



## REGION 3

PHILADELPHIA, PA 19103

**Report Title:** Clean Water Act Compliance Inspection Report  
**Inspection Date:** 3/20/2024  
**Regulatory Program:** National Pollutant Discharge Elimination System (NPDES)  
**Type of Activity:** Industrial Stormwater  
**Facility Name:** Schuster Concrete Ready Mix-Bridge District Portable-2  
**Permittee:** Schuster Concrete Ready Mix LLC  
**Facility Owner/Operator:** Schuster Concrete Ready Mix LLC  
**Facility Address:** 632 Howard Road SE, Washington, DC 20020  
**Latitude and Longitude:** 38.864611°N, 76.998659°W  
**Permit No.:** DCR050000 (Master General Permit)  
**Site Specific Permit No.:** DCR05J016  
**NPDES Permit Effective Date:** 07/11/2022 (Applied for Coverage)  
**NPDES Permit Expiration Date:** 07/31/2026  
**SIC code:** 3273  
**Unique Project #:** ECAD-5396

### Site/Facility Representative(s):

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### State/Local Inspectors:

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**List of Attachments:**

- Attachment A: 2021 EPA Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity
- Attachment B: Photograph Log
- Attachment C: Facility Stormwater Pollution Prevention Plan (dated 7/11/2022)
- Attachment D: Aerial Photograph of the Plant
- Attachment E: 2023 MSGP Annual Report
- Attachment F: Integrated Compliance Information System (ICIS) Discharge Monitoring Report Summary for Schuster Concrete Ready Mix-Bridge District Portable-2 Screenshot
- Attachment G: Notice of Intent (NOI) for MSGP Coverage Schuster Concrete Ready Mix-Bridge District Portable-2
- Attachment H: National Park Service (NPS) Special Use Permit

## I. INTRODUCTION

On March 20, 2024, representatives from EPA Region 3 and a representative of the Department of Energy and Environment ("DOEE") (hereinafter, collectively referred to as "the Inspection Team") arrived at the Schuster Concrete Ready Mix-Bridge District Portable-2 concrete batch plant (hereinafter, "the Plant") in Washington, DC. The Plant is part of the Bridge District Construction Site and was one of several inspections conducted by the Inspection Team of the Bridge District Construction site. The purpose of the inspection was to verify compliance with the Plant's coverage under EPA's Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity, Permit No. DCR05J016 (hereinafter, the "Permit") and other applicable regulations.

### A. Inspection Opening Conference

The Inspection Team arrived at the Plant at approximately 12:00 p.m. for the inspection. The Inspection Team met with the following Facility representatives:

**Table 1: Inspection Attendee List**

| Name                                 | Affiliation    | Telephone     | Email  |
|--------------------------------------|----------------|---------------|--|
| <b>EPA Region 3 Inspectors</b>       |                |               |  |
| Peter Gold                           | USEPA Region 3 | 215 814 -5236 | <a href="mailto:Gold.Peter@epa.gov">Gold.Peter@epa.gov</a>               |
| Dominic Cotton                       | USEPA Region 3 | 215-814-2046  | <a href="mailto:Cotton.Dominic@epa.gov">Cotton.Dominic@epa.gov</a>       |
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| <b>State/Local Inspectors</b>        |                |               |  |
| Robert Burnett                       | DC DOEE        | 202-578-6237  | <a href="mailto:Robert.Burnett@dc.gov">Robert.Burnett@dc.gov</a>         |
| <b>Site/Facility Representatives</b> |                |               |  |
| Alexander D'Costa                    | HITT           | 703-479-0147  | <a href="mailto:Adcosta@hitt-gc.com">Adcosta@hitt-gc.com</a>             |
| Eric Masciantonio                    | HITT           | 571-233-9797  | <a href="mailto:Emasci@hitt-gc.com">Emasci@hitt-gc.com</a>               |
| Jeremy Zelinger                      | HITT           | 703-559-0178  | <a href="mailto:Jzelinger@hitt-gc.com">Jzelinger@hitt-gc.com</a>         |
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| Jeremy Feath                         | Redbrick LMD   | 814-935-9413  | <a href="mailto:jfeath@redbricklmd.com">jfeath@redbricklmd.com</a>       |

