



NPDES Compliance Inspection Report

**Wilbur-Ellis Company
Woodburn, Oregon**

Permit #: ORR237045

Inspection Date: December 15, 2021

Prepared by:

Raymond Andrews
U.S. Environmental Protection Agency, Region 10
Enforcement & Compliance Assurance Division
Water Enforcement & Field Branch
Field, Data & Drinking Water Enforcement Section

Signature/Date:

Supervisor Signature/Date:

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ATTACHMENT A – Aerial Image and Facility Site Maps

ATTACHMENT B – Inspection Photographs and Photograph Log

(All details in this report were obtained through conversations with Mr. Aaron Bochsler, Operations Manager, Ms. Jesse Kirkpatrick, EHS Contractor, and Ms. Connie LaTour, EHSS Regional Support Manager, from a review of records, or from observations made during the inspection.)

I. Facility Information

Facility Name: Wilbur-Ellis Company

Facility Owner/Operator: Wilbur-Ellis Company LLC

Physical Address: 868 N. Front Street
Woodburn, Oregon 97071
Marion County

Lat/Long: 45.14515, -122.85237

Mailing Address: P.O. Box 7
Woodburn, Oregon 97071

NAICS Code: 325314 (Fertilizer (Mixing Only) Manufacturing)

SIC Code: 2875 (Fertilizers, mixing only)

Facility Contacts: Aaron Bochsler
Operations Manager
Wilbur-Ellis Company
Office Phone: 503-313-6259
Email: abochsler@wilburellis.com

Connie LaTour
EHSS Regional Support Manager
Wilbur-Ellis Company
Office Phone: 360-833-3772
Email: clatour@wilburellis.com

Jesse Kirkpatrick
EHS Compliance Service Team Leader
TRC Companies
Office Phone: 970-309-9876
Email: jlkirkpatrick@trccompanies.com

Permit Number: ORR237045

Receiving Water: Unnamed tributary of Mill Creek

II. Inspection Information

Inspection Date: December 15, 2021

Inspector: Raymond Andrews, Inspector
EPA Region 10, ECAD /FDDWES
Phone: 206-553-4252

Arrival Time: 9:00 AM

Departure Time: 2:30 PM

Weather: Overcast/Rainy, 39°F

Purpose: To determine facility compliance with the Oregon 1200-Z General National Pollutant Discharge Elimination System (NPDES) permit and the Clean Water Act.

III. Permit Information

Wilbur-Ellis Company is permitted under the Oregon 1200-Z National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit (“Permit”). The Facility’s current permit, NPDES permit # ORR607180, became effective on August 1, 2017, and will expire on July 31, 2022. The facility is permitted under Sector C (Chemicals and Allied Products) of the permit.

IV. Background

Wilbur-Ellis Company (“Facility”), located at 868 N Front Street in Woodburn, Oregon is owned and operated by Wilbur-Ellis Company LLC. It has operated at its current location since 2005.

The facility has not been previously inspected by the Oregon Department of Environmental Quality (ODEQ) or EPA.

V. Inspection Chronology

This was an announced inspection. On December 2, 2021, I contacted Mr. Aaron Bochsler, Operations Manager, and told him I would be conducting an NPDES industrial stormwater compliance inspection of the Wilbur-Ellis facility in Woodburn, Oregon on December 15, 2021.

I conducted an opening conference, which included an interview of Mr. Bochsler, Ms. Jesse Kirkpatrick, EHS Contractor, and Ms. Connie LaTour, EHSS Regional Support Manager. The interview was followed by a records review, a site inspection, and a closing conference.

VI. Opening Conference

I arrived at the facility at 9:00am. I presented my credentials to Mr. Bochsler, Ms. Kirkpatrick, and Ms. LaTour, henceforth, collectively referred to as “the Representatives.”

I explained the purpose of the inspection was to determine compliance with ODEQ’s 1200-Z permit and the Clean Water Act (CWA).

The following information was obtained through conversation with the Representatives, or from documents reviewed.

The facility is part of a larger corporation operating under the name Wilbur-Ellis Company LLC. The Woodburn facility has a total of 35 employees and runs different shifts depending on the time of year. During the winter and summer months, the facility is in production Monday through Friday from 7:00 am until 5:00 pm. During the spring and fall months, the facility is in production Monday through Saturday from 7:00 am until 5:30 pm.

