

**REPORT OF INDUSTRIAL STORMWATER
COMPLIANCE EVALUATION INSPECTION**

AT
Enterprise Precast Concrete of Kansas
5525 Kaw Drive
Kansas City, Kansas 66102
Facility Registry Service ID: 110031009771
National Pollutant Discharge Elimination System Permit: KSG110024

June 17, 2024

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

INTRODUCTION

At the request of the Water Branch of the Enforcement and Compliance Assurance Division in Region 7 I inspected Enterprise Precast Concrete of Kansas in Kansas City, Kansas, for a compliance evaluation of applicable industrial stormwater regulations. 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 my inspection.

PARTICIPANTS

Enterprise Precast Concrete of Kansas:

Steven Mobley, Operations Manager 913-287-4343
smobley@enterpriseprecast.com
Mr. Casey Grivy, Safety Coordinator
cgrivy@enterpriseprecast.com
Robert Caudill, Plant Manager

U.S. Environmental Protection Agency:

Caitlin Dix, Physical Scientist (Lead Inspector) (913) 551-7109
Email: dix.caitlin@epa.gov

INSPECTION PROCEDURES

I, Caitlin Dix, the EPA Region 7 lead inspector, arrived at Enterprise Precast Concrete of Kansas at 5525 Kaw Drive in Kansas City, Kansas, about 8:50 a.m. on June 14, 2024, for an unannounced inspection. I presented my credentials to Mobley the facility operations manager. I told Mobley that this was an evaluation inspection by the 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 me, 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:

- EPA's Enforcement and Compliance History Online.
- Kansas Environmental Information Management System.
- 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.
- Waterbody report using How's My Waterway by the U.S. Environmental Protection Agency.

During the opening conference I met with Mobley in his office. Mobley said he was not the primary contact or lead for the Stormwater Pollution Prevention team. As the operations manager, Mobley was knowledgeable about the facility and industrial activities. Mobley answered my questions about the site and industrial activities and went with me during a tour of the facility.

I described the Confidential Business Information Notice for Information Collected During the Inspection and the Small Business Resource Information Sheet during the opening conference. I emailed both forms to Mobley on June 14. During the closing conference on June 17 Mobley returned a signed confidential business information notice that said the business considers their production values confidential. I did not include any production values in this report.

During the visual inspection I documented my findings and observations by taking pictures and taking notes using Smart Tools, a digital tool for field inspectors. I included digital images taken during the inspection in Attachment #1.

I summarized areas of concern seen during the visual inspection with Mobley, Mr. Grivey, the safety coordinator, and Caudill, the plant manager, during the closing conference on June 17. I issued a Notice of Preliminary Finding to the facility during the closing conference. I included this notice in the inspection report as Attachment #2. During the inspection I asked the facility to send documents to the EPA, including:

- Notice of Intent and any earlier records or communications about permitting under the National Pollutant Discharge Elimination System that may be available.
- Stormwater Pollution Prevention Plan.
- Discharge Monitoring Reports.

Mobley sent records on June 14 and June 25. Mobley sent a response to the Notice of Preliminary Findings on July 9. Mr. Grivy sent documents about the discharge monitoring reports on July 9, July 11, and July 18. I included these documents in Attachment #3.

FACILITY DESCRIPTION

Facility Location

The facility is on a parcel that is about 50 acres located on the north bank of the Kansas River in Kansas City, Kansas. The parcel is an irregular shape and bounded by the river to the south and the Union Pacific Railway to the north. Mobley said about 30 acres of the facility is usable for their industrial activities. Muncie Creek flows through the property from the north side of the property south to the Kansas River. This creek divides the parcel with the land on the west side of the property used for industrial activities and the land east of the stream appearing unused. Muncie Creek's assessment unit identifier is KS-1027010455 and How's My Waterway shows the creek as impaired for aquatic life use and primary contact recreation. Muncie Creek confluences with the Kansas River next to the property.

There is a notch in the parcel in the northwest corner of the facility and the Enterprise Concrete parcel surrounds a parcel owned and operated by the Unified Government for a sanitary sewer pump station. The Unified Government's DotMaps shows two sanitary sewer pipes flowing from the pump station to discharge locations at the Kansas River. There is also a sanitary sewer discharge location at the pump station. This area does not show up in the combined sewer overflow boundary hosted on DotMaps. The sections of the two sanitary sewer pipes are downstream from the Unified Government's pump station and effluent downstream of the pump station flows untreated to the Kansas River.

