

**REPORT OF INDUSTRIAL STORMWATER
COMPLIANCE EVALUATION INSPECTION**

AT

Advantage Metals Recycling LLC. – 12th Street Facility

1153 S. 12th Street

Kansas City, Kansas 66105

National Pollutant Discharge Elimination System identifier: KSR000112

March 18, 2024

**by U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7: Enforcement and Compliance Assurance Division**

INTRODUCTION

At the request of the Water Branch (WB) of the Enforcement and Compliance Assurance Division in Region 7 I performed a compliance evaluation inspection on March 18, 2024, at Advantage Metals Recycling LLC. – 12th Street Facility at 1153 S. 12th Street in Kansas City, Kansas. Section 308(a) of the Federal Water Pollution Control Act authorizes the inspection. I conducted this inspection following the procedures described here and following applicable Environmental Protection Agency Region 7 standard operating procedures. This narrative report presents the findings of the inspection.

PARTICIPANTS

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INSPECTION PROCEDURES

I, Caitlin Dix, the EPA Region 7 lead inspector, arrived at Advantage Metals Recycling – 12th Street Facility (the “site” or “facility”), located at 1153 S. 12th Street, Kansas City, Kansas about 9:00 a.m. (CT) on March 18, 2024, for an unannounced inspection. I presented credentials to Mr. Joshua Jones, regional operations manager, and Ms. Serena Dehoney, CSP, CIT, environmental health and safety director and informed them that this was an evaluation inspection by EPA Region 7 to determine compliance as authorized by Clean Water Act Section 308 and implementing regulations. This report is based on information collected by the EPA Region 7 inspector including digital images, physical evidence, measurements, statements made by facility representatives, and documents shown or sent to the EPA Region 7 inspector by facility representatives during or after the on-site inspection. Information gathered before and after the inspection from a review of the EPA, State, and public records may be included in this report.

Before the inspection, I reviewed facility background information including the:

- Current National Pollutant Discharge Elimination System permit.
- EPA inspection report from June 18, 2023.
- Waterbody report using How’s My Waterway by the U.S. Environmental Protection Agency.
- Enforcement and compliance history online.
- Facility website.
- Relevant maps and aerial images like The National Map by the U.S. Geological Survey and DotMaps by the Unified Government of Wyandotte County and Kansas City, Kansas.

After I arrived at the front office, I identified myself and the inspection purpose to Mr. Joshua Jones, Mr. Jake Brooks, and Mr. Blair Jorgenson. Mr. Jones asked me to wait till their environmental manager arrived on site. I waited around 25 minutes in the conference room. Ms. Serena Dehoney and Mrs. Megan Funk arrived from another Advantage Metals Recycling office in the local area.

During the opening conference I met with Ms. Dehoney, Mr. Jones, Mr. Brooks, Mrs. Funk, and Mr. Jorgensen in the conference room. Each of the attendees participate in the stormwater pollution prevention team. I told the facility team that the inspection would be a visual inspection of areas covered by the permit and a review of their Stormwater Pollution Prevention Plan and records that must be kept under their National Pollutant Discharge Elimination System permit. I told the facility since I was able to review the inspection report from June 2023 that I would focus on supplementing information that I did not have, like records since the last inspection or records that were not already in the EPA files. I described the Confidential Business Information Notice for Information Collected During the Inspection and Small Business Resource Information Sheet during the opening conference. I emailed both forms to Ms. Dehoney, Mr. Jones, Mr. Brooks, and Mrs. Funk when I returned to the office after the onsite inspection. Mr. Jones and Ms. Dehoney said there was no proprietary information at the facility. The facility completed the CBI form for the 2023 inspection and did not claim EPA

collected any proprietary information during the previous EPA inspection. At the time of this report and more than ten days after the inspection date, the facility has not submitted a proprietary and confidential business information notice for this inspection.

I completed a visual inspection on March 18, 2023. I documented my findings and observations by taking pictures and taking notes using Smart Tools, a digital tool for field inspectors. Digital images taken during the inspection are shown in Attachment #1. A map of the approximate location each image was taken is also included with the digital image log.

I summarized areas of concern seen during the visual inspection with Ms. Dehoney, Mr. Jones, Mr. Brooks, Mrs. Funk, and Mr. Jorgensen during the closing conference on March 18, 2024. I issued a Notice of Preliminary Finding to the facility during the closing conference. This notice is included in the inspection report as Attachment #2, including the facility's response on March 29, 2024. During the inspection I asked the SWPPP team to send documents to the EPA, including their:

- Notice of Intent.
- Stormwater Pollution Prevention Plan, including:
 - Inspection records (three years):
 - Quarterly inspections.
 - Monthly inspections.
- Employee Training (three years).
- Record Keeping and Internal Reporting Procedures log (three years).
- Comprehensive Site Compliance Evaluation reports (2023 and if available 2024).
- Visual examination of stormwater quality (2023 and if available 2024).

Ms. Dehoney sent files to the EPA on Friday, March 29, 2024. I attached the files shared by the facility as Attachments #5-9.

FACILITY DESCRIPTION

Facility Location

The facility is about 12.75 acres located near the north bank of the Kansas River in Kansas City, Kansas about a mile south of the confluence with the Missouri River. The facility owns a 11.5-acre parcel and leases about 1.25 acres on the east end of the property. The property is long and narrow spreading east and west with railroad tracks constraining the property to the north and to the south.

This site has been in operation since 1961. A heavy industrial district surrounds the facility with a residential district about a quarter mile to the north. A flood control levee is about 500 to 750 feet south of the facility. All areas of the facility are in an area of reduced flood risk due to protection from the levee.

The average precipitation for the area is about 38 inches per year according to the High Plains Regional Climate Center CLIMOD. The expected precipitation events received in 24-hours at this

site is around 3 inches every year and around 5.5 inches every 10 years according to the NOAA Atlas 14 precipitation frequency estimates. Every year rainfall intensity can be expected at around 4.8 inches per hour for five minutes and 1.3 inches in an hour; every ten years this site may expect 8.2 inches per hour for five minutes and 2.83 inches in an hour. The size and duration of expected storm events should be considered when selecting, designing, installing and implementing proper controls to reduce pollutants in stormwater discharges associated with industrial activities at this facility.

Industrial stormwater from the site drains to the Kansas River. The Kansas River is a permanent stream. The assessment unit identifier for this section of the Kansas River is KS-102701041. The 2022 waterbody report shows this section of the Kansas River as impaired for aquatic life use, including impaired parameters benthic macroinvertebrate bioassessment, biological integrity, phosphorous (total), and total suspended solids. This section of the Kansas River is also impaired for primary contact recreation by pathogens indicated by *Escherichia Coli* (E.coli). The How's My Waterway website hosted by the EPA does not list probable sources contributing to the impairment for this waterbody in the report. The available restoration plans do include information about contributing sources. The Lower Kansas River has restoration plans to implement total maximum daily loads for:

- Total phosphorus completed on December 14, 2018, to address impaired uses for expected aquatic life, contact recreation and domestic water supply.
- Total phosphorus completed on December 22, 2020, to address impaired uses for expected aquatic life, contact recreation and domestic water supply.
- Nitrate and phosphorus completed November 11, 2020, to address nutrient impairments to aquatic life.
- Total suspended solids completed August 26, 2020, to address sediment impact on aquatic life.