The facility’s site covers 16.24-acres with approximately 11-acres ($\approx 66\%$) impervious to rainfall due to coverage by a combination of building and asphalt. The other 5.25-acres ($\approx 35\%$) of the site’s surface is pervious and a combination of gravel, soil, and vegetation.

The facility’s primary function is the production of fertilizer. Fertilizer is produced by blending various fertilizer components into different formulations. All manufacturing and processing occurs in buildings. The facility does not generate any process wastewater.

The facility conducts unloading of raw materials and bulk liquids outside. Totes containing finished products or raw materials are stored outside under cover. Heavy equipment, such as forklifts, are stored outside as well as tanks that contain used chemicals.

In addition to fertilizer production, the facility conducts retail sales of crop protection products.

According to usclimatedata.com, Woodburn, Oregon, receives average annual precipitation of 39.67 inches. December is the wettest month with average precipitation of 6.86 inches, while August is the driest month with average precipitation of 0.45 inches.

The site is divided into eight drainage basins, labeled DB-01 through DB-08. Per the DMRs, the facility has eight discharge points but only three are monitored. This is a discrepancy between the SWPCP and the DMRs. The SWPCP only describes seven discharge points. The discharge points identified in the SWPCP are designated DP-001 through DP-007. The monitoring points are designated MP-001, MP-002, and MP-005.

Drainage Basin 01

Stormwater within Drainage Basin (DB) 01 flows through a series of downspouts, catch basins, and a trench drain that culminates at a catch basin, which also acts as Monitoring Point (MP) 001. Water then flows northwest under railroad tracks toward Discharge Point (DP) 001 where it discharges into the City of Woodburn’s municipal stormwater conveyance system. Once the water enters the conveyance system, it ultimately discharges into an unnamed tributary of Mill Creek.

Drainage Basin 02

Stormwater within DB-02 flows through a series of downspouts, catch basins, and scale drains toward a flow-control vault (FCV) which directs stormwater to DP-002. MP-002 is located within the FCV. DB-02 includes a vegetated detention swale that is located on the north side of the building. The FCV can be used to direct water, by way of catch basin CB-9, to the detention swale in the event of a release. The FCV is equipped with a discharge control valve that can shut off stormwater flow to contain an accidental spill.

Drainage Basin 03

DB-03 consists primarily of the Flat Storage Building (B-6) and the western portion of the Seed Plant (B-7). *This area does not have industrial activities or significant materials and therefore is not covered under the existing 1200Z Permit.*

Drainage Basin 04

DB-04 consists primarily of the eastern portion of the Seed Plant (B-7) and the Former Screening Shed (B-10). *This area does not have industrial activities or significant materials and therefore is not covered under the existing 1200Z Permit.*

Drainage Basin 05

Stormwater within DB-05 flows through a series of downspouts, catch basins and aboveground filters prior to discharging to a stormwater pond located on the northeastern portion of the Site. The two catch basins in DB-05 are equipped with FCVs to shut off stormwater flow and provide containment in case of an accidental spill. Water flows from two catch basins into the on-site stormwater pond where monitoring point MP-005 is located. Water from the pond then flows through an underground conveyance to discharge point DP-005 which discharges into an unnamed tributary of Mill Creek.

Drainage Basin 06

DB-06 consists of the Finished Product Warehouse (B-11) which is located north of an unnamed tributary of Mill Creek tributary. *This area does not have industrial activities or significant materials and therefore is not covered under the existing 1200-Z Permit.*

Drainage Basin 07

DB-07 consists of the Flat Storage Building (B-6). *This area does not have industrial activities or significant materials and therefore is not covered under the existing 1200-Z Permit.*

Drainage Basin 08

DB-08 consists of a portion of the Bagging Plant/Bulk Dry Fertilizer Building (B-5) and the gravel area located on the western side of the building. Stormwater within DB-08 flows through a series of downspouts and catch basins and manholes to connect directly with the City's municipal stormwater system which discharges into an unnamed tributary of Mill Creek. A groundwater monitoring well is in DB-08. Activities in this drainage basin are considered significantly similar to those in neighboring DB-02.

Per the permit, the facility is required to conduct routine monthly inspections, and quarterly visual inspections. The inspections are conducted by Mr. Bochsler.