Mr. Pete Gold, Mr. Dominic Cotton, and Mr. Robert Burnett displayed their credentials to the Plant Representatives at the outset of the inspection, and explained the purpose of the inspection was to observe compliance with its Permit. A copy of the 2021 Permit is provided in Attachment A. The Inspection Team informed the Plant Representatives that any information that the Facility deemed to be confidential business information ("CBI") should

be identified to EPA representatives during the inspection and it would be handled as CBI according to EPA’s CBI procedures.

**B. Weather and Precipitation**

At the time of the inspection, the weather was partly cloudy skies. No precipitation was experienced during the inspection. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in Table 2 below.

**Table. 2 Precipitation Preceding Inspection<sup>1</sup>**

| Station Name                       | Date       | Precipitation Amount (inches) <sup>2</sup> |
|------------------------------------|------------|--|
| ARLINGTON 0.3 E, VA US US1VAAR0008 | 03/15/2024 | 0.00                                       |
| ARLINGTON 0.3 E, VA US US1VAAR0008 | 03/16/2024 | 0.03                                       |
| ARLINGTON 0.3 E, VA US US1VAAR0008 | 03/17/2024 | 0.00                                       |
| ARLINGTON 0.3 E, VA US US1VAAR0008 | 03/18/2024 | 0.00                                       |
| ARLINGTON 0.3 E, VA US US1VAAR0008 | 03/19/2024 | 0.00                                       |
| ARLINGTON 0.3 E, VA US US1VAAR0008 | 03/20/2024 | 0.00                                       |

**C. Summary of the Plant**

The Plant is a temporary concrete batch plant that is part of the Bridge District Construction Site. This inspection is one of several inspections that the Inspection Team conducted within the larger construction site that day. According to the Plant’s Stormwater Pollution Prevention Plan (SWPPP) the Plant “is located within a construction site on Howard Road in Southeast DC and is approximately 700 feet east of the intersection of Howard Road SE and Suitland Parkway. The purpose of the Plant is to provide ready mixed concrete to the construction site.” The Plant is approximately a half-acre in size and houses one ready mix batch plant, a front-end loader, aggregate staging area, sand staging area, admixture containers and fuel tanks. According to the SWPPP, stormwater on the Plant is expected to infiltrate into the ground, and any runoff would be collected in the stormwater basin located at the northwest corner of the Plant. The stormwater basin was dry at the time of the inspection. Plant representatives stated that the basin has never discharged.

**II. OBSERVATIONS**

As part of the inspection, the Inspection Team visually observed Facility conditions and documented those conditions through photographs.

The photographs (Attachment B) for this report have been processed using EPA Region 3 's Photo Management Process. A camera generated file name (e.g., PC050006) is assigned to each photo as

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<sup>1</sup> Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

part of the process. The file names generated by the camera are used to identify each photo in the Main Narrative and Photo Log of this inspection report. Unused photos are digitally stored and maintained in the inspection file. Unused photos are available upon request.

The following section presents the Inspection Team's observations relative to the Facility's Permit requirements.

### **Permit Requirement**

Part 4.2.2.3 of the 2021 MSGP states "Benchmark monitoring of stormwater discharges is required quarterly, as identified in Part 4.1.7, in the first and fourth year of permit coverage...."

Part 8 Subpart E of the 2021 MSGP states "You must comply with Part 8 sector-specific requirements associated with your primary industrial activity...."

Part 8.E.5 of the 2021 MSGP and Table 8.E.2 of the MSGP identify the benchmark monitoring parameters for SIC codes 3271-3275. Sector E2 is required to conduct benchmark monitoring for total suspended solids.

#### **Observation 01:**

In the Notice of Intent (NOI) the Plant identified itself as a Sector E (GLASS, CLAY, CEMENT, CONCRETE AND GYPSUM PRODUCTS) Subsector E2 and SIC code 3273 facility (Attachment G). EPA's Integrated Compliance Information System (ICIS) has no discharge monitoring reports for the Plant (Attachment F). The Plant has been in operation since April of 2023 according to the Plant's 2023 MSGP Annual Report (Attachment E).