The facility discharges industrial stormwater to a section of the Kansas River designated by the Kansas Department of Wildlife & Parks as critical habitat for the following endangered or threatened species:

- Flathead Chub
- Least Tern
- Piping plover
- Shoal Chub
- Silver Chub
- Sturgeon Chub

Facility Operations

Advantage Metals Recycling, LLC is the largest scrap recycling company in Kansas and Missouri. Advantage Metals Recycling – 12th Street Facility shreds metal wastes, like vehicles and appliances, to recover metals for resale. The facility sorts and collects the metals, byproducts and wastes from the shredding process for either further recycling or disposal at other sites. There are around thirty employees that work at this site. The facility is open to the public 6 a.m.

to 4:30 p.m. and the shredder operates 6 a.m. to 5 p.m. Mr. Jones said the metal shredder is one of the oldest shredders in the United States and has historic value and interest.

Advantage Metals Recycling buys scrap metal from commercial accounts and individual sellers. Scrap metal is delivered by railcars and truck to the facility. Advantage Metals Recycling prohibits certain materials in their feedstock and suppliers must remove prohibited items offsite. Waste materials are unloaded onto the ground. Mobile material handling equipment loads the material into stationary feeders for the shredder. The shredder shreds waste materials into smaller particulates. Material handlers, including conveyors and air handlers, sort materials based on physical properties. Conveyors unload sorted materials into piles on the ground. Mobile equipment collects and moves materials for storage or loads materials into trucks or railcars for further recycling or disposal at other sites. The facility sends their automotive shredder residue, the nonmetallic byproduct of the shredding process, to the local landfill Monday through Friday as an alternative daily cover for the landfill. The shredder and associated material handling equipment require daily maintenance. Overnight, staff and contractors perform maintenance functions on the shredder and handling equipment, including routine refueling of equipment.

Regulatory History

The Kansas Department of Health and Environment authorized Advantage Metals Recycling – 12th Street to discharge stormwater associated with industrial activities under general permit KSR000112 in the National Pollutant Discharge Elimination System. The general permit is included in this inspection report as Attachment #3. This general permit is effective November 01, 2021, through October 31, 2026. The permit authorizes the discharge of stormwater runoff and some non-stormwater discharges from industrial activity on the site described in the authorized Notice of Intent if the facility is following the limits and conditions in the general permit and the associated Stormwater Pollution Prevention Plan. Some of the discharges not covered by this permit include stormwater discharges which cause or contribute to a violation of the Kansas Surface Water Quality Standards, discharges that adversely affect a threatened or endangered species listed in the Kansas Administrative Regulations, and discharges from exposed storage piles of salt used for deicing, as examples. At the time of this report, this permit was not yet in the Kansas Environmental Information Management System, also called KEIMS.

The EPA last inspected this facility on June 22, 2023, for compliance with their permit under the National Pollutant Discharge Elimination System.

FINDINGS AND OBSERVATIONS

I noted the following observations during the visual inspection and record review.

The most recent precipitation event was around 1.51 inches of rain on March 13, 2024, and 0.02 inches on March 14, 2024, measured at the nearby Charles B. Wheeler Downtown Airport weather station and reported by the National Weather Service. The U.S. Drought Monitor

shows the broad-scale conditions for the area as abnormally dry in their report for March 19, 2024. The air temperature was around 27°F at the start of the inspection and 40°F at the end of the inspection. Conditions were partly cloudy to mostly cloudy and windy, measuring around 13 to 17 miles per hour at the nearby downtown airport about 4 miles from the facility. The National Weather Service reports 0.0 inches of rain for the Kansas City Area on March 18, 2024.

Stormwater from Advantage Metals Recycling – 12th Street is stormwater associated with industrial activities under 40 CFR 122.26(b)(14).

Advantage Metals Recycling – 12th street is a scrap and waste materials industry (5093) using the 1987 Standard Industrial Classification Manual from the U.S. Department of Labor Occupational Safety and Health Administration. I saw that the facility engages in the recycling of materials as described under 40 CFR 122.26(b)(14)(vi) and I saw that their industrial activities are exposed to stormwater. During the onsite inspection I saw:

- A scrap metal yard.
- Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility.
- Material handling sites, including storage, loading and unloading, transportation or conveyance of raw material, intermediate product, final product, byproduct or waste product.
- Sites used for the storage and maintenance of material handling equipment.
- Sites used for residual treatment, storage, or disposal.
- Shipping and receiving areas.
- Storage areas for raw materials, and intermediate and final products.
- Areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.

Industrial stormwater from Advantage Metals Recycling – 12th Street flows to the Kansas River.

The Stormwater Pollution Prevention Plan and the Spill Control and Countermeasure Plan that the facility submitted to the EPA say that Outfall 001 discharges to a tributary of the Kansas River. During pre-inspection I was not able to identify a tributary in the area using remote mapping tools like the U.S. Geological Survey national hydrography dataset, the USGS 3D elevation program, and wetlands inventory by the U.S. Fish and Wildlife. The Unified Government's DotMaps shows a sewer system owned by the Unified Government about 30 feet to the east of the outfall. During the onsite inspection I asked the facility to show me the outfall discharge location. The SWPPP team directed me to and pointed to the inlet of two pipes in a concrete stormwater box as the outfall. Based on my professional knowledge the pipe inlets identified as Outfall 001 likely discharges to the Unified Government sewer. At the time of this report, I have not received confirmation from the facility or the Unified Government on whether the facility's Outfall 001 connects to the sewer system. This facility is in the combined sewer area owned and operated by the Unified Government. There is a permitted combined sewer overflow points upstream and downstream of the facility as part of

the consent decree and settlement between the Unified Government and the EPA to addresses unauthorized overflows of untreated raw sewage and to reduce pollution levels in urban stormwater. This sewer section of interest is downstream the diversion structure that diverts combined flows to a wastewater treatment facility. The Unified Government said that this section of sewer drains stormwater to the Kansas River. At the point of discharge from the facility, the conveyance directs effluent from the facility to the Kansas River which requires an NPDES Permit.

The facility identified two outfalls in their Stormwater Pollution Prevention Plan. The facility added Outfall 002 to their site map on June 6, 2023. The facility added the drainage structure to address safety concerns and drain standing water in the materials laydown yard from storm events. Stormwater flows from Outfall 002 to the south onto railroad property. I was not able to walk the entire flowpath due to access constraints, but using available remote sensing data the stormwater may flow to the east around 1,200 feet along the railroad property to a ditch that flows about 400 feet to the levee to a discharge pipe to the Kansas River. The facility did not submit an updated Notice of Intent to the Kansas Department of Health and Environment when they added the outfall. Under general permit section 1.6, the permittee is not required to submit a new Notice of Intent for continuing coverage under the successor general NPDES permit unless modifications, changes or discoveries are made which may affect coverage under the successor general NPDES permit or the information in the current Notice of Intent is inaccurate, needs to be updated, or KDHE requests the submission of a new Notice of Intent.