On April 30, 2019, the facility submitted a Tier II Corrective Action Response for exceeding the geometric mean of the statewide benchmark for zinc at Outfalls 001 and 005. The response was submitted per Schedule A.11 of the permit in effect at the time of the exceedances. To evaluate and address the zinc exceedances the facility contracted the consulting firm:

Geosyntec Consultants
920 SW 6th Avenue, Suite 600
Portland, OR 97204
(503) 222-9518

On April 29, 2020, Geosyntec submitted a revised the Tier II Corrective Action Plan. The revision was necessitated by facility changes, new drainage patterns, and maintenance needs. The plan required the installation of new gutters, downspout filters, catch basin inserts, roof coating, and above ground filters. Plan implementation was completed in June 2021.

VII. Laboratory Inspection

The facility has three monitoring points, MP 001, MP 002, and MP 005. Each monitoring point has statewide benchmarks, and sector-specific monitoring requirements. The statewide benchmark parameters are pH, total suspended solids (TSS), total copper (Cu), total lead (Pb), and total zinc (Zn). The sector-specific parameters are total phosphorus (Ph) and nitrate plus nitrite nitrogen (N).

When the new iteration of the Oregon 1200-Z permit became effective, all monitoring waivers expired. No new monitoring waivers will be approved until the facility has conducted four quarters of sampling under the new permit requirements.

Stormwater samples are collected by the consulting firm:

Geosyntec Consultants
920 SW 6th Avenue, Suite 600
Portland, OR 97204
(503) 222-9518

Geosyntec analyzes pH with its own equipment, so I was not able to inspect the pH meter or calibration buffer solutions used for pH analysis and calibration. Geosyntec also prepares the Discharge Monitoring Reports (DMRs) for the facility. The DMRs are then reviewed, and signed by, Mr Bochsler.

Except for pH, all monitored parameters are analyzed by:

Apex Laboratories, LLC
6700 Southwest Sandberg Street
Tigard, Oregon 97223
(503) 718-2323

VIII. File Review

The permit requires that documentation be retained for a minimum of three years.

I reviewed the following records and documents:

- Stormwater Pollution Control Plan (SWPCP) – updated August 30, 2021
- Permit Reissuance Letter – dated June 14, 2021
- Monthly Facility Inspection Reports – January 2019 through December 2021
- Discharge Monitoring Reports (DMRs) – February 2019 through February 2021
- Chain-of-Custody Documents – 1Q 2019 through 4Q 2021
- Discharge Monitoring Reports (DMRs) – 1Q 2019 through 4Q 2021
- Tier I Reports
- Tier II Corrective Action Report – revised April 29, 2020
- Annual Employee Training Records – 2019 through 2021

The facility submitted five Tier I reports for benchmark exceedances during the period reviewed. The table, below, provides the date the report was generated, the outfall where the exceedance occurred, and the benchmarks exceeded.

Date of Report	Benchmarks Exceeded
December 12, 2019	N
January 29, 2020	N, Zn
June 15, 2020	Fe, K, N, Zn
November 13, 2020	Fe, Zn
February 18, 2021	Cu, K, N, Zn, TSS

IX. Site Inspection

Attachment A contains an aerial image provided by Google, and site maps provided by the facility. **Attachment B** contains the photos used in this inspection report and a complete photo log.

Following the records review, the Representatives took me on a tour of the facility site.

From the office, we headed just west of the offices/chemical warehouse (B-4) to Monitoring Point 1, MP-001. MP-001 collects stormwater from Drainage Basin (DB) 01. MP-001 is located inside a catch basin near railroad tracks adjacent to the site's property line. Grab samples are collected from the catch basin. The stormwater continues to flow northwest under the railroad tracks to Discharge Point (DP) 001. DP-001 connects with the Woodburn, Oregon, municipal stormwater conveyance system and ultimately discharges into an unnamed tributary of Mill Creek.

After I looked at MP-001, we walked back to building B-4. On the northwest corner of the building, I observed one of the facility's four micro-filter units (**Photo 1**). The micro-filter receives water from the rooftops to reduce the zinc load of discharged stormwater. Co-located with the micro-filter was a macro-filter (**Photo 2**). The facility maintains four macro-filters. The macro-filter receives

stormwater from a sump pump in a covered trench drain (**Photo 3**). The trench drain is divided so the macro-filter receives stormwater from the sump pump. After the stormwater has been filtered, it gravity flows into a portion of the trench drain that prevents the water from backflowing and mingling with water entering the system. Once the water has been filtered, it flows to MP-001 followed by discharge into the tributary to Mill Creek through DP-01.