### **Permit Requirement**

Part 3.2.1 of the 2021 MSGP requires the permittee to perform the following actions: "Once each quarter for your entire permit coverage, you must collect a stormwater sample from each discharge point (except as noted in Part 3.2.4) and conduct a visual assessment of each of these samples."

Part 3.2.3 of the 2021 MSGP requires the permittee to "...document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 6.5."

#### **Observation 02:**

The Inspection Team reviewed the onsite SWPPP with facility representatives. At the time of the inspection there was no documentation within the SWPPP of Quarterly Visual Assessments (QVAs). The section for QVAs in the SWPPP was empty.

### **Permit Requirement**

Part 2.1.2.3.a of the MSGP requires the permittee to "maintain all control measures that are used to achieve the effluent limits in this permit in effective operating condition, as well as all industrial equipment and systems, in order to minimize pollutant discharges."

Part 6.2.5.1.b of the 2021 MSGP requires the permittee to maintain stormwater controls through "Preventative maintenance procedures, including regular inspections, testing, maintenance and repair of all stormwater control measures to avoid situations that may result in leaks, spills, and other releases..."

**Observation 03:**

The Inspection Team observed a sand pile of approximately 1,000 yards of material to be overtopping and migrating beyond the concrete barriers (Attachment B, Photos P3200134 and P3200135). There was super silt fencing (SSF) installed that appeared to be designed to prevent further migration of the sand. It appears that the SSF is a control of the separate construction activity occurring in proximity to the pile and not on the Plant's boundary.

At the time of the inspection, the Inspection Team observed a section of silt fencing by the basin that was down and appeared in need of maintenance (Attachment B, Photos P3200144 and P3200145).

**Permit Requirement**

Part 6.2.2.3 of the 2021 MSGP identifies the SWPPP Map requirements.

Part 6.2.2.3.g of the 2021 MSGP requires the map to identify "Locations of potential pollutant sources identified under Part 6.2.3.2"

Part 6.2.2.3.b of the 2021 MSGP requires the map to identify "Location and extent of significant structures..."

**Observation 04:**

The location of the sand pile did not appear to coincide to its location on the map on page 20 of the SWPPP (Attachment C). The location of the sand pile can be observed in Photo P320021 of Attachment B and in Attachment D which shows an aerial view of the site from Google (imagery dated 2024).

There was an approximately 500-gallon diesel tank that the Inspection Team observed on the bank of the basin that was not identified on the SWPPP site map (Attachment B, Photographs P3200130, P3200131, and P3200141). The diesel tank was within secondary containment.

It does not appear that the Concrete Batch Plant is located on the SWPPP site map.

**Permit Requirement**

Part 6.2.3.2 of the MSGP requires the Plant to include in its SWPPP "A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility."

**Observation 05:**

The Inspection Team observed an approximately 500-gallon diesel tank located on the bank of the basin (Attachment B, Photos P3200130, P3200131 and P3200141). The Inspection Team was unable to find this tank identified as a potential pollutant source in the SWPPP narrative.

**Permit Requirement**

Part 2.1.2.4 of the 2021 MSGP requires the permittee to “... minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur.”

Part 2.1.2.4.g of the 2021 MSGP requires the permittee to “Keep spill kits onsite, located near areas where spills may occur or where a rapid response can be made...”

Appendix B on page 21 of the SWPPP states “A spill kit is kept adjacent to the tanks” when describing the nonstructural controls for the 1,000-gallon Admix Container.

**Observation 06:**

At the time of the inspection, the Inspection Team did not see a spill kit adjacent to the 1,000-gallon SikaSet Accelerating Admixture Container (Attachment B, Photos P3200122, P3200123 and P3200124).

**Permit Requirement**

Part 6.2.3.2 of the MSGP requires the Plant to include in its SWPPP “A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility.”