A full copy of the Notice of Intent is not kept by the permittee and readily available to the EPA.

The Notice of Intent submitted by the permittee and the supporting documentation used to request authorization under the general permit are not available for the EPA as required under permit section 3.1. The facility sent the first page, but the complete Notice of Intent was not kept or was not sent to the EPA. The full Notice of Intent provides relevant information about the authorized discharge. I did not have access to the complete Notice of Intent including name of the first receiving stream, existing conditions, and facility description.

The facility discharges to water-quality impaired waters.

The section of the Kansas River that receives industrial stormwater from Advantage Metals Recycling – 12th Street is impaired under Section 303(d) of the Clean Water Act. The general permit requires the facility to prevent or minimize exposure to stormwater of the pollutant(s) that impair the receiving waterbody and retain documentation of procedures taken to prevent onsite exposure under section 1.4.

Pollutants associated with industrial activities at scrap recycling and waste recycling facilities are known to contribute to the impairments identified in the receiving water, the Kansas River.

Pollutants associated with the industrial activities at this facility may adversely affect threatened or endangered species as listed in the Kansas Administrative Regulations section 115-15-1.

Pollutants associated with scrap metal recycling can adversely affect the critical habitat of threatened or endangered species identified by the Kansas Department of Wildlife and Parks. The general permit advises facilities that have the potential to impact threatened or endangered species to obtain information from the Kansas Department of Wildlife and Parks about regulatory requirements or special conditions which may be applicable to the activities covered by the permit. The facility did not provide any records of correspondence with the Kansas Department of Wildlife and Parks about the critical habitat in the receiving waters.

The facility uses a combination of structural and non-structural controls for stormwater pollution prevention.

Plan section 3.6 identified some of the structural controls and non-structural controls used on this site. The plan says drainage structures and surface grading are used to convey stormwater runoff to Outfall 001. The facility says they have located their aboveground storage tanks as far from the storm drain system to the extent practicable at this site. The facility uses covered buildings, such as storage warehouses to limit stormwater exposure to some stored materials. The facility keeps stocked spill kits to control stormwater pollutants. The facility uses secondary containment for their aboveground fuel and used oil storage. There are many other structural and non-structural controls identified throughout the plan that are not listed in Section 3.6. Some of the controls I saw during the inspection include:

Source control (plan section 3.1): The facility communicated clear procedures and controls for prohibiting items in their inbound recyclables. The facility minimizes the chance of accepting non-recyclables that could be significant sources of pollutants by conducting inspections of inbound material, providing information and education to suppliers about acceptable and non-acceptable materials, and formal agreements with suppliers about non-conforming materials. Mr. Brooks said before they shred materials there are three sets of eyes to look out for non-conforming materials. They also have cameras on the scales to identify suppliers that may bring in non-conforming materials. Mr. Brooks said if a supplier is consistently non-compliant, they try to educate through their commercial team and they request corrective action from the supplier. If they continue to send non-conforming material eventually the facility may decide to stop receiving materials from a supplier. The facility has a mechanism to fine suppliers for nonconforming materials. Mr. Jones said they use a scrap acceptance agreement on the front end and that their suppliers sign that they understand the prohibitions.

Minimizing exposure (plan section 3.2): I saw the facility covers fuels and used oils under roofs and inside containers to limit exposure (Photos #6, #8, #9, #11). I saw block bins surrounding some materials on the north side of the facility that would reduce mobilization and divert some stormwater around some of the material storage areas. I saw that a substantial part of the industrial activity is not protected from stormwater, including outdoor storage of raw, intermediate, byproduct, and waste materials, material handling including conveyance and

loading and unloading, and outdoor metal shredding. I saw accumulation of dust and particulate matter on the ground and on equipment. The facility has minimized exposure of some activities, but acres of industrial activity remain exposed to stormwater.

The stormwater pollution prevention plan says the facility delays high risk activities during rain. I asked the SWPPP team what activities might be delayed due to rain and who determines when high risk activities must be delayed. Ms. Dehoney said that fueling is a high-risk activity that would be potentially delayed during a rain event and that Mr. Brooks decides to delay due to wet weather. Mr. Brooks said they shut down operations based on lightning fifteen minutes at a time, but do not delay material processing based on rain alone.

Filtering devices installed on inlets of the storm drain system: The SWPPP team described a combined use of trash racks, witch hats, sediment logs, and oil filter socks on the stormwater inlets. I saw the trash rack, sediment logs and oil socks surrounding the south inlet (Photo #24-25). The south inlet receives stormwater flows from the shredder and material handling areas including loading and unloading (Photos #20-22). Mr. Brooks said that below the metal plate is an expanded metal panel and witch hat. I did not see the witch hat since the control was not visible for inspection without removing the metal plate. I saw thick sediment deposits on the ground surrounding the south inlet (Photo #21, 23, and 24). I saw a tool on the ground near the south inlet that Mr. Jorgensen said they used to scrape back accumulated sediment during routine maintenance to the inlet. I asked where the facility disposes of sediment, and they said they just push it back and the sediment is not necessarily collected and removed. Removing settled and deposited sediments from the ground surrounding the inlet during maintenance would reduce the pollutant loads on the filtration devices.

The plan mentions filtering devices in section 3.9 Runoff Management, “If necessary, filtering devices should be installed on inlets of the storm drain system to prevent pollutants from being discharged offsite.” The plan does not effectively specify and describe the combination of filter controls the facility is using to treat stormwater runoff to reduce pollutants in discharge. The plan does not have a specific preventative maintenance schedule for inspection and maintenance of the filtering devices installed on the inlets of the storm drain system. The October 2023 inspection report says that replacement of sediment logs may need to increase to weekly replacement. This increased frequency for changing sediment logs is not reflected in the plan. The plan must include the specific control measures used to meet the limits in the permit under section 2.2 and the plan must provide a schedule for inspection and maintenance of stormwater management controls under permit section 2.4.3.b.

Ms. Dehoney and Mr. Brooks showed me two north inlets from afar and they said that all inlets have a trash rack and similar filtration devices. The north inlets could not be inspected during production times because there is no pedestrian access allowed when the shredder is operating.

Good housekeeping (plan section 3.3): I saw evidence of poor housekeeping during the onsite visit. The stormwater plan section 2.4.4. says dust and particulates are minimized through

housekeeping, including sweeping or watering at the facility when necessary, such as when significant amounts of dust are noted in the air around the facility. I saw dust and particulates accumulated on the ground, on equipment and migrating offsite (Photos #3, #14, #15, and #19). I saw metal fines raining down while I was on the pedestrian walkway outside the fence at the property boundary. I saw fluff or automotive shredder residue on the ground accumulated around equipment, at the fence and on the ground offsite (Photo #13, #14, and #15). I saw areas of thick sediment deposited around the south inlet (Photo #21, 23, and 24). Section 3.3 says the facility routinely sweeps areas of the yard and that they remove debris and trash from outdoor processing and storage areas regularly. The facility did not provide a routine sweeping schedule and SWPPP team was not able to tell me when they last swept. Controls did not seem adequate to prevent materials like metal fines, sediment, and auto shredder residue from being carried by wind and stormwater off site. The sweeping schedule appears informal and may be insufficient to prevent the accumulation of trash and debris on the ground at the facility and to prevent trash and debris from migrating offsite.