Upon leaving MP-001, we turned slightly northeast and walked to toward building B-5 which houses the Freezer Bagging Plant and Bulk Dry Freezer. Along the way to B-5, I observed one of several catch basins distributed throughout the site that is fitted with an insert filter that collects debris and filters out zinc and copper (**Photo 4**). Building B-5 partially falls into both DB-02 and DB-08. Catch basins in DB-02 direct all water towards a “vault” (**Photo 5**). A grab sample is collected from MP-002 as the stormwater exits the PVC pipe that enters the vault chamber from the back wall. The stormwater discharges to the City’s stormwater conveyance system. A valve can be closed to prevent the stormwater from flowing into the City’s system in the event of a pollutant spill. Closing the valve causes stormwater to backflow into a detention swale (**Photo 6**). As seen in photo 6, a catch basin is located in the center of the swale to allow stormwater to be recaptured. We turned east and walked to MP-005. MP-005 (**Photo 7**) is located on the site’s eastern perimeter at the edge of the site’s stormwater detention pond (**Photo 8**). Grab samples are collected from holes in the upright pvc pipe. According to the Representatives, most of the water in the detention pond comes from underground piping from the macro-filters.

X. Areas of Concern

At the time of inspection, I found the following areas of concern:

A. SWPCP

1. Schedule A.8. f of the Permit states, “The permit registrant must keep the SWPCP current and revise it as necessary to reflect current site conditions and changes to the site.”

At the time of the inspection, I reviewed the SWPCP and cross-referenced it with the facility DMRs. The DMRs indicate the facility has eight discharge points and three monitoring points. The SWPCP does not contain a narrative description of the eighth discharge point which should be labeled “DP-008” if the established naming convention were followed.

2. Schedule A.10.e of the Permit states, “Include an operation and maintenance plan for active and passive treatment systems and mass reduction measures. The O&M plan must include, as appropriate to the type of treatment system, items such as system schematic, manufacturer’s maintenance/operation specifications, chemical use, treatment volumes and a monitoring or inspection plan and frequency. For passive treatment and low impact development control measures, such as mass reduction measures, include routine maintenance standards.”

At the time of the inspection, I reviewed the facility’s SWPCP. Appendix B of the SWPCP contains a Control Plan Checklist. Page 3 of the checklist indicates the Operation and Maintenance (O&M) Plan could be found in Appendix J. Appendix J is titled “Tier II Corrective Action Reports” (CAR). The contents of the CAR do not meet the requirements of an O&M plan as described in Schedule A.10.e of the Permit.

3. Schedule B.7.c of the Permit states each discharge point must be monitored unless:

“ii. Discharge point has effluent that is substantially similar to the effluent(s) of a monitored discharge point and the same BMPs are implemented and maintained at the substantially similar discharge points or drainage areas that lead to the discharge points. Substantially similar effluent(s) are discharges from drainage areas serving comparable activities where the discharges are expected to be similar in composition. The **determination** of substantial similarity of effluent(s) **must be based on past monitoring data or an analysis** supporting that the discharge points are substantially similar. **The supporting data or analysis must be included in the SWPCP.** This provision does not apply to discharge point(s) subject to a numeric effluent limit.” [Emphasis added]

Schedule A.10.b.x of the Permit states, “The identification of each discharge point and the location(s) where stormwater monitoring will occur as required by Schedule B.6. The monitoring point must also be labeled in the on the site map as “monitoring point.” Existing discharge **points excluded from monitoring must include a description of the discharge point(s) and data or analysis supporting that the discharge point(s) are substantially similar** as described in Schedule B.7.c.ii of this permit.” [Emphasis added]

The facility has eight discharge points but only monitors three points, MP-001, MP-002, and MP-005. The facility’s SWPCP states that drainage basins DB-03, DB-04, DB-06, and DB-07, are areas that do not contain industrial activity so are not covered by the 1200-Z permit and do not require monitoring. The SWPCP states DB-02 and DB-08 have discharges that are “substantially similar” so rather than monitoring both discharges only DB-02 is monitored. The SWPCP explains the “substantially similar” designation for the two points as required by Schedule A.10.b.x of the Permit, but the SWPCP does not contain the required data or supporting analysis.