The entire facility is in a flood hazard area as mapped by Federal Emergency Management Agency. The southern part of the facility, or about 200 to 350 linear feet from the southern boundary of the parcel, is in the floodway of the Kansas River. There is about 25 acres of the parcel that is in the floodway. The entire facility is in a high-risk flood area or special flood hazard area Zone AE where there is a 1% chance in any given year to flood. The 1% annual chance flood is also known as the base flood.

The average precipitation for the area is about 39 inches per year according to the National Centers for Environmental Information gridded normals mapper. This facility can expect storm events of around 3 inches in 24 hours every year and around 5.4 inches in 24 hours every 10 years according to the NOAA Atlas 14 precipitation frequency estimates. The size and duration of expected storm events should be considered when selecting, designing, installing and implementing proper controls to reduce pollutants in discharges associated with industrial activities at this facility.

Stormwater from the site drains to the Kansas River and Muncie Creek. Muncie Creek confluences with the Kansas River next to the facility. The Kansas River is a permanent stream. The assessment unit identifier for this section of the Kansas River is KS-102701041. The 2024 waterbody report shows this section of the Kansas River as impaired for aquatic life use and primary contact recreation. Identified issues include bacteria and other microbes, degraded aquatic life, murky water and nutrients. 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 U.S. Fish and Wildlife Service mapped this section of the Kansas River as habitat for endangered species Pallid Sturgeon.

The Kansas Department of Wildlife and Parks designates this section of the Kansas River as critical habitat for the following endangered or threatened species:

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

Under Kansas Water Quality Standards, this section of Kansas River is designated for special aquatic life use.

Facility Operations

Enterprise Precast Concrete makes precast architectural and structural products and has been an architectural precast concrete producer for over five decades. Enterprise Precast Concrete is a member of Enterprise Properties. Their website says Enterprise Properties is the corporate entity for a family of precast concrete production facilities. Mobley said that Enterprise Precast Concrete has owned and operated the Kansas City, Kansas, facility since July 13, 2022. Mobley said not quite 60 employees work at this location and they operate Monday through Friday from around 6 a.m. to 10 p.m.

Prior to Enterprise Precast Concrete this facility was Omega Concrete Systems, which produced ready-mix concrete for the on-site production of precast architectural concrete wall panels for industrial and commercial buildings. Mobley said before being a precast company the facility was a masonry company. The main building was built in 1974 according to the property records on the Unified Government's DotMaps with more outbuildings, additions or building improvements in 1974, 1980, 2006, and 2019.

Regulatory History

Federal regulations at 40 CFR 122.26(b)(14)(i)-(xi) require stormwater discharges associated with specific categories of industrial activity to be covered under National Pollutant Discharge

Elimination System permits unless otherwise excluded. Under 40 CFR 122.26(b)(14)(ii) facilities under standard industrial classification industry group 32: stone, clay, glass and concrete products are considered to be engaging in industrial activity applicable to the National Pollutant Discharge Elimination System. This major group includes establishments engaged in manufacturing concrete products. The EPA has authorized the Kansas Department of Health and Environment to issue National Pollutant Discharge Elimination System permits for all facilities outside tribal lands in Kansas.

Omega Concrete Systems was authorized to discharge stormwater runoff and process wastewater following the effluent limits, monitoring requirements and other conditions under Kansas Water Pollution Control general permit KSG110024 for ready-mixed concrete plants, concrete product plants, and their associated facilities. Omega Concrete Systems submitted a Notice of Transfer on July 12, 2022, to transfer the permit to Enterprise Precast Concrete. The Kansas Department of Health and Environment approved the permit transfer on July 26, 2022. The most recent permit was effective July 1, 2018, and expired September 30, 2022. The EPA's integrated compliance information system shows permit KSG110024 was administratively continued on October 1, 2022. The EPA's integrated compliance information system shows the facility submitted an application or Notice of Intent on December 8, 2023.