I saw deteriorated bags of sand spilling onto the ground, not contained and not protected from stormwater (Photo #5). Sand is easily mobilized in stormwater and the bags of sand are not in good condition and appropriately stored to prevent mobilization in stormwater.

I saw chunks of rock salt not cleaned up or properly stored (Photo #2). Mr. Brooks said the facility applied salt as ice melt on walkways for safety during a winter weather event maybe two to three weeks before. Mr. Brooks said the facility stores bags of salt in a maintenance building. The rock salt was not cleaned up prior to recent rain events. Ms. Dehoney took corrective action by picking up the chunks of rock salt and removing them to covered storage. The SWPPP team told me that the facility does not use sweeping up ice melt as one of their best practices to reduce stormwater pollution.

As part of good housekeeping, the facility says they work to “shred to the ground” every day. The facility regularly removes and sorts materials from staging areas into designated containers before off-site shipment to customers.

The plan section on housekeeping says the facility completes monthly inspections to check for leaks and the condition of all drums, tanks, and containers. The facility does not document, does not maintain documentation, or did not submit documentation of monthly inspections to the EPA when asked.

Preventative Maintenance (plan section 3.4): The facility maintains their production equipment daily to keep equipment operating and reduce the amount of pollution leaked or spilled from equipment. The facility repairs stationary equipment and most mobile processing and handling equipment where the equipment is routinely found. Mr. Brooks said maintenance technicians use a heavy truck with a covered bed to transport fuel, hydraulic oil, and other oils to equipment for maintenance. Mr. Brooks said the facility uses contractors at night for routine refueling of equipment. The facility has night shift staff on site during refueling operations. The supervisor is responsible for spill notification.

The preventative maintenance sections says that stormwater structures and sediment traps will be visually inspected quarterly, and maintenance performed, as necessary. The preventative maintenance schedule lacks detail for controls requiring routine maintenance, like straw wattles, oil socks, and witch hats. These controls may require weekly maintenance and do not have written preventative maintenance schedules. The plan does not provide an appropriate schedule for inspection and maintenance of all stormwater controls used to meet the limits in the permit. The plan must provide a schedule for inspection and maintenance of stormwater management controls under permit section 2.4.3.b.

Spill Prevention and Response Procedures (plan section 3.5): In the case of a spill, the facility follows the requirements of the facility's Spill Prevention, Control and Countermeasure Plan. Some of the best practices include material transfer operations supervised by a facility employee trained in spill prevention and control protocol and daily visual surveys to detect leaks from loading areas. I reviewed the Spill Prevention, Control and Countermeasure Plan the facility sent during the June 2023 compliance evaluation inspection by the EPA. I noted that there were handwritten updates not fully incorporated into the plan and the acreage did not align with the stormwater pollution prevention plan. Section 1.6 of the plan says when revisions are made, the affected pages will be replaced. I asked the SWPPP team how and when the facility incorporates handwritten notes into the SPCC Plan. The SWPPP team said that potential revisions are reviewed once a year. The facility provided a version of the Spill Prevention, Control and Countermeasure during the on-site inspection. I noticed that Outfall 002 had not been added to the spill plan and the acreage totals on map had not been updated. The Spill plan does not show the update of Outfall 002 in the revision log. Outfall 002 was added to the stormwater site map only. Section 1.6 of the spill plan says that when there is a change in the facility design that affects the facility's potential for a discharge of oil that the facility will revise the plan. The spill plan says the surface receiving water is an unnamed tributary to the Kansas River, but based on information in sections above this may be a direct discharge through a pipe to the Kansas River. The Spill Prevention, Control and Countermeasure review and revision documentation shows the plan was last reviewed on May 1, 2023. Ms. Dehoney said they recognized that they may need to add the outfall to the spill plan, but that the spill plan had not yet been reviewed, and the addition of the outfall would be considered during the upcoming normal review period. Knowing whether the spill flows through surface channels or pipes and additions of drainage locations, like Outfall 002, are key information to the plan and would impact response to and planning for a spill. The facility did not submit an updated SPCC plan during the most recent inspection. The plan submitted to the EPA is out of date and inaccurate.

I saw an oil sheen floating on the surface of the water in the bottom of the stormwater box in front of the permitted outfall 001.

"Outfall 001" is outlet pipes from a large stormwater juncture box with a metal grate as the top (Photo #25). There is a straw wattle and oil sock on the end of the stormwater box that would receive surface flows from the material processing areas (Photo #25). Mr. Brooks said the facility installed the oil sock and sediment log last week. The stormwater juncture box or concrete basin appears more than six feet deep. I saw a pipe inlet in the base of the stormwater

box on the southeast side. Mrs. Funk said that this pipe is the outlet from the internal stormwater conveyance and collection system. The underground system of pipes conveys stormwater from three area inlets in the material processing, handling, and storage areas of the facility. Across from the pipe outlets is two pipe inlets identified as Outfall 001 (Photo #28). I saw standing water in the bottom of the stormwater structure at Outfall 001. I saw an oily sheen floating on the surface of the water in the bottom of the stormwater box in front of the permitted outfall (Photos #26-#31). There was a clear rainbow visible on the surface of the pooling water. There is an oil sock on a rope floating on the surface (Photo #31). The rope prevents the oil sock from flowing into the discharge pipe and allows for retrieval of the oil sock. The oil sock is not installed in way that makes sure that stormwater polluted with oil receives treatment prior to discharge into the pipe. Mrs. Funk said she installed that oil sock last Wednesday. The stormwater box is labeled as a permitted confined space entry space. I asked if they ever need to clean the structure and what the triggers are for when the structure needs to be cleaned. Mr. Brooks said they would clean it out based on observations during the routine inspections. The facility uses informal qualitative indicators to determine when the structure needs to be cleaned. The SWPPP team did not seem to have any quantitative triggers or firm qualitative triggers, like oil sheen, for when to clean the stormwater box at the outfall. The facility did not show the EPA a preventative maintenance and cleaning schedule for the stormwater conveyance system. The visible oil sheen in pooling water at the outfall shows that the facility must take corrective action to prevent oils from discharging and the facility must further evaluate current controls.

The facility's stormwater pollution prevention plan does not effectively describe all potential pollutant sources that are reasonably expected to add significant pollutants to the stormwater discharge as required under 2.4.2.

The site map does include all required elements under 2.4.2.b. such as, outlined drainage areas; direction of flow; approximate acreage of each stormwater outfall; the location of all significant materials exposed to precipitation or runoff; scrap yards and general refuse areas; all loading and unloading areas; waste storage areas; fuel distribution areas; and stockpiles. Drainage area and approximate acreage of each stormwater outfall were not effectively updated when the facility made changes such as adding an outfall or expanding operations onto leased land.