B. Schedule B.12.i.i of the Permit states the inspection report must include “the inspection date and time...”

Schedule B.12.i.vii of the Permit states the inspection report must include the “nature of the discharge; whether caused by snow or rain...”

At the time of the inspection, I reviewed monthly inspection reports from January 2019 through December 2021. The inspection reports did not include the time inspections were conducted or the nature of any discharges occurring at the time of inspection.

XI. Closing Conference

On December 15, 2021, I held a closing conference with Mr. Aaron Bochsler, Ms. Jesse Kirkpatrick, and Ms. LaTour. We discussed my observations and I gave a brief overview of the post-inspection process. I thanked them for their time and assistance.

ATTACHMENT A

Aerial Image of Site Provided by Google

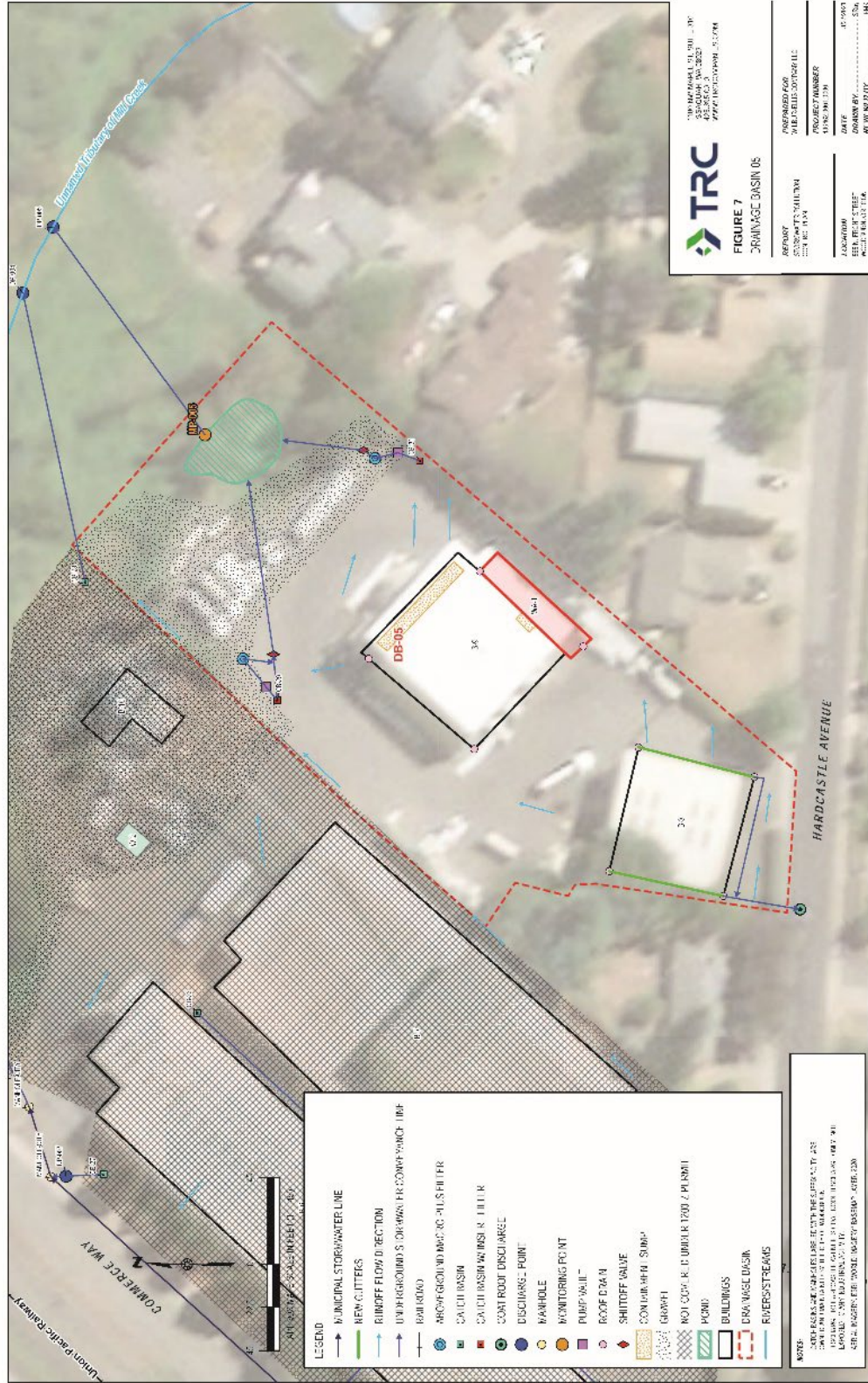


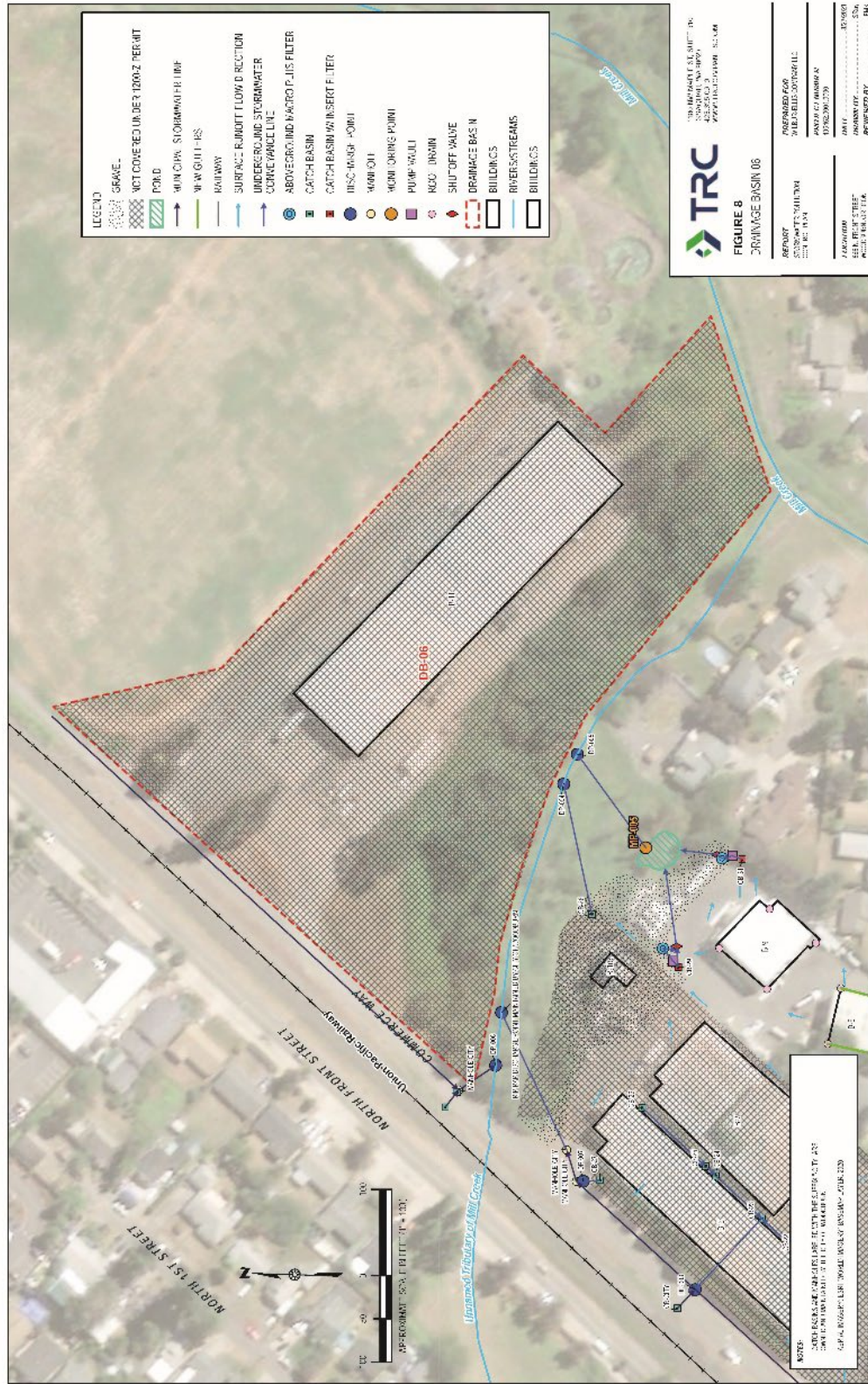
Site Maps Provided by Facility











ACTIVITY TYPE

Site Map ID	Map Page	Relative Note / Remark
EF-1	4	Equipment Fueling
MS-1	4	Material Storage
MS-2	4	Material Storage
LA-1	5	Loading Area 1
WA-1	7	Seed Washing Area