The Kansas Environmental Information Management System shows the Bureau of Wastewater last inspected this facility December 19, 2018, for wastewater compliance and previously evaluated this facility in 2012, 2007, 2001, and 1996. Kansas Environmental Information Management System also shows the Kansas Department of Health and Environment determined 13 violations for this facility. In July 2018, the Kansas Department of Health and Environment determined two violations for insufficient sampling frequency, two for value is required but was not reported, and three for reported value exceeds effluent limits. In January 2019, the Kansas Department of Health and Environment determined a violation for exceedance of effluent limits. The remaining five violations are for discharge monitoring reports not submitted by due date in April 2023, July 2023, October 2023, January 2024, and April 2024. At the time of the inspection, the Kansas Environmental Information Management System shows no compliance actions for this facility. At the time of inspection, the EPA's Enforcement and Compliance History Online shows the permit as administratively continued and the facility is in significant noncompliance since the July 2022 – September 2022 quarter for failure to report discharge monitoring reports. On August 16 Kansas Department of Health Environment issued a Letter of Warning for a missing 2023 site evaluation and delinquent Discharge Monitoring Reports 3rd and 4th quarter 2022, and all of 2023, 1st and 2nd quarter 2024.

Mobley sent a copy of a Notice of Intent for renewal of permit KSG110024 submitted by Enterprise Precast Concrete of Kansas through the Kansas Environmental Information Management System on December 8, 2023. This Notice of Intent is included in Attachment #3. This notice of intent says there are two discharging settlement structures and three stormwater outfalls. Mobley sent a stormwater pollution prevention plan completion certification form completed by Omega Concrete Systems on November 15, 2019, including updated sites maps showing the new mixing building, storage building, and settling basins added in 2019.

Based on available information I reviewed, the Environmental Protection Agency has not previously inspected this facility to evaluate for compliance with the Clean Water Act.

FINDINGS AND OBSERVATIONS

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

The National Weather Service reports trace amounts of rain for the Kansas City Area on June 14. There was no rain during the onsite inspection. The most recent rain event was June 7 through June 9. At the Charles B. Wheeler Downtown Airport, which is about 6 miles from the facility, the weather station measured 0.74 inches on June 7, 1.08 inches on June 8, and 0.18 inches on June 9. The U.S. Drought Monitor shows the broad scale conditions for the area as abnormally dry in the June 18 report and not experiencing drought in the June 11 report.

Enterprise Precast of Kansas makes precast concrete products. Stormwater runoff from this facility is stormwater related to manufacturing, processing and raw materials storage areas at an industrial plant.

I saw industrial activities as described under industry group 3272 of the standard industrial classification, concrete products except block and brick, exposed to stormwater. Enterprise Precast of Kansas makes ready-mix concrete at a batch plant on site and then uses the concrete to cast products. Many of their production processes occur inside a 34,000 square foot building and accessory buildings. Other production processes like finishing are outdoors and exposed to stormwater. Stormwater runoff from Enterprise Precast of Kansas is stormwater directly related to manufacturing, processing and raw materials storage areas at an industrial plant as described in 40 CFR 122.26(b)(14)(ii). I saw industrial activities at this site as described under 40 CFR 122.26(b)(14) such as:

- Industrial plant yard.
- Immediate access roads 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.
- Refuse sites.
- Sites used for the application or disposal of process wastewaters as defined at 40 CFR 401.
- Sites used for the storage and maintenance of material handling equipment.
- Sites used for residual treatment, storage, or disposal.
- Shipping and receiving areas.
- Manufacturing buildings.
- Storage areas raw materials, and intermediate and finished products.
- Areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

Industrial stormwater from Enterprise Precast of Kansas flows to the Kansas River by conveyance.

I saw four inlets that collect industrial stormwater. Images #21, #25, #31, and #47 show inlets I saw during the inspection. Mobley said that these inlets drain to an outlet at the Kansas River. I saw sheet plans showing these conveyance pipes in Mobley's office but I do not have a copy of these plans in the record for this inspection. Mobley and I searched for the outlet but the area was overgrown and I was not able to locate the outlet. Mobley said the outlet is easier to find in the winter when the vegetation on the banks for the Kansas River is not as overgrown. The site map submitted by Omega Concrete Systems shows seven field inlets on two conveyance pipes that converge prior to flowing into the main sewer branch discharging to the Kansas River. I included the site map sent to the Kansas Department of Health and Environment with the Notice of Intent in Attachment #3. Outfall 001 is labeled on the map at a field inlet prior to the convergence with the main branch. Based on the map submitted in the Notice of Intent and the plan sheets I saw in Mobley's office, the main branch also receives stormwater flows from Wyandotte Township Sewer District No. 7 land that is the location of a pump station for the sanitary sewer. Based on my professional experience, the stormwater conveyance system I saw at the facility likely drains to the Unified Government system shown on DotMaps.