The inventory of exposed materials is incomplete and does not adequately describe all existing administrative, structural and non-structural control measures to reduce pollutants in stormwater runoff; and the treatment the stormwater receives, as required under 2.4.2.c.

The risk identification and summary of potential pollutant sources is incomplete. The narrative description does not adequately identify all potential pollutant sources and their locations at the facility as required under 2.4.2.e.

The facility is not effectively reviewing, evaluating, and maintaining Stormwater Control Measures using accepted and scientifically defensible guidance (Permit Section 2.2).

Under permit section 2.2, the plan must include the specific control measures that will be used to meet the permit requirements and implementation of the control measures specified in the stormwater pollution prevention plan are enforceable requirements of the permit. The controls must be reviewed, evaluated, selected, installed, utilized, operated and maintained following generally accepted and scientifically defensible guidance and the concepts and methods described in the Environmental Protection Agency guidance documents, such as: Developing Your Stormwater Pollution Prevention Plan, the most current NPDES Storm Water Multi-Sector General Permit for Industrial Activities and the Sector N fact sheet for scrap recycling and waste recycling facilities.

Control Measures Selection and Design: The inventory of materials and risk identification is incomplete. Section 2.4.2. of the permit requires a description of potential pollutant sources which may be expected to add significant pollutants to the stormwater discharge, including an inventory of exposed materials. The facility discusses potential stormwater pollutant sources in section 2.3 of their plan. This section describes three key plan tools:

- Appendix C includes an inventory of significant potential pollutant sources stored on site.
- Appendix A shows the site layout, including location of containers and potential pollutant sources.
- Table 1 shows the potential stormwater pollutant sources and the outfalls that could be impacted.

The container inventory and additional pollutant sources in Appendix C is an incomplete summary of potential pollutant sources at this site. The inventory does not effectively identify shredding and handling wastes as an outdoor process and potential pollutant source. I saw the shredder and material handling was an outdoor process not protected from stormwater (Photos #16, 20 -22, 24). I saw other potential pollutant sources on site that were not identified in Appendix C like trash and equipment cleaning. Appendix C fails to identify pollutant sources:

- Particulates, residues and fines from shredding.
- Stockpiling of feedstock and shredded materials
- Material handling systems conveying wastes and shredded materials.
- Accumulated particulate matters.
- Electronic Wastes.
- Waste disposal.
- Equipment cleaning.

Appendix A does not show all potential pollutant sources. The site map does not effectively show material processing, outdoor stockpiling, material handling, waste storage and disposal, equipment cleaning and other potential pollution sources on site.

The plan does not effectively identify the different characteristics of their pollution sources and the different risks of those sources. In particular, the plan and program does not effectively address the risk of particulate and dissolved metals and the risks of pollutants easily mobilized like fines and fluff. As an example, Section 2.3 says ferrous materials may be exposed to precipitation and runoff. Based on the operations I saw on site, ferrous and nonferrous metals are exposed, not potentially exposed.

During the inspection, when I asked what controls were designed to minimize dissolved metals Mr. Jones questioned what physical mechanisms could result in dissolved metals at their site. The SWPPP team did not seem to consider stormwater exposure of outdoor processing generating metals fines and particulates and stockpiles of shredded scrap metal as a potential source of dissolved metals. I saw exposed piles of shredded metals. I saw fines accumulated on stationary equipment. I saw metal fines floating in the air offsite and onto me and my inspection equipment. The facility works with metals in many conditions, including corroded and deteriorated metals, and shreds them into smaller pieces generating large and small particulates. When stormwater contacts these shredded materials there is an increased mobilization, both as particulate and dissolved, into stormwater. The facility has not effectively considered and trained on particulate and dissolved metals as a pollution source.

Mrs. Funk said the facility uses witch hat filters as one of their controls for reducing metals in stormwater pollution. Mrs. Funk said that the witch hats on the three inlets are designed to capture particulates down to 10-microns and that these controls help provide filtration of particulate metals. The facility did not show or send product specifications confirming the performance expectations of the control. The witch hats are not provided at all structures receiving stormwater from areas with particulate metals as a pollution source. The selection of witch hat filters as a control is not specified in the plan. The witch hat filters do not have written operation and maintenance procedures in the plan. Future stormwater plan users may not be aware that the facility has chosen to use filters specified to filter down to 10-micron particulates and may not continue to follow the technical selection being used to comply with the permit. The SWPPP team has not effectively evaluated if the witch hats are reducing particulate-bound and dissolved metal loads in their runoff. Under Section 2.2 the permittee must review, evaluate, select, install, utilize, operate and maintain the best management practices following general accepted and scientifically defensible guidance and the concepts and methods described in the EPA guidance documents. Depending on the facility's activities, metals can be found in a dissolved form and adsorbed to particles or sediment. Since both the dissolved and particulate forms can occur at the same time is why stormwater discharges are analyzed for total recoverable metals. The facility has not conducted analytical sampling to understand if their current selected controls are effective for the pollutants on site; the permittee may sample and analyze runoff to evaluate the effectiveness of the plan and controls as an accepted and defensible method to evaluate existing controls. Section 2.4.5.b. in the permit directs the permittee to the pollutant benchmark concentrations in the EPA Multisector General Permit to evaluate performance of best management practices, for use as a design guide, or when establishing effectiveness of newly implemented best management practices. The facility must complete a visual examination of stormwater quality under section 2.4.5.a.

and the primary purpose of visual monitoring is to assess the performance of control measures. The facility is not effectively conducting visual monitoring to evaluate controls. Metals adsorbed to sediment are also a reason why evidence of sediment during visual assessment must be investigated and acted upon. In the 2020 and 2023 visual assessment sediment was observed in the discharge, but controls were not evaluated and corrective action was not taken. The facility did not effectively evaluate whether their controls are appropriate for minimizing the amount of metals and other pollutants in their discharge.

The witch hats are under metal plates under metal cages and are not readily visible (Photo #24). If this is the one of the primary controls for sediments and heavy metals, then they are not routinely visible to affirm that the controls are in good working order. The facility team said that they check the controls once a month during the onsite inspection, but the facility either does not keep or did not provide records of monthly inspections, only quarterly inspections. Quarterly inspections do not seem an appropriate inspection schedule based on the control type. These type of filtration controls require regular inspection to make sure they are operating properly, including before, during and after runoff events. The conditions of the controls at the quarterly inspections are not well documented, but I saw that several reports noted that the controls around the inlets required corrective action. Mr. Jones said that the quarterly inspections noting the controls need replacement are preventative maintenance not corrective action. The facility did not provide schedules and logs to the EPA for maintenance activities or schedules for these controls.

The facility has not completed a full inventory of potential pollutant sources, resulting in an incomplete risk identification and potentially deficient selections of controls. The facility has not effectively designed and sized controls to the pollutant types and loads generated from their industrial activities. The facility has not evaluated the effectiveness of their controls using analytical sample results or routine visual monitoring through sample collection of discharge. The visual assessments completed in 2020 and 2023 show corrective action is needed, including source investigation, cleanup of pollution source, changes to controls and updates to the plan.

