U.S. Environmental Protection Agency
Region 5

Purpose: Clean Water Act National Pollutant Discharge Elimination System Compliance Evaluation Inspection

Facility: Martin Marietta – Kellogg Avenue Yard
4439 Kellogg Ave.
Cincinnati, Ohio 45226

Inspection Date: May 23, 2023

EPA Representatives:
Jake Berger, Physical Scientist, 312-353-8024, berger.jake@epa.gov
Jennifer Bush, Physical Scientist, 312-886-0879, bush.jennifer@epa.gov

Facility Representatives:
Greg Curry; Plant Manager
Ken Robinson, Operator/Loader

Report Prepared by:
Jake Berger, Physical Scientist
Water Enforcement and Compliance Assurance Branch, Section 1

Inspector Signature and Date: Berger, Jake Digitally signed by Berger, Jake Date: 2023.06.07 08:02:46 -05'00'

Approver Name and Title: Molly Smith, Section 1 Supervisor, Water Enforcement and Compliance Assurance Branch

Approver Signature and Date: MOLLY SMITH Digitally signed by MOLLY SMITH Date: 2023.06.07 11:07:02 -05'00'

PURPOSE OF INSPECTION

The purpose of the inspection by the U.S. Environmental Protection Agency (USEPA) at Martin Marietta – Kellogg Avenue Yard (Martin Marietta or Facility) was to describe, evaluate, and document compliance with the Clean Water Act (CWA) and their National Pollutant Discharge Elimination System (NPDES) permit.

BACKGROUND

The Facility is a concrete aggregate vendor in Cincinnati, Ohio. The Facility is located on the Ohio River and receives bulk #8 pea gravel and bulk sand at the Facility via barge, and #57 pea gravel at the Facility via truck. Bulk sand and gravel material are stored in piles across the stock yard above the Ohio River water level. The Facility samples their industrial storm water discharges from 1 onsite stormwater basin. This basin and the Facility's industrial stormwater discharges are covered by the Ohio Environmental Protection Agency (OEPA) Industrial Storm Water Multi-Sector General Permit No. OHR000007 (Permit) (OEPA Facility Permit # 1GR01461*CG) which has an Effective Date of November 1, 2022, and an Expiration Date of May 31, 2027.

INSPECTION

Jake Berger and Jennifer Bush of USEPA first arrived at the Facility at 8:15 a.m. EDT and were met by Ken Robinson (Operator/Loader). Jake Berger and Jennifer Bush showed Ken Robinson their credentials and identification, and he helped them contact Greg Curry (Plant Manager) via phone. Greg Curry arrived at the Facility at 9:20 a.m. EDT, and Jake Berger and Jennifer Bush showed him their credentials and identification and began the opening conference.

Opening Conference

USEPA staff explained that the purpose of the inspection was to:

- Review Facility's records, including sample measurements, monitoring activities, and storm water plans, as required by the Permit;
- Conduct a walkthrough of the Facility;
- Identify locations where storm water control had the potential to be insufficient; and
- Inform Facility of areas of concern regarding the records review and Facility walkthrough.

Facility Walkthrough

USEPA staff and Greg Curry began the facility walkthrough at 9:40 AM EDT. USEPA staff made the following observations during the Facility walkthrough, further documented in the Photograph Log (attached):

- All stockpiles are stored uncovered (Photo 1 and Photo 2).

- Dredged material from the stormwater basin is stored in a pile in the northwest corner of the yard (Photo 3). This has no containment or coverage.

- The retaining area and stormwater basin was dredged in April 2023 following a flood event. Greg Curry noted this is the deepest the stormwater basin has been dug to his knowledge in order to better handle flooding at the Facility (Photo 3, Photo 5, Photo 6, Photo 9, and Photo 13).

- Significant flooding from the Ohio River occurs onsite (Photo 7, Photo 8, Photo 11, and Photo 12). Greg Curry said that extreme past flood events have resulted in the water level rising to the material storage yard.

- Retaining wall at end of conveyer belt ramp is filled with excess scraps and material, with minimal capacity for additional stormwater events. (Photo 9 and Photo 10).

- There is no management or implementation of best management practices for storm water that comes in contact with the stockpiles in the storage area near the conveyer belt split at the top of the ramp. Sediment runoff and erosion into the ramp area towards the Ohio River is evident (Photo 14).

The Facility walkthrough tour ended at 11:08 AM EDT and was immediately followed by the records review.

Records Review

USEPA began reviewing hard copy and electronic records provided by Martin Marietta with Greg Curry at 11:10 a.m. EDT. The following areas of concern were identified:

- Section 2.1.2.9 of the Permit requires Martin Marietta to "train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g., inspectors, maintenance personnel), including all members of your Pollution Prevention Team. Training shall cover both the specific control measures used to achieve the conditions in this Part, and monitoring, inspection, planning, reporting, and documentation requirements in other parts of this permit. Ohio EPA requires that training be conducted at least annually." Facility had no records available at the time of inspection of any employee training related to storm water pollution prevention. However, Greg

Curry noted this was typically done annually, but the annual trainings have not happened since 2020.