STORAGE OR VESSEL

Site Map ID	Map Page	Relative Note / Remark
PSA-1	4	1,000-U.S. Gallon Diesel AST & 1,000-U.S. Gallon Gasoline AST
W-1	4	Two (2) Cardboard Dumpsters
W-2	6, 7	Trash Dumpster
T-1	5	Transformer

BUILDINGS

Site Map ID	Map Page	Building Name / Remark
B-1	4	Former Bulk Dry Fertilizer / Current Flat Storage
B-2	4	Former Fertilizer Production
B-3	4	Shop
B-4	4, 5	Office / Chemical Warehouse
B-5	5	Bagging Plant / Bulk Dry Fertilizer
B-6	6, 7	Flat Storage
B-7	6, 7	Seed Plant
B-8	6, 7	Fertilizer / Seed Warehouse
B-9	6, 7	Liquid Plant / Above Ground Storage Tanks
B-10	6, 7	Former Screening Shed
B-11	8	Finished Product - North Warehouse

IMPERVIOUS / PERVIOUS AREAS

Drainage Basin	Approximate Size of Drainage Basin (Square Feet)	Previous Area (Square Feet)	Impervious Area (Square Feet)
1	136,427	11,630	124,747
2	83,534	4648	78,886
3	80,232	5,337	64,895
4	37,529	10,274	27,655
5	57,719	12,594	45,225
6	294,806	154,694	140,202
7	23,844	9,659	14,175
8	12,620	4,351	8,269



1100 JENNIFER ST SUITE 310
ESPANOLA, NM 87632
(505) 755-1100
WWW.TRCCOMMUNITIES.COM

FIGURE 9

FEATURE SCHEDULE INDEX

REPORT
STORMWATER POLLUTION
CONTROL PLAN

PREPARED FOR
CHENKELLS CONSULTING

PROJECT NUMBER
24253-14-1144

DATE
JANUARY 2024

LOCATION
1414 N FRONT STREET
DOORMAN, OREGON

DRAWN BY
JANUARY 2024

REVIEWED BY
JANUARY 2024

ATTACHMENT B

Inspection Photographs and Photograph Log

(Photographs taken by Ray Andrews on December 15, 2021, with a Panasonic DMC-FH25 camera)



Photo 1 / P1010066 – Micro-filter



Photo 2 / P1010069 – Macro-filter



Photo 3 / P1010070 – Covered Trench Drain with Inlet and Outlet



Photo 4 / P1010072 – Catch Basin, with insert



Photo 5 / P1010073 – Outfall 002 in Vault



Photo 6 / P1010074 – Vault, Adjacent to the Detention Swale



Photo 7 / P1010075 – Outfall 005



Photo 8 / P1010076 – Detention Pond

Complete list of photographs taken during the inspection:

- P1010057 – SWPCP, cover page
- P1010058 – SWPCP, certification page
- P1010059 – SWPCP, page 10
- P1010060 – SWPCP, page 11
- P1010061 – SWPCP, page 35
- P1010062 – SWPCP, page 36
- P1010063 – BMP Maintenance Log
- P1010064 – Outfall 001
- P1010065 – Outfall 001
- P1010066 – Micro-filter, photo 1
- P1010067 – Micro-filter, photo 2
- P1010068 – Macro-filter, photo 1
- P1010069 – Macro-filter, photo 2
- P1010070 – Covered Trench Drain
- P1010071 – Micro-filter, photo 3
- P1010072 – Catch Basin, with insert
- P1010073 – Outfall 002 in Vault
- P1010074 – Vault, Adjacent to the Detention Swale
- P1010075 – Outfall 005
- P1010076 – Detention Pond, photo 1
- P1010077 – Detention Pond, photo 2 (Blurry)