The SWPPP team said they did not know who completed the original design and specification of the controls and the original assessment of the control effectiveness. Ms. Dehoney said some elements of the plan are from a template. The facility was not able to provide any documentation to show how they selected and design their controls and was not able to show an appropriate evaluation of control effectiveness following scientifically defensible procedures.

The facility's stormwater plan says the facility completes quarterly and annual inspections by qualified employees involving at least one member of the Stormwater Pollution Prevention Team. The facility sent records of inspection completed by the facility between April 2021 and January 2024. The frequency of inspections may not be appropriate based on the controls

selected and used on site. The inspection reports do not effectively show what areas the facility inspected nor record completion dates for corrective action.

The permit requires inspections of designated equipment and storage areas for raw material, finished product, chemicals, recycling, equipment, paint, fueling and maintenance, and loading, unloading, and waste management areas. The permit requires identification of facility personnel trained to inspect at appropriate intervals, but at a minimum, quarterly inspections must be completed. The facility's plan says they complete quarterly and annual inspections by qualified employees involving at least one member of the stormwater pollution prevention team. The facility submitted inspection reports for the past three years as requested by the EPA.

Frequency: The frequency of inspections may not be appropriate for the selected controls used on site. The facility uses filter socks, straw wattles, and witch hats on their stormwater inlets. A quarterly inspection cycle is inappropriate for this type of control based on recommended inspection and maintenance schedules in guidance materials, the ability for the controls to be displaced or fail, and the capacity of such controls given the pollutant loads on site. During the site walkthrough Ms. Dehoney said staff inspect controls monthly. Sections 3.3 in the plan says monthly inspections occur to check for leaks and the condition of all drums, tanks, and containers. Section 3.4 says the facility will inspect structures and sediment traps quarterly. Inspection records show that filtration controls on inlets may need be replaced weekly. An increased inspection frequency is likely needed to appropriately evaluate the condition and effectiveness of the controls used at this site.

Inspection Documentation: Mr. Brooks said that they use the checklist in a mobile application, VelocityEHS, for their stormwater inspections. Mr. Brooks said there are yes, no, and not applicable options for questions with comment boxes if you select certain responses. The SWPPP team emphasized that the inspections are checklist driven and that the checklists are comprehensive. The checklist reports I reviewed do not adequately document which areas of the facility the inspection personnel inspected, conditions of controls evaluated during the inspection, and control effectiveness. The permit requires tracking or follow-up procedures must be used to make sure that appropriate actions are taken in response to the inspections under permit section 2.4.3.d. The facility did not demonstrate effective tracking or follow-up procedures to make sure appropriate actions are taken in response to inspections, including completion dates. The inspection reports do not record completion dates for correction of all deficiencies as required by permit section 2.4.3.d.

The inspection documentation does not adequately show what areas the facility inspected. Example, the July 18, 2022, inspection report says not applicable to questions like "are fueling areas maintained and not causing pollution". The report does not provide follow-up or explanation if the fuel areas were not inspected or inspected at another date. During the EPA inspection I could not inspect the inlets on the north due to safety precautions; inspection procedures or records do not appropriately address these restrictions on inspecting stormwater controls when the shredder is running and whether and when these controls are inspected. It is

recommend the facility use photo documentation of controls to show which controls were inspected and their conditions at the time of inspection.

Inspection reports say that dust controls logs are being kept, but when asked to show logs during the inspection the facility did not show the EPA any logs.

The permit says records of inspections must be kept on-site or in a readily accessible location for at least three years after the date of the inspection. The facility was not able to provide an inspection report for the first quarter of 2021. The facility did provide a record in their system that an inspection was completed, but they did not have the inspection report available.

The facility has not completed adequate sample collection of stormwater discharges for visual assessment or laboratory analysis as required under permit section 2.4.5.

The facility is required to make a visual examination of stormwater quality at a minimum once per year. The facility has sent the EPA records for visual examination in 2020, 2021, 2022, and 2023. The facility did not complete an adequate visual assessment of stormwater discharges in 2021, 2022 and 2023. In 2021 and 2022, the visual assessment of stormwater quality report says there was insufficient flow to collect a sample. The 2023 report noted the discharge began on October 24, however the date and time of the previously qualifying rain event is noted as being October 25. The facility is to sample in the first thirty minutes to one hour of the start of discharge.

Frequency. The frequency of visual monitoring may not be appropriate to this facility. The permit requires the facility to make a visual examination of stormwater quality once per year. The facility is an industry known to discharge pollutants that currently impair the receiving water, the Kansas River. Previous visual monitoring shows there are pollutants of concern like sediment in the facility's discharges. The facility may need to monitor for pollutants that cause impairment to their receiving waters that have total maximum daily loads established and approved. Previous visual monitoring indicates controls are deficient at this site. The facility may need to increase visual monitoring to effectively evaluate and adjust existing controls.

Procedures. The facility is not sampling both outfalls as required. In 2023, the facility conducted visual monitoring on October 25 after the facility had made site changes adding a new discharge structure for industrial stormwater. The visual assessments must be conducted at all discharge points following permit section 2.4.5.

Outfall 001 is in a space that requires confined space entry and has unique accessibility and safety challenges to collecting a sample. The SWPPP visual monitoring procedures do not effectively describe the unique challenges and equipment required for sampling in this difficult to access location, like using a sampling pole or how to avoid collecting samples from stagnant or slowly moving waters inside the stormwater box as examples.

The permit directs the permittee to the Industrial Stormwater Monitoring and Sampling Guide for sampling methods and procedures under section 2.4.5. The guidance recommends the facility's documentation include taking photographs especially when more than one person is doing the assessment, because photos can be helpful for determining effectiveness of control measures.

Section 2.2 says the facility must use scientifically defensible guidance, concepts and methods for evaluating and operating and maintaining their selected controls to reduce the amount of pollutants in stormwater discharges associated with the industrial activities at the facility. The primary purpose of any visual monitoring is to provide feedback on the performance of the selected controls. Visual evidence in a stormwater sample shows that changes or additions to the site's controls need to be considered to improve the effectiveness of the stormwater program. Section 2.4.5.a. says each visual examination report must include the probable sources of any observed contamination. The stormwater pollution prevention plan says in section 4.2 that sources of contamination will be investigated. The facility must investigate probable sources of observed contamination and address as appropriate.

The report for the January 22, 2020, visual monitoring shows visual evidence of stormwater pollution including color, musty odor, cloudy clarity, floating solids, settled solids, and foam. The report does not include probable sources of observed contamination as required under section 2.4.5. The facility does not take corrective action in response to the visual evidence of stormwater pollution. The report for the October 21, 2020, visual assessment of stormwater discharge says the clarity was slightly cloudy and there are floating solids, suspended solids, and foam. The description says, "dirt as usual, good overall quality." The report does not identify probable sources of the observed contamination as required under section 2.4.5. The facility does not take any corrective action in response to this visual evidence of stormwater pollution; the sampling staff accepted evidence of pollutant loads as normal rather than evidence that controls are not effective. The facility has not effectively evaluated controls based on the visual monitoring results.