- Section 6.2.1.2 of the Permit requires Martin Marietta to conduct Benchmark Monitoring of industrial storm water, take an average of the monitoring concentration values, compare these averages to the benchmark concentration, and take additional actions if the average monitoring values exceed the benchmark concentration. Martin Marietta conducted this sampling; however, several of the samples collected exceeded the laboratory holding times and the results showed a "Non-Detect" for the required analyte. For these sampling events, the Facility was unable to provide additional sampling results that followed the method holding times and were appropriately sensitive.

The records review portion of the inspection concluded at 12:46 PM EDT and was immediately followed by the closing conference, led by Jake Berger.

Closing Conference

USEPA staff relayed the following preliminary comments to Greg Curry during the closing conference:

- Stormwater pollution prevention training is required annually for all on-site employees, which has not been conducted in several years according to Greg Curry.

- Benchmark Monitoring (and any additional sampling conducted on site) samples are required to not exceed the laboratory holding times.

- Deficiencies were observed during the Facility walkthrough, such as general management of sediment, the lack of erosion control and runoff prevention near the large material piles leading to the ramp to the Ohio River, and the filled retaining wall on the shoreline of the Ohio River.

USEPA confirmed that no information collected during the inspection was considered Confidential Business Information.

USEPA concluded the inspection and left the Facility at 1:10 PM EDT.

Martin Marietta – Kellogg Avenue Yard
EPA Inspection May 23, 2023
All photos taken by Jake Berger, Physical Scientist, U.S. EPA
Camera: Olympus Tough TG-6

1: P5230001
Description: Gravel pile and front of yard
Location: Northeastern side of property
Camera Direction: South
Date/Time: May 23, 2023/9:45AM EDT

2: P5230002
Description: Sand pile and conveyer belt (in background)
Location: Northeastern side of property
Camera Direction: Southwest
Date/Time: May 23, 2023/9:46 AM EDT

3: P5230003
Description: Dredged material and scrap pile
Location: Northwestern edge of property, north of downhill ramp
Camera Direction: West
Date/Time: May 23, 2023/9:53 AM EDT

4: P5230004
Description: Conveyer belt for barge unloading
Location: Ramp to river from yard
Camera Direction: West
Date/Time: May 23, 2023/10:10 AM EDT

5: P5230005
Description: Stormwater catch basin
Location: Middle of ramp towards river
Camera Direction: West
Date/Time: May 23, 2023/10:11 AM EDT

6: P5230006
Description: Stormwater catch basin with ramp in background
Location: Western side of ramp
Camera Direction: Southwest
Date/Time: May 23, 2023/10:12 AM EDT

7: P5230007
Description: Material from flooding event 2023
Location: Area near stormwater catch basin
Camera Direction: West
Date/Time: May 23, 2023/10:16 AM EDT

8: P5230008
Description: High water lines from 2023 floods
Location: Shoreline at bottom of ramp
Camera Direction: North
Date/Time: May 23, 2023/10:20 AM EDT

9: P5230009
Description: Retaining wall
Location: Bottom of ramp, end of conveyer belt
Camera Direction: Southwest
Date/Time: May 23, 2023/10:21 AM EDT

10: P5230010
Description: Retaining wall from shoreline
Location: Shorline, north of retaining wall
Camera Direction: South
Date/Time: May 23, 2023/10:25 AM EDT

11: P5230011
Description: Log in conveyer belt from flood
Location: End of conveyer belt
Camera Direction: North
Date/Time: May 23, 2023/10:30 AM EDT

12: P5230012
Description: Log in conveyer belt from other side previous photo
Location: Under end of conveyer belt
Camera Direction: South
Date/Time: May 23, 2023/10:32 AM EDT

13: P5230013
Description: Ramp down to loading area from retaining wall area
Location: End of conveyer belt
Camera Direction: East
Date/Time: May 23, 2023/10:35 AM EDT

14: P5230014
Description: Ramp down to river
Location: Conveyer split area
Camera Direction: West
Date/Time: May 23, 2023/10:38 AM EDT

15: P5230015
Description: Conveyer belt for P Gravel and berm on west side
Location: Yard
Camera Direction: South
Date/Time: May 23, 2023/10:41 AM EDT

16: P5230016
Description: Top of berms (vegetated)
Location: West side of yard, uphill of ramp
Camera Direction: West
Date/Time: May 23, 2023/10:44 AM EDT

17: P5230017
Description: Shoreline behind vegetated ridge/berm
Location: OH river shorline, south western corner of property
Camera Direction: North
Date/Time: May 23, 2023/10:57 AM EDT

18: P5230018
Description: Truck rinse area/wheel wash station with holding pond in background
Location: Front of yard, near entrance/exit
Camera Direction: Southwest/West
Date/Time: May 23, 2023/11:04 AM EDT

19: P5230019
Description: Wheel wash and holding ponds
Location: Front of yard, near entrance/exit
Camera Direction: West
Date/Time: May 23, 2023/11:05 AM EDT