The facility generates process wastewater. I saw uncontrolled releases of wastewater to the environment drain to a stormwater inlet.

Under 40 CFR 401.11(q), the term process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

I saw processes that generate wastewater like concrete production at the batch plant, finishing processes, like using water and a citrus-based cleaner to remove cement paste and a release agent after casting, equipment washing, and quality control lab cleaning. Images #4, #5, #10, #13, #28, #54, #55 #61 #72 show some of the processes that generate wastewater and wastewater disposal to the ground. Images #13 and #61 show pooling wastewater on the ground. I saw wastewaters in the three settling basins. Images #11, #12, #14, #15, and #16 show these settling basins and overland flows of wastewater to the settling basins. Mobley said the water either evaporates or the facility land applies the wastewater for dust control. I saw the facility releases some untreated wastewaters uncontrolled to the environment and I saw that wastewater would commingle with stormwater. When stormwater mixes with process wastewater, it is then all considered to be process wastewater. I saw untreated wastewater on the ground. I saw wastewaters flowing into a stormwater conveyance inlet during dry weather like in images #77-79.

I saw the treatment basin 1A at the concrete batch plant shown in image #12 was overflowing overland towards settling basins 1B. Images #15 and #16 show the overland flow between basin 1A towards the basins 1B. Supplemental Condition #25 of the permit says the permittee is required to have settlement structures or containment structures meeting or equivalent to the criteria on page three of the Notice of Intent under "Provision for Construction of

Settlement/Containment structures”. This section says settlement and containment structures must be constructed to hold at least a 10-year, 24-hour storm runoff above the normal operating level before overtopping the dikes/walls. The basins are not covered to prevent exposure to stormwater and overland flow of stormwater into the basins is not fully restricted; these basins are subject to overflow after some storm events. The basin I saw overflowing did not have capacity to hold the runoff from 5.4 inches of rain which is the estimated 10-year, 24-hour storm event. This section also says that under the permit, the design of wastewater treatment systems shall be in conformance with the Kansas Minimum Standards of Design for Water Pollution Control Facilities published in 1978 and the Kansas Administrative Regulations 28-16-160 thru 28-16-174 effective May 20, 2005, which address provisions on the design, construction, operation, and closure of wastewater treatment lagoons. Article 16 – 28-16-162(k) says no person shall construct, operate, or maintain any industrial wastewater lagoon without obtaining a permit or permit modification from the Kansas Department of Health and Environment. Under article 28-16-160 definitions (hh) “wastewater lagoon” and “wastewater pond” mean excavated or diked structures provided or used for retaining or treating municipal, commercial, or industrial sewage, process wastewater, cooling water, or stormwater runoff. The facility submitted a stormwater pollution prevention plan completion certification form completed by Omega Concrete Systems in 2019 showing a plan revision date of November 4, 2019, and the addition of basin 1A to the site map. I did not see permit records showing these basins meet Kansas design standards, like predicted wastewater characteristics, unit design capacity, expected detention times, records showing basin capability to meet applicable effluent limitations and water quality standards, design flow like average daily flow and peak flow, flow measurement data, overflow or bypass locations, and an operation and maintenance manual.

The Notice of Intent requires the permittee to say whether each structure follows the Kansas Department of Health and Environment industrial wastewater lagoon requirements in Kansas administrative regulations 28-16-160 through 174 and for any structure not meeting these requirements, a structure upgrade schedule must be provided to bring the facility into compliance with the regulations. The Notice of Intent submitted on December 8, 2023, says that containment structures or settlement structures do not need to be upgraded to meet structure requirements.

The general permit requires under supplemental conditions section five that modification or expansion of facilities must be approved, and a new site map must be accepted by the Kansas Department of Health and Environment prior to construction. The facility did not show an approval prior to construction and updated site map for recent facility modifications. Mobley said the facility has modification plans and some modifications have already been constructed like the concrete pad shown in image #17.

Under standard conditions section five, the facility is required to notify the Kansas Department of Health and Environment of change in discharge. The facility is required to report anticipated facility expansions, production or flow increase, or production or wastewater treatment system modifications which results in a new, different, or increased discharge of pollutants to the Kansas Department of Health and Environment 180 days before the change. The facility did

notify the Kansas Department of Health and Environment or update their pollution prevention plan when they began using chemical additives in their wastewater-generating finishing process. Supplemental condition #16 of this permit does not authorize discharge of waters containing solvents, detergents or other chemical additives. To be permitted, the chemical used with these waters must be listed in the chemical additives log for the facility, and the water must be contained on-site in a non-discharging containment structure. To discharge such waters, the facility must first apply for and obtain coverage under an individual permit.

The facility must properly operate and maintain all facilities and systems of treatment and control which are installed or used by the permittee to achieve compliance with the requirements of the permit and Kansas and Federal law. The facility was not properly operating and maintaining basin B, also called basin two on the site map, which was a permitted structure to treat wastewater generated in the finishing process.

The facility has not successfully submitted discharge monitoring reports following general permit conditions from July 2022 to April 2024. The facility did not show records of the required monthly flow estimates and quarterly visual inspections.

Under the general permit KSG110024 the facility is required to monitor process wastewater discharges at:

- Outfall 001A1 from the single cell concrete lined earthen settlement structure (Basin A).
- Outfall 002A1 from the two-cell concrete lined earthen settlement structure (Basin B).

The facility must collect grab samples quarterly to monitor effluent parameters including oil and grease, total suspended solids, total recoverable iron, and pH. The facility must monitor flow monthly and quarterly complete a visual inspection of water quality standards compliance. At the time of this report, the facility did not send any records to the EPA showing they completed any flow monitoring or visual inspections following the general permit requirements.

On July 11 Mr. Grivy submitted screenshots of the values they entered into Kansas Environmental Information Management System but these were not successfully submitted or received. I show values from these screenshots of the facility's entries to the Kansas Environmental Information Management System in the table below. I requested laboratory analysis reports or other supporting documentation. On July 18 Mr. Grivy sent laboratory analysis reports. I included these laboratory analysis reports in attachment #3.

Date	Parameter	Limit	Basin 001A	Basin 002B
07/01/2022 – 09/30/2022	Solids, total suspended	100 mg/L	1 mg/L	1 mg/L
	pH	>=6, <=9	10.8	8
	Total Oil & Grease	<=15	1 mg/L	1 mg/L
	Iron, total recoverable	Required monitoring	68.8 µg/L	194 µg/L
10/01/2022 – 12/30/2022	Solids, total suspended	100 mg/L	13.3 mg/L	5.9 mg/L
	pH	>=6, <=9	12.3	9

	Total Oil & Grease	<=15	1 mg/L	1 mg/L
	Iron, total recoverable	Required monitoring	76.4 µg/L	94.9 µg/L
01/01/2023 – 03/31/2023	Solids, total suspended	100 mg/L	82.8 mg/L	1 mg/L
	pH	>=6, <=9	12.9	11.3
	Total Oil & Grease	<=15	1 mg/L	1 mg/L
	Iron, total recoverable	Required monitoring	725 µg/L	1 µg/L
04/01/2023 – 06/30/2023	Solids, total suspended	100 mg/L	41.6 mg/L	1 mg/L
	pH	>=6, <=9	12.7	11.6
	Total Oil & Grease	<=15	1 mg/L	1 mg/L
	Iron, total recoverable	Required monitoring	540 µg/L	68.1 µg/L
07/01/2023 – 09/30/2023	Solids, total suspended	100 mg/L	1 mg/L	1 mg/L
	pH	>=6, <=9	11.6	8.5
	Total Oil & Grease	<=15	1 mg/L	1 mg/L
	Iron, total recoverable	Required monitoring	248 µg/L	81.5 µg/L
10/01/2023 – 12/30/2023	Solids, total suspended	100 mg/L	1 mg/L	1 mg/L
	pH	>=6, <=9	11.6	8.4
	Total Oil & Grease	<=15	1 mg/L	1 mg/L
	Iron, total recoverable	Required monitoring	59.9 µg/L	1 µg/L
<i>Table. This table shows the values from screenshots of entries in the Kansas Environmental Information Management System sent by Enterprise Precast Concrete. I copied these values and I did not compare these values to the laboratory results sent by the facility on July 18.</i>				

The sampling data that Enterprise Precast submitted to the EPA shows pH exceedances in every quarter.