The October 25, 2023, visual monitoring shows the discharge is slightly cloudy with light brown color due to the settlement of dirt. The report does not identify probable sources of the observed contamination as required under section 2.4.5. The facility did not investigate the source of the contamination as required under plan section 4.2 and did not take appropriate corrective action to evaluate controls.

Documentation. Section 2.4.5 of the permit requires each visual examination report to include the date and time, name of the person performing examination, nature of discharge (runoff or snow melt), visual quality of the discharge (i.e., color, odor, clarity, floating solids, suspended solids, foam, oil sheen, and other indicators of stormwater pollution) and probable sources of any observed contamination. The visual examination reports do not include probable sources of observed contamination, nor the date and time the sample was collected.

The date and time the sample was collected and the discharge start time are critical for understanding whether the sampling staff collected the grab sample used for visual assessment in the first thirty minutes of an actual discharge. Samples for visual assessment not collected in the first thirty minutes of discharge of a rain event may not be representative of the stormwater discharges. The size and duration of the rain event also informs the performance evaluation of the controls which is the primary purpose of visual assessments.

The comprehensive site evaluations do not meet the minimum requirements under permit section 2.4.4.

I reviewed the comprehensive site evaluations from 2021, 2022, and 2023. The comprehensive site evaluations do not meet the minimum requirements in the permit and do not follow accepted and scientifically defensible guidance. The facility has not effectively completed comprehensive site evaluations in 2021, 2022, and 2023.

The permit requires that the report for the comprehensive site compliance evaluation summarize major observations relating to the implementation of the stormwater pollution prevention plan and any actions taken. The annual reports do not make major observations relating to the implementation of the stormwater pollution prevention plan, including noncompliance like a missing inspection report, incomplete annual employee training and incomplete visual monitoring.

As an example, the May 3, 2023, comprehensive site evaluation does not identify that discharge monitoring, a major implementation activity for the stormwater pollution prevention plan, was not completed in 2022 or 2021. To the question “After reviewing records for visual assessments of stormwater quality, were they conducted properly and are the records retained as required?” the evaluator answers “Not applicable”. The evaluation did not identify that records, like the quarter one inspection report from 2021, were not being maintained for the required three years under permit section 3.1.

As another example, the comprehensive site evaluation completed on April 14, 2021, says that visual assessments are conducted properly, and that visual assessment data did not indicate the need for additional controls. The 2021 visual monitoring had insufficient flow to collect a sample and the facility did not properly conduct visual assessments of stormwater in 2021 or 2020. The 2020 visual monitoring showed visual evidence of stormwater pollution. Visual evidence of stormwater pollution suggests a need for additional controls or additional control maintenance.

All of the comprehensive site evaluations I reviewed do not identify failures in plan implementation and do not identify corrective actions in response to the implementation failures. Each of these comprehensive site evaluations is an opportunity to identify that required implementation activities were not appropriately completed over multiple years. I asked the SWPPP team for clarity on the period they evaluated implementation of non-structural controls at the facility when completing the annual comprehensive site evaluation. The SWPPP team denied a look-back period and emphasized the use of the checklist. Mr. Jones

said they would know when an inspection is missed because the software provides notifications by email if inspections are incomplete. Mr. Jones said the facility is proactive and looking at the year forward more than looking at the year backwards.

The 2021, 2022, and 2023 comprehensive site evaluations have insufficient documentation to show that all administrative, non-structural and structural controls identified in the plan were inspected. The 2022 evaluation also does not show if annual training was completed in 2021 or if the 2021 training records were kept as required. The 2021 training record was not available to the EPA.

The facility did not identify incomplete implementation of the plan in 2021, 2022, and 2023 and did not take corrective actions in response.

The facility did not show that employees at all levels of responsibility are appropriately trained on the requirements and implementation activities of the stormwater pollution prevention plan.

The permit requires under section 2.4.3.e. that the facility have employee training programs to inform personnel, at all levels, responsible for implementing the plan or otherwise responsible for stormwater management, of the components and goals of the stormwater pollution prevention plan. The plan must provide for training existing and new staff. The facility's plan says all employees receive annual training on the requirements and implementation of the stormwater pollution prevention plan; new employees will be trained within six months; records of training will be kept; and copies of the files used for training are kept. This section also says individuals who perform stormwater sampling must be qualified according to the Qualified Sampler Stormwater training. The qualified sampler training covers preparation, grab sampling techniques, sample preservation, and completing the chain of custody. The plan says training also includes instructions on completing the inspections and for complete information on sampling technique and procedures refer to "Env. SharePoint".

The facility sent the EPA sign-in sheets for an annual training on July 25, 2022, and July 6, 2023. The facility sent the EPA a copy of the slideshow for 2021, 2022 and 2023. The facility did not show that all personnel responsible for implementing the plan, such as the entire SWPPP team, have been trained. The facility did not send records of training in 2021. The facility did not provide documentation of specialized training for staff completing inspections and grab samples for visual assessment. The facility did not provide complete information on sampling technique and procedures. The 2023 comprehensive evaluation report says the last training was June 1, 2022. I did not see any training records for June 1, 2022. The 2022 comprehensive evaluation says the last training was April 7, 2022. I did not see any training records for April 7, 2022. The 2022 comprehensive report also says, "only supervisors are trained here when needed by safety or ENV". This comprehensive evaluation report contradicts other training records and section 7.0 of the stormwater pollution prevention that requires annual training for all employees.

The facility did not show an adequate training program, including recordkeeping.

The stormwater pollution prevention plan is incomplete and does meet all the minimum requirements under the general permit section 2.4.

The stormwater pollution prevention plan does not effectively describe all potential pollutant sources that are reasonably expected to add significant pollutants to the stormwater discharge. The inventory of exposed materials is incomplete. The risk identification and summary of potential pollutant sources is incomplete. The plan does not adequately describe all existing administrative, structural, and non-structural control measures to reduce pollutants in stormwater runoff; and the treatment the stormwater receives. Section 2.4.3 of the permit requires a schedule for the administrative, structural and non-structural controls used by the facility, including a schedule for inspection and maintenance. The facility did not update the spill plan promptly when the facility added a drainage structure. The stormwater plan was not effectively evaluated and promptly modified after changes to the facility design and the addition of new drainage structure in June 2023. The plans were not effectively evaluated and promptly changed as required after an EPA inspection identified deficiencies. The EPA communicated deficiencies to the facility through a Notice of Preliminary Finding on June 22, 2023, and the inspection report on September 7, 2023. This list of plan deficiencies is not comprehensive and the plan must be evaluated and updated.

CONCLUSION

Stormwater from Advantage Metals Recycling – 12th Street is stormwater associated with industrial activities under 40 CFR 122.26(b)(14). Industrial stormwater from Advantage Metals Recycling – 12th Street flows to the Kansas River.

