

REPORT OF COMPLIANCE EVALUATION INSPECTION
(INDUSTRIAL STORMWATER)

Metro Ready Mix, LLC.
800 64th Avenue Court SW
Cedar Rapids, Iowa 52404

Authorization Number: **GP #3 IA43087-42696**

BY
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION (ECAD)
WATER BRANCH/DRINKING WATER & INSPECTIONS SECTION (WB/DWIS)

ON
February 8 and 9, 2024

Introduction

At the request of the Water Branch (WB), Enforcement and Compliance Assurance Division (ECAD), a Compliance Evaluation Inspection (Industrial Stormwater) was conducted on February 8 and 9, 2024, at the Metro Ready Mix facility in Cedar Rapids, Iowa. The inspection was conducted under the authority of Section 308 of the Clean Water Act, as amended. It was conducted in accordance with the U.S. Environmental Protection Agency (EPA) Region 7 Standard Operating Procedures for Compliance Inspections (ENST SOP No. 2332). To direct the inspection, a checklist was used that evaluates all important elements of the inspection. A copy of the checklist is attached to this report (Attachment 1). This narrative report presents the findings of the inspection.

Participants

Metro Ready Mix, LLC.

- Derek Engler, Area Manager Derek@metroreadymixlc.com

U.S. Environmental Protection Agency (EPA), Region 7

- Naji J. Ahmad, Environmental Engineer, ECAD/WB/DWIS
- Connor Finn, Life Scientist, ECAD/WB/DWIS

Inspection Procedures

Connor Finn and I arrived at the Metro Ready Mix facility in Cedar Rapids, Iowa on February 8, 2024, at 10:00 AM at the main office but no one was there. After a few phone calls we were able to reach Derek Engler, Area manager. Derek Engler was at another site in Iowa City.

We returned to the site at 11:00AM. We met with Derek Engler. We introduced ourselves, presented our credentials, and explained the purpose and procedures of the industrial stormwater compliance evaluation inspection. These included completing the Region 7 Industrial

Stormwater Worksheet (Attachment 1) and the U.S. EPA Confidentiality Notice, evaluating self-monitoring and stormwater management practices, and conducting a facility walk-through with photographs (Attachment 6). I provided Derek Engler with the U.S. EPA Small Business Resources Information Sheet and the U.S. EPA Confidentiality Notice. The Facility chose not to claim any confidential business information.

Derek Engler presented us with the Stormwater Pollution Prevention Plan (SWPPP) folder that included the SWPPP document and site map with drainage patterns.

After a brief description of the site operations and a brief review of the SWPPP, Derek Engler escorted Connor Finn and I on a visual inspection of the site.

We started our inspection at the outdoor storage area (photo 1) east of the concrete batch plant, then we looked at the three-cell wash bay (photos 2-4); we also looked at 2 stormwater inlets (photos 5 and 14) that are designed to drain into the sedimentation retention basin; we also looked at the block manufacturing area (photo 6), the sedimentation retention basin (photo 7); truck parking area (photo 8); fueling station (photos 9-11); the ready mix plant (photo 12), concrete batch plant (photo 13); we looked at the excess concrete collection pond (photo 15) next to the sedimentation retention basin. At the far southwest section, we looked at the waterway (photo 16) that runs north into Willow Creek; we also looked at the pile of topsoil placed at the edge of the west property line (photo 17), and we looked at the evidence of erosion and runoff leaving the site into the waterway (photos 19-20, and 22) from the southwest corner of the site where excess and waste materials are placed. After that, we inspected the area outside the maintenance shop where haul trucks are parked (photos 23 and 24), and finally we inspected the inside of the maintenance shop (photos 25-27).

After the site walkthrough, we held an exit meeting with Derek Engler. We discussed the preliminary observations, and we informed him that we will issue a Notice of Preliminary Findings (NOPF) and return the next day to conduct a formal exit meeting. We all agreed to meet the next day at 9:00AM. On February 9, 2024, at 9:00AM, Connor Finn and I returned to the site and held a formal exit meeting with Derek Engler. We issued and discussed the seven observations we included on the NOPF (Attachment 4).

On February 19, 2024, I received an email (Attachment 5) from Derek Engler that included photos of corrective actions taken by facility personnel in response to NOPF #3. A formal response to the NOPF is yet to be received from Metro Ready Mix.

Facility Description

Metro Ready Mix (facility) has been in operation for 20 years on a 6.18-acre site. The facility employs 12 employees and operates from 6:30AM to 6:00PM Monday through Friday.

According to the Linn County, Iowa website, the main concrete production is on a 6.16-acre parcel that consists of the existing concrete batch plant and ready-mix plant, material storage, a wash bay, concrete truck parking, sediment retention basin, fueling station, and topsoil storage pile. The facility' maintenance shop and a rental garage (Building 755 Suite D), are located on the southeast corner of the site as indicated in Figure 1 below.

The site is bounded by industrial development to the north, east, and south, the Cedar Rapids and Iowa City Railroad and Willow Creek.

