According to Mr. Cooley, the facility manages approximately 2000 porta johns that are rented to customers for use during events and for the detasseling season. Porta johns are pumped out and cleaned at the site of use during the rental period as part of the service. Once the customer is finished with the unit, Mr. Cooley explained that the units are pumped out at the site of use prior to being brought back to the facility. Units are then lined up in the porta john wash area (photos, 15, 17, 23, 27) where they are power washed inside and outside with hot water. Mr. Cooley stated that no soaps or chemicals are used for power washing. The inside of the units are cleaned with a spray device called a "Gamma-Jet" (photo 16) that is locked inside the unit and turned on with the door shut. All wastewater that is collected inside of the porta john during this process is pumped out. Once the units are cleaned, they are wiped down by hand and stored under roof in one of the facility's storage buildings.

According to Mr. Cooley, all wastewater that is collected from porta john cleaning, off-site and on-site, is then pumped into a 20,000-gallon concrete storage tank (photo 18) buried to the west of the porta john wash area. The waste is pumped into the tank through a bar screen (photos 18-20) to separate any solids. Solids are collected and disposed of at a landfill. As needed, wastewater is pumped out of the concrete tank in a larger pumper truck and hauled to one of two wastewater treatment facilities (WWTF) in Grundy Center, IA or Reinbeck, IA. All wastewater generated from washing the external portion of the porta johns and wastewater that flows out of the floor area of the porta johns, flows to a trench drain in the concrete area (photo 15, 23, 27), then through buried piping to a "mud-pit" (photos 14 & 15). Wastewater then flows through buried piping to a small un-named tributary of Black Hawk Creek (photo 35-38). When I observed the outfall where the "mud-pit" drains to, I observed a small amount of solids stuck in the end of the pipe (photo 21) and slightly greyish colored water in the creek (photo 22). Mr. Cooley explained that there was a rodent screen in the end of the pipe and the solids were caught in the screen. I explained to Mr. Cooley that this wastewater would be considered process wastewater and may require a NPDES discharge permit. I then explained that the facility would need to work with Iowa Department of Natural Resources (IDNR) to determine if a permit was required. I noted this as item #1 on the Notice of Preliminary Findings that I provided to the facility via email on September 6, 2024.

All sanitary wastewaters from the office area of the facility goes to the Reinbeck WWTF according to Mr. and Mrs. Cooley.

4. Wastewater Treatment: There were no wastewater treatment processes being conducted at the facility at the time of my inspection. Wastewater being discharged to the creek is not treated prior to being discharged.

5. Storm Water: During my inspection, I conducted a walkthrough of the entire facility, including the exterior areas to observe the facility stormwater management practices. Attachment 2 is an aerial map showing the estimated stormwater flows as I observed at the time of my inspection. There were no stormwater flows during my inspection. The facility's stormwater from their building roofs and from the porta john washout area is conveyed by underground piping to one of three "mud-pits" (photos 12, 14, 15 & 17). Stormwater from the north and central "mud-pits" is then conveyed by underground piping approximately 700 feet north and discharges into Black Hawk Creek (photo 35-38). The area around the outfall was well vegetated and did not show any signs of erosion from the stormwater outlet. The rest of the roof stormwater is conveyed by buried piping from the west "mud pit" to an unnamed tributary of the Black Hawk Creek on the west side of the facility (photos 21 & 22). This is the same "mud pit" and outfall where porta john wastewater flows.

Surface area stormwater sheet flows off of the property. Stormwater from the north and east sides of the facility mostly flows to the north, with a small portion flowing to the east. Stormwater from the south side of the facility breaks roughly in the middle of the facility and flows to the east and west. Stormwater from the west side of the facility mostly flows to the west. Stormwater from roofs is conveyed by buried piping from the north and central "mud-pits" approximately 700 feet north and discharges into Black Hawk Creek (photo 35-38). The area around the outfall was well vegetated and did not show any signs of erosion from the stormwater outlet. The rest of the roof stormwater is conveyed by buried piping from the west "mud-pits" to an unnamed tributary of the Black Hawk Creek on the west side of the facility (photo 21 & 22). Snow melt from inside the storage buildings also flows to the "mud pits" prior to discharging at one of the two outfalls (photos 10, 11, 24, 28).