This facility has strengths in their pollution prevention program like the company has an environmental and safety director and an environmental engineer. The facility has a source control program to limit pollution coming onto the site. The facility uses controls at the inlets to filter pollutants from stormwater. The facility has established inspection checklists using software and digital recordkeeping. The facility covers aboveground storage tanks and uses secondary containment that appeared in good working order. The facility has provided training to employees on the Stormwater Pollution Prevention Plan and the Spill Prevention, Control and Countermeasure. This is not an inclusive list of all the controls I saw implemented by this facility, but examples that show this facility has a program to implement their Stormwater Pollution Prevention Plan.

The stormwater pollution prevention program has significant deficiencies and corrective action is necessary. Deficiencies in the plan and implementation include:

1. The facility does not have or did not send a full copy of their Notice of Intent. The facility must keep the full notice of intent including supporting documents used to request authorization under the general permit section 1.5.
2. The facility must prevent or minimize exposure to stormwater of the pollutant(s) that impair the receiving waterbody and keep documentation of procedures taken to prevent onsite exposure under permit section 1.4.

3. Pollutants associated with the industrial activities at this facility may adversely affect threatened or endangered species as listed in the Kansas Administrative Regulations section 115-15-1. The facility does not have documentation showing they have contacted the Kansas Department of Wildlife and Parks to obtain information about regulatory requirements or special conditions which may be applicable to the activities covered by their permit following Section 1.4.
4. The stormwater pollution prevention plan does not adequately identify the specific selection or design of the controls used on site. Following permit section 2.2, the plan must include the specific control measures used to meet the limits in the permit. The facility is not effectively reviewing, evaluating, and maintaining their stormwater control measures using accepted and scientifically defensible guidance as required under permit section 2.2.
5. The plan does not effectively describe all potential pollutant sources that are reasonably expected to add significant pollutants to the stormwater discharge.
 - a. The description does not include all required elements under 2.4.2.b. for the site map such as outlined drainage areas; direction of flow; approximate acreage of each stormwater outfall; the location of all significant materials exposed to precipitation or runoff; scrap yards and general refuse areas; all loading and unloading areas; waste storage areas; fuel distribution areas; and stockpiles. Drainage area and approximate acreage of each stormwater outfall were not effectively updated when the facility made changes such as adding an outfall or expanding operations onto leased land.
 - b. The inventory of exposed materials does identify all exposed materials as required under 2.4.2.c. The plan does not adequately describe all stormwater treatment and existing administrative, structural and non-structural control measures used to reduce pollutants in stormwater runoff; and the treatment the stormwater receives, also required under 2.4.2.c.
 - c. The risk identification and summary of potential pollutant sources is incomplete. The narrative description does not adequately identify all potential pollutant sources and their locations at the facility as required under 2.4.2.e.
6. I saw evidence of poor housekeeping, including:
 - a. Dust and metal particulates not effectively controlled to prevent mobilization off site.
 - b. Sweeping is ineffective to prevent automotive shredder residue and other trash from migrating off site, accumulating at the fence, and accumulating around equipment. The sweeping schedule is informal and frequency appears inadequate.
 - c. Pollutants easily mobilized in stormwater, like sand and rock salt, are not appropriately stored to prevent exposure to stormwater.
7. The plan does not provide an appropriate schedule for inspection and maintenance of all stormwater controls used to meet the limits in the permit. The plan must provide a schedule for inspection and maintenance of stormwater management controls under permit section 2.4.3.b.

8. If there is a spill the facility follows the requirements of their Spill Prevention, Control and Countermeasure Plan. The spill plan was not updated promptly when there was a change in the facility design adding a new drainage structure.
9. The facility is not meeting the minimum requirements for routine facility inspections under general permit section 2.4.3.d., including:
 - a. The inspection report for quarter one in 2022 was not available.
 - b. The facility did not show effective tracking or follow-up procedures to make sure appropriate actions are taken in response to inspections, including completion dates.
10. The facility is not following accepted and scientifically defensible guidance required under permit section 2.2 for routine inspections as a control measure to reduce pollution in stormwater discharges:
 - a. The frequency of inspections is not appropriate based on the controls selected and used on site.
 - b. The checklist reports I reviewed do not adequately document which areas of the facility personnel inspected, and conditions of controls evaluated during the inspection.
11. The facility should improve training to ensure employees at all levels of responsibility are sufficiently knowledgeable to implement the requirements of the stormwater pollution prevention plan as required under permit section 2.4.3.e. and plan section 7.0.
12. The stormwater plan does not effectively describe all the controls used to treat stormwater runoff to reduce pollutant discharge as required under 2.4.3.i.
13. The facility must make a visual examination of stormwater quality at a minimum once per year under permit section 2.4.5. The facility has not appropriately sampled and made a visual assessment of their stormwater discharges following accepted procedures.
 - a. The facility is not sampling both outfalls as required.
 - b. The facility did not complete an adequate visual assessment of stormwater discharges in 2021, 2022 and 2023.
 - c. The frequency of visual monitoring may not be appropriate to this facility. Earlier assessments show evidence of stormwater pollution that indicates controls are deficient at this site and the facility may need to increase visual monitoring in order to effectively evaluate and adjust existing controls.
 - d. The facility has not effectively evaluated controls based on the visual monitoring results.
14. The comprehensive site evaluations do not meet the minimum requirements under permit section 2.4.4.
 - a. The facility has not effectively completed comprehensive site evaluations in 2021, 2022, and 2023.
 - b. The facility has not effectively evaluated if controls are designed and sized for the pollutant loads generated during industrial activities exposed to stormwater.
 - c. The comprehensive site evaluations do not show that all controls measures identified in the plan were inspected.

- d. The reports do not effectively summarize major observations relating to the implementation of the stormwater pollution prevention plan and any actions taken. The reports do not identify failures in plan implementation and do not identify corrective actions in response to the implementation failures, such as incomplete visual monitoring.
 - e. The reports do not include resolution to non-compliance within 90 days of the comprehensive site evaluations.
- 15. The plan was not effectively evaluated and promptly modified as required under permit section 2.4.6. after changes to the facility design and the addition of new a drainage structure in June 2023.
- 16. The plan was not effectively evaluated and promptly modified as required under permit section 2.4.6. after an EPA inspection identified deficiencies.
 - a. The facility received a Notice of Preliminary Finding from the EPA on June 22, 2023.
 - b. The facility received the inspection report completed by the EPA on September 7, 2023.
- 17. I saw an oil sheen floating on the surface of the water in the bottom of the stormwater box in front of the permitted outfall 001.

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Caitlin Dix
Interdisciplinary Scientist, ECAD/WB

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Nicole Moran
Section Chief, ECAD/WB/DWIS

ATTACHMENTS:

1. Digital Image Log and Image Location Map (34 pages)
2. Notice of Preliminary Findings (4 pages)
3. Permit (57 pages)
4. Notice of Intent (3 pages)
5. Stormwater Pollution Prevention Plan (45 pages)
6. Visual Inspection Records (35 pages)
7. Visual Assessments of Stormwater Discharge (12 pages)
8. Comprehensive Site Evaluations (12 pages)
9. Employee Training Records (61 pages)