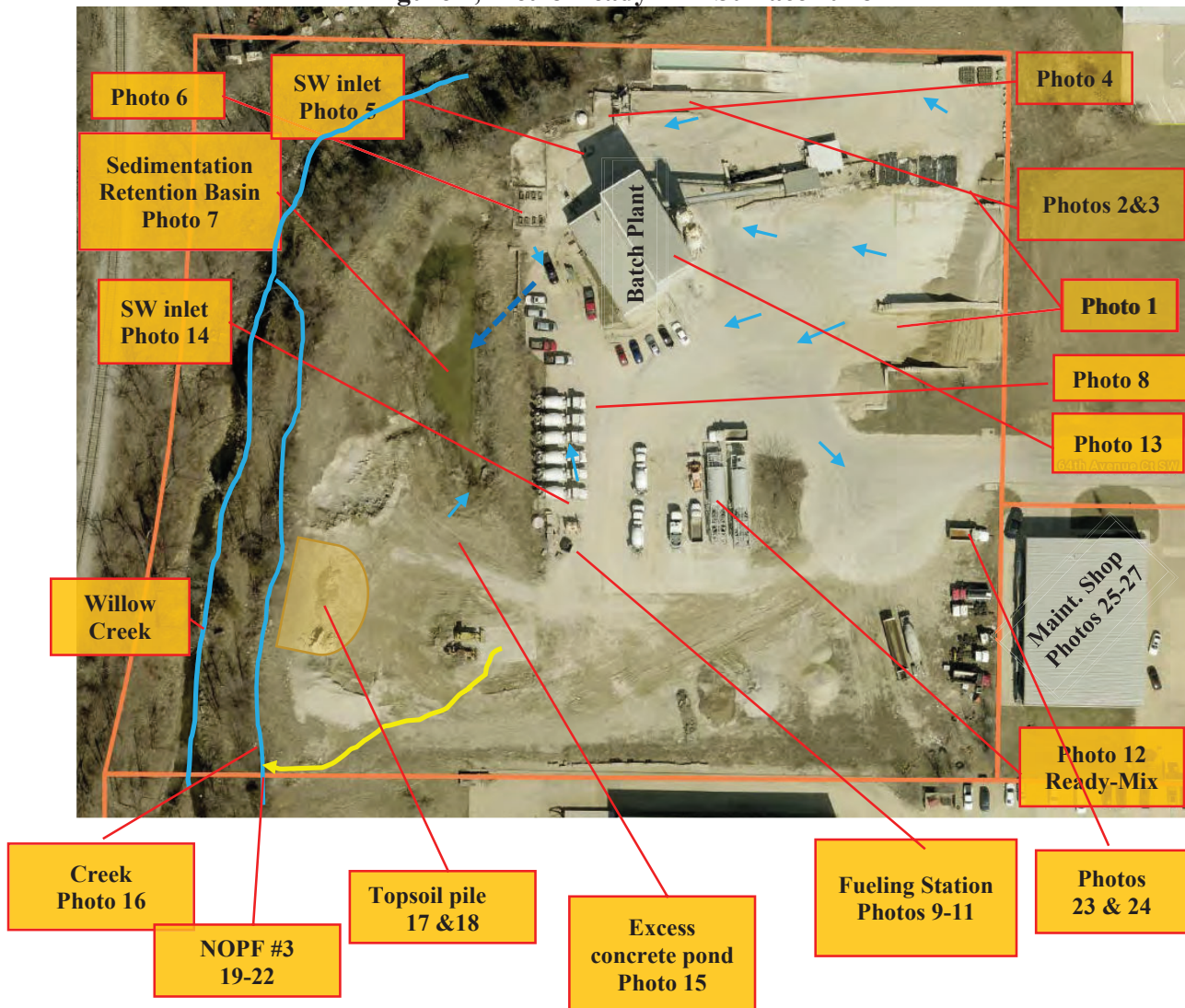
The facility is authorized by the Iowa Department of Natural Resources (IDNR) to discharge stormwater associated with industrial activity for concrete batch plants under the National Pollutant Discharge Elimination System (NPDES) General Permit No. 3 (GP #3). The IDNR granted authorization to discharge on June 29, 2023, under permit number 43087-42696. The current GP #3 coverage is provided through October 15, 2026 (Attachment 2).

Site Drainage Patterns

Based on the local topography of the site, the site slopes east to west. The northeast part of the facility is paved with an underground stormwater system designed to direct surface runoff via stormwater inlets to the sediment retention basin located on the west side of the property. The paved area is where most site activities take place. The south unpaved area of the site also slopes toward the west allowing surface runoff from the south part of the site to flow west into Willow Creek via its tributary that runs north south along the west property line as indicated in Figure 1 below.

Willow Creek flows north approximately 1.3 miles into Prairie Creek. Prairie Creek flows northeast approximately 3.3 miles into the Cedar River.

Figure 1, Metro Ready-Mix Surface runoff



Findings and Observations

All findings and observations of this inspection concern Metro Ready-Mix's status of compliance with the requirements of the Iowa NPDES GP #3 and the SWPPP. These findings are based