Section 2.4 of the SWPPP states “All petroleum and other chemicals are stored in double walled tanks or are stored in single wall containers with secondary containment....”

**Observation 07:**

The Inspection Team observed three approximately 5-gallon fuel tanks on the bank of the stormwater basin outside of secondary containment (Attachment B, Photos P3200122 and P3200123)

At the time of the inspection, the Inspection Team did not observe visible secondary containment around the 1,000-gallon SikaSet Accelerating Admixture Container (Attachment B, Photos P3200122, P3200123 and P3200124).

**Permit Requirement**

Part 6.2.2.3 of the MSGP requires the permittee to “Provide a map showing: a. Boundaries of the property and the size of the property in acres; .... g. Locations of potential pollution sources

identified under Part 6.2.3.2; ... m. Locations of the following activities where such activities are exposed to precipitation:... iv. locations used for the treatment, storage, or disposal of wastes.”

6.2.3.1 of the MSGP requires the permittee to create “A list of all industrial activities exposed to stormwater....”

6.2.3.2 of the MSGP requires the permittee to create “A list of the pollutant(s) or pollutant constituents (e.g., crankcase oil, zinc, sulfuric acid, cleaning solvents) associated with each identified activity, which could be exposed to rainfall or snowmelt and could be discharged from your facility.”

Appendix A.2 of the SWPPP identifies the drainage area of the Plant.

**Observation 08:**

At the time of the inspection, the Inspection Team observed a concrete washout container beyond the silt fenced area to the north of the stormwater basin (Attachment B, Photo P3200136). The concrete washout container appeared to be beyond the boundaries of the facility based on site map in the SWPPP (Attachment C).

**National Park Service Permit Requirement**

Summary of Proposed activity National Park Service (NPS) Special Use Permit: “The permit allows the Permittee and its contractor (HITT) access to and staging on a 25-foot wide x approximately 200-foot long portion of parkland. This portion of parkland will be utilized for workers to access the DC building parcel on foot for construction of a retaining wall (on the building parcel) as well as staging of materials for the retaining wall (e.g., lumber forms). A light construction vehicle (e.g., a cat) may be used to lay down materials, but no vegetation will be actively removed for access, and work will primarily be done on foot. The parkland in question is part of the future Poplar Point land exchange and is not currently accessible to park visitors. As a standard condition of the permit, the Permittee will be responsible for returning the parkland to its original condition (i.e., repairing any damage that may occur during project execution). All permitted activity will be conducted in accordance with the scope of work submitted and approved by this office, dated April 26, 2022.”

Paragraph 27 of the NPS Special Use Permit states “No contaminated water, material or chemical residue shall be discharged or expelled into park-owned land or into adjacent lands or waterways.:

Paragraph 28 of the NPS Special Use Permit states “The permittee shall consider all reasonable steps to ensure that no spillage of contaminants, fuels, chemicals or other potentially hazardous substances, or damage from vehicles or equipment occurs.”

Paragraph 30 of the NPS Special Sue Permit States “Only the equipment identified in the submitted and approved Special Use Permit Application, dated April 26, 2022, is to be used on NPS property. If additional equipment is needed, further park approvals is required.”

**Observation 9:**

The concrete washout that was observed was potentially outside of the Plant’s boundary (Attachment B, Photo P3200136) and may have been conducted within NPS property and

governed by the Special Use Permit (Attachment H). The Inspection Team spoke with NPS representatives on April 2, 2024, NPS is coordinating with the site on NPS Special Permit compliance on activities being conducted on NPS property.

### **III. CLOSING CONFERENCE**

At the conclusion of the onsite inspection, the Inspection Team met with the Plant and construction site Representatives for a closing conference. The Inspection Team shared preliminary observations with the Plant and construction site Representatives and requested additional documentation from the Facility. The Inspection Team reiterated to the Plant and construction site Representatives that all preliminary observations discussed were not compliance determinations. All preliminary observations shared were subject to further review by EPA upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after EPA reviewed additional materials following the inspection.

The inspection concluded at approximately 1:30 PM (EST).