The area on the east side of the property along the neighboring fence line was planted to well established grass and showed no signs of erosion (photos 1, 5, 7, 33 & 35). Mr. Cooley explained that they had built a lean to on the back side of the northeast storage building approximately one year prior to my inspection. He explained that during the time of construction, the area behind the storage building and bordering the neighboring property, was disturbed and the roof drains from the building had drained to the surface of the ground. After the lean to was built, Mr. Cooley explained that he buried piping from the roof drains to the underground stormwater piping to direct as much stormwater as possible away from the neighboring property. He then established a grass area to keep erosion down. During my inspection, the roof drains were piped underground, and the area was well established grass with no erosion.

During the discussion about the area along the neighboring fence line, Mr. Cooley also explained that earlier in the spring, the area had been hit with very heavy rains leading to flooding in the area and caused more stormwater runoff than normal.

At the time of my inspection, the facility was currently building another new storage building on the

southeast end of the property (photos 2 & 3). Mr. Cooley stated that this area was being tied into the stormwater drain system and stormwater would be directed off-site as with other areas. At the time of inspection, it appeared that stormwater flows from the new building area would flow generally to the east.

While walking around the facility, I observed the facility had two fuel storage tanks (photos 4 & 29). According to Mr. Cooley, there is one 10,500-gallon tank used for storage of diesel fuel and one 1,000-gallon tank used for storage of gasoline. Mr. Cooley explained to me that he had spoken with the fire marshal and did not believe he was required to have a spill prevention control and countermeasure (SPCC) plan because the tanks were double walled. I explained to Mr. Cooley that most facilities with fuel storage over 1320-gallons on-site, regardless of the tank construction, requires the facility to have a SPCC plan. After the inspection, I spoke with Mark Aaron, EPA Region 7 SPCC inspector, and confirmed that the facility would be required to develop a SPCC plan. This was noted as item #2 on the NOPF that was provided to the facility after the inspection.

6. Mud Pits: As discussed in other areas of the report, the facility has three buried concrete tanks on-site that Mr. Cooley referred to as “mud pits” (photos 12,14, 15 & 17). From my observations, the “mud pits” were buried tanks with PVC piping that allowed the tanks to discharge from the top to help settle out “mud”, or solids. Mr. Cooley did not state how large the tanks were. The north tank and central tank (attachment 2) both discharge to Black Hawk Creek approximately 700 feet north (photos 35-38), while the east tank discharges to a small un-named tributary of Black Hawk Creek on the east edge of the facility (photos 21 & 22). Mr. Cooley then explained that any solids collected in the mud pits are pumped out and disposed of with the porta john wastewater.

7. Summary: During the exit meeting on August 7, 2024, discussed my observations from the inspection with Mr. and Mrs. Cooley. On September 6, 2024, I sent the facility a NOPF with the following findings:

- 1) Work with IDNR to determine if facility requires a NPDES permit.
- 2) Facility must develop a Spill Prevention Control and Countermeasure. Contact Mark Aaron, EPA, for guidance at 913-551-7205.

On September 18, 2024, I received a signed copy of the NOPF back from Mrs. Cooley (attachment 3).

**BRIAN
D'ALFONSO**
Brian D'Alfonso
Life Scientist

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D'ALFONSO
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**JOSEPH
HEAFNER**
Joseph Heafner
Acting Section Manager, WB/DWIS

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Attachments:

1. Digital Photographs with Photo Log (42 pages)
2. Site Aerial Map (1 page)
3. September 6, 2024, Notice of Preliminary Findings (1 pages)