



REGION 10

SEATTLE, WA 98101

RETURN RECEIPT REQUESTED

Mr. Mike McBreen
Vice President
CRH Americas Materials, Inc.
P.O. Box 3366
Spokane, Washington 99220

Re: **NOTICE OF VIOLATION**
Interstate Concrete and Asphalt Richland and Prosser Facilities
NPDES Permit Numbers WAG505182 and WAG507221

Dear Mr. McBreen:

The U.S. Environmental Protection Agency (EPA) appreciates your time and cooperation during EPA's February 16, 2023, Clean Water Act (CWA) inspection of the Interstate Concrete and Asphalt Richland Facility ("Richland Facility") and Interstate Concrete and Asphalt Prosser Facility ("Prosser Facility"). EPA inspected the Facility and reviewed administrative files to assess the Facility's compliance with the requirements of the National Pollutant Discharge Elimination System (NPDES) and Washington State Department of Ecology's Sand and Gravel General Permit ("Permit").

The Richland Facility is permitted to discharge under the Permit WAG505182, and the Prosser Facility is permitted to discharge under the Permit WAG507221. Both Permits became effective on April 2, 2021, and will expire on March 31, 2026.

The purpose of this letter is to notify you of violations EPA has identified following the inspection and file review.

1. Section S5.D.2.a of the Permit requires that the site map in the Site Management Plan (SMP) "[a]ssign a unique identifier up to four characters (e.g. S001, S002, etc.) to each outfall and monitoring point. The Permittee must use these identifiers on Discharge Monitoring Reports (DMRs)."

Upon file review, EPA found that both the Richland Facility and the Prosser Facility do not consistently label their outfalls and monitoring points on their site maps.

The Richland SMP, dated October 15, 2018, identifies two monitoring points labeled "SW1" and "SW2", and does not include a discharge point or outfall. The Notice of Intent (NOI) renewal

application, dated September 29, 2020, lists four monitoring points, labeled “MP2” – “MP5”, and a single outfall, labeled “001”. However, the Richland site map (titled “2018 S&G Stormwater Map”) shows four monitoring points, labeled “MP1” – “MP4”, and no discharge points. Failure to consistently identify each outfall and monitoring point on the Richland site map is in violation of Section S5.D.2.a of the Permit.

Additionally, the Prosser SMP, dated October 15, 2018, identifies a single monitoring location labeled “MP1”, and does not include a discharge point or outfall. The NOI renewal application, dated September 29, 2020, shows one monitoring point, labeled “MP1”, and includes a discharge point/outfall, identified as G001. However, the Prosser site map (titled “2020 September Stormwater Map”) shows two stormwater monitoring points, labeled “MP#1” and “MP#2”, and does not show an outfall point. Failure to consistently identify each outfall and monitoring point on the Prosser site map is in violation of Section S5.D.2.a of the Permit.

2. Section S5.D.2.b of the Permit requires that the SMP site map show the drainage area for each monitoring point.

Upon file review, EPA found that neither the Richland nor the Prosser site maps show the drainage area for each monitoring point. Failures to show the drainage area for each point for both the Richland and Prosser facilities are violations of S5.D.2.b of the Permit.

3. Section S5.D.2.d of the Permit requires that the SMP site map label whether the discharge is to surface water or groundwater.

Upon file review, EPA found that neither the Richland nor the Prosser site maps label if stormwater discharges to surface water or groundwater. Failures to label whether the stormwater discharges to surface water or groundwater are violations of Section S5.D.2.d of the Permit.

Interstate Concrete and Asphalt is requested to respond, in writing, to the findings stated above **within 30 days of receipt of this letter**. Your response should include the causes of the violations and the measures taken to address the current violations and prevent future violations. The request for information in this letter is made under the authority of Section 308 of the CWA, 33 U.S.C. § 1318. In accordance with the provisions of 40 C.F.R. § 2.203(b), you may assert a business confidentiality claim covering part or all the information submitted by clearly identifying it as “confidential.” If no such claim accompanies the information when it is received by the EPA, it may be made available to the public without further notice.

Please send your response letter via email to:

Emily Siangkam
Compliance Officer
U.S. Environmental Protection Agency
Siangkam.Emily@EPA.gov

Although our goal is to ensure NPDES facilities and projects comply fully with their permits, the ultimate responsibility rests with the permittee. I strongly encourage you to continue your efforts to maintain full knowledge of permit requirements, other appropriate statutes and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

If you have any questions concerning this matter, please do not hesitate to contact Emily Siangkam, of my staff, at Siangkam.Emily@EPA.gov or (206) 553-2964.

Sincerely,

Jeff KenKnight, Manager
Water Enforcement and Field Branch
Enforcement and Compliance Assurance Division

cc: Ms. Jana McDonald
Environmental Manager, CRH Americas Materials, Inc.

Mr. Vincent McGowan
Water Quality Program Manager, Washington Department of Ecology

Mr. Damon Roberts
Water Quality Section Manager, Central Region, Washington Department of Ecology