The facility must also estimate gallons per day monthly under the discharge limits and monitoring requirements section B of the general permit. I did not see any flow records during my review of the facility's responses and monitoring documents sent to the EPA.

The facility must also visually inspect for compliance with water quality standards quarterly under the discharge limits and monitoring requirements section B of the general permit. Part D Supplemental Conditions Item 6 requires at a minimum that the facility must inspect the outfalls and receiving streams quarterly to ensure compliance with water quality standards and requires that facility maintain a log documenting the results of any monitoring or inspections. Attachment A Item 5 monitoring and recordkeeping requirements require visual examination of stormwater quality periodically at each identified stormwater outfall. I did not see any visual inspection records during my review of the facility's documents shown or sent to the EPA.

The facility discharges to water-quality impaired waters.

The section of the Kansas River that receives industrial stormwater from Enterprise Precast of Kansas is impaired under Section 303(d) of the Clean Water Act. Common activities and pollutant sources associated with concrete product manufacturing facilities are known to contribute to the impairments identified in the receiving water, the Kansas River. Supplemental condition 13 says discharge must not contribute to an existing impairment of a waterbody.

Pollutants associated with the industrial activities at this facility may adversely affect threatened or endangered species in the receiving waters.

Pollutants associated with concrete product manufacturing can adversely affect the habitat and critical habitat of threatened or endangered species identified by the Kansas Department of Wildlife and Parks and the U.S. Fish and Wildlife Service.

The Notice of Intent submitted to Kansas Department of Health and Environment for permit coverage under the National Pollutant Discharge Elimination System is inaccurate.

Enterprise Precast submitted a notice of intent to renew permit KSG110024 on December 18, 2023. I included this notice of intent in Attachment #3.

Some information on the Notice of Intent submitted by Precast Enterprise Concrete of Kansas appears inaccurate based on my site observations. As example, the facility description says that all production and finishing occurs inside the 34,000 square feet building. Mobley said the facility used to wash at a wash bay indoors with wastewater flowing to the now defunct settling basins number two or Basin B when they were using a wax-based release agent. Mobley said removing the wax-based release agent required hot water and the facility completed the finishing process inside. Mobley said they now use a water-based release agent and a citrus-based cleaner for finishing. This washing process during finishing now occurs outside and the washwater does not flow directly into Basin B. To the question on the Notice of Intent form, "Were cleaners, detergents or chemical additives used?" the facility answers "No." This is inaccurate based on the use of a release agent and a cleaning agent during finishing. This process uses water and generates wastewater. This operation is not included in the list of operations which generate wastewater on the notice of intent. This is an industrial process that generates wastewater and is exposed to stormwater.

The facility also answers "No" to the form question "Does this facility use retention basins to contain water used to wash equipment?" but in the facility description the facility says, "Wastewater from washing out the mixer, trucks and bucket goes into settling basin number one."

This is not an inclusive list of all potential deficiencies in the Notice of Intent. The facility may need to update their Notice of Intent under the National Pollutant Discharge Elimination System.

The facility Stormwater Pollution Prevention Plan is out of date and the facility is not fully implementing the existing Stormwater Pollution Prevention Plan.

Enterprise Concrete of Kansas sent the Stormwater Pollution Prevention Plan first developed by Omega Concrete Systems in 2008 and last updated by Omega Concrete Systems in 2019. The facility does not have an updated Stormwater Pollution Prevention Plan and the Omega Concrete System plan is out of date and inaccurate to conditions at the facility. The facility did not show complete records like monitoring, inspection, and employee training records or maintenance logs that show the facility was fully implementing a Stormwater Pollution Prevention Plan at this site. Many of the best management practices I saw used, like moving processes indoors and keeping aggregate materials contained in bins, Mobley identified as actions taken to meet architectural product standards. These best management practices dual as stormwater pollution prevention best practices but would only be part of a stormwater pollution prevention plan especially given the extent of industrial activities exposed to stormwater. The plan lacks a complete description of potential pollutant sources, including the site map, inventory of exposed materials, sampling data, risk identification, and summary of potential pollutant sources.

I saw poor housekeeping and improper storage of oily wastes and other significant materials.

I saw oily rags on top of a used oil barrel stored outside and exposed to stormwater; shown in images #1-3. I saw uncovered trash containers overflowing trash. Images #8, #9, and #19 show two waste disposal areas. I saw waste, trash, and floatable debris around dumpsters, built up around fences and stored materials, and on the ground in other areas including at stormwater inlets. Images #8, #9, #11-13, #15, #19-21, #24-27, #31-32, #34-41 #44, #47-49, #53, #55, #58, #61, #71, #72, #74 and #77-79 show waste, trash, and floatable debris built up around fences, stored materials and on the ground. I saw barrels of oils and other liquid wastes stored exposed to stormwater—not under covers, roofs or awnings, stored with bungs or tops open, stored with leaks and spills on the outside of the barrel, and not in secondary containment. Images #1-3, #34-37, #39-42, and #53 show examples of used oils and other liquid wastes stored exposed to stormwater. During the inspection I saw that material handling, storage and other process areas were not maintained in a clean and orderly manner to minimize the potential for waste, garbage and floatable debris in exposed areas. During the inspection I saw the facility was only using the inlet field grates as inlet protection and was not using any interceptors to prevent petroleum, waste, garbage, and floatable debris from discharging. Images #3, #8-21, #27, #32, and #79 show the field grates at stormwater inlets. Field grates help prevent large debris and trash from entering the stormwater conveyance system but do not effectively filter or intercept all petroleum, floatables, sediment, trash, and other pollution carried by stormwater common to the industrial activities I saw on site.

I saw buildup of sand, sediment, concrete wastes and fines on the ground and around stored equipment and materials. Images #1-3, #4-5, #8-21, #24-27, #30-32, #34-36, #38-41, #43-44, #47-49, #52, #55-56, and #77-79 show areas of deposited sediment, fines, and wastes. I did not see any evidence that the facility sweeps or vacuums at regular intervals to prevent stormwater pollution. The facility did not show the EPA any logs of sweeping activities as part of the

stormwater pollution prevention plan and Mobley did not describe any routine sweeping of the plant yard.

Some materials were stored in containers not appropriate to prevent stormwater pollution, like in image #39 as an example. I saw evidence of spills and leaks on the ground that the facility did not clean up promptly. Examples include spills or leaks shown in images #3, #9 and #53. I did not see the facility use drip pans and absorbents when storing leaky vehicles or equipment outdoors. I saw that not all containers were plainly labeled with their contents, like containers in the boneyard shown in images #34, #39 and #40, as examples. I did not see spill kits readily available throughout the site in areas where spills may occur.

I saw outdoor storage of equipment with a buildup of concrete wastes and fines built up on the equipment, like the equipment shown in image #46 and #52. I saw areas of settled fines below the stored equipment, like in image #52.

I saw equipment in disrepair stored with the hood open as shown in images #38 and #41.

I saw a lack of controls appropriate to the industrial activities exposed to stormwater.

During the inspection I saw a lack of structural and non-structural controls that would be appropriate to the type and amount of industrial activities exposed to stormwater. The facility must use a combination of structural and nonstructural controls to minimize stormwater pollution and polluted discharges; controls required under the permit are in Section A, B, D, Attachment A, and Standard Conditions. I saw pollution in the stormwater conveyance system showing controls may not be adequate. Images #22-23, #33, and #50-51 show inside stormwater conveyance structures. I did not see adequate controls to minimize stormwater pollution.

The facility did not complete or did not document inspections.

The facility did not inspect, did not document inspections, or did not submit complete records of inspections required under the permit. Supplemental Condition 20 requires the facility to inspect the system of pollution controls on a quarterly basis and within 24 hours after any event which could reasonably be expected to affect the integrity of the controls (3" rainfall even within 24 hour, unless another intensity event is justified by the permittee based on a written record of past performance). The inspection must be adequate to verify that the best management practices prescribed in the Stormwater Pollution Prevention Plan are being implemented, properly operated and adequately maintained. An inspection report must be completed for each inspection which must include: the inspection date, inspection personnel, scope of the inspection, major observations, and any revisions needed in the Stormwater Pollution Prevention Plan. The Kansas general permit under Attachment A section 3.d. also requires inspections and requires records of inspection be kept for at least three years. The stormwater pollution prevention plan sent to the EPA says the facility will inspect after every rainfall event above two inches, every calendar quarter, and during the annual facility evaluation. Under permit section A.1. the facility is required to keep an updated Stormwater

Pollution Prevention Plan including minimum measures and controls following Attachment A. Attachment A requires the permittee to fully implement the provisions of the Stormwater Pollution Prevention Plan required under the permit as a condition of the permit.

The facility did not complete or did not document employee training.

The facility did not submit any records of employee training on the stormwater pollution prevention plan. The stormwater pollution prevention plan sent to the EPA says the facility will train new hires within one week of hiring and train existing employees annually. Attachment A requires the permittee to fully implement the provisions of the Stormwater Pollution Prevention Plan required under the permit as a condition of the permit. Permit attachment A requires employee training under the measures and controls section e.

The facility did not complete or did not document comprehensive site compliance evaluations.

Attachment A of the general permit requires a comprehensive site compliance evaluation once a year. The facility did not send the EPA any records of a comprehensive site compliance evaluation. As part of the permit under section A.1.d. an annual comprehensive site evaluation must be submitted every year by October 1.

The facility did not complete or did not document visual examinations of water quality.

Under Attachment A Item 5, monitoring and recordkeeping requirements, the facility must visually examine stormwater quality periodically at each identified stormwater outfall. Under section B additional monitoring requirements visual inspection of water quality standards compliance must be completed quarterly. The facility did not send the EPA any records of a visual examination of water quality.

I saw evidence that the facility disposes of waste materials in the regulated floodway and on the banks of the Kansas River.

I saw the facility disposing of material in the regulatory floodway, examples of waste disposal in the floodway include images #54-#56, #58, and #71-72. This general permit for industrial stormwater does not authorize the placement of fill materials in floodplains and does not relieve the permittee of any responsibility of any local, city, county, state or federal agency may have. I saw equipment and material storage in the floodway. Kansas City, Kansas, is a participating community under the National Flood Insurance Program and regulates development in floodways. The facility should consider contacting the Unified Government about regulated activities in the floodway such as encroachment, including fill like disposing of waste materials, and development, including equipment and material storage. I saw waste materials on the banks of the Kansas River like in images #74 and #75. The facility should consider contacting the U.S. Army Corps of Engineers Kansas City district about regulated activities in waters of the United States, such as placing materials.

SUMMARY

1. Enterprise Precast of Kansas makes precast concrete products. Stormwater runoff from this facility is stormwater related to manufacturing, processing and raw materials storage areas at an industrial plant. Based on my record review and on-site inspection this facility has discharged industrial stormwater defined under 40 CFR 122.26(b)(14)(ii).
2. Industrial stormwater from Enterprise Precast of Kansas flows to the Kansas River by conveyance.
3. The facility generates process wastewater. I saw uncontrolled releases of wastewater to the environment drain to a stormwater inlet.
4. The facility has not successfully submitted discharge monitoring reports to the Kansas Department of Health and Environment from July 2022 to April 2024. The facility sent laboratory analysis reports to the EPA and the results show that the effluent samples measured in exceedance of pH limitations. The facility did not show that they monitored all parameters required under the permit.
5. The facility discharges to water-quality impaired waters.
6. Pollutants associated with the industrial activities at this facility may adversely affect threatened or endangered species in the receiving waters.
7. The Notice of Intent submitted to Kansas Department of Health and Environment for permit coverage under the National Pollutant Discharge Elimination System is inaccurate.
8. The facility Stormwater Pollution Prevention Plan is out of date and the facility is not fully implementing the existing Stormwater Pollution Prevention Plan.
9. I saw evidence of poor housekeeping and improper storage of oily wastes and other significant materials.
10. I saw a lack of controls appropriate to the industrial activities exposed to stormwater.
11. The facility did not complete or did not document inspections.
12. The facility did not complete or did not document employee training.
13. The facility did not complete or did not document comprehensive site compliance evaluations.
14. The facility did not complete or did not document visual examinations of water quality.
15. I saw evidence that the facility is disposing of waste materials in the regulated floodway and on the banks of the Kansas River.

The facility sent a response to the Notice of Preliminary Finding including statements and photos showing corrective actions. This response is including in Attachment #3.

**CAITLIN
DIX**

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Caitlin Dix
Physical Scientist, ECAD/WB

**NICOLE
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Nicole Moran
Section Chief, ECAD/WB/DWIS

ATTACHMENTS:

1. Digital Image Log (82 pages)
2. Notice of Preliminary Findings (2 pages)
3. Facility response and submissions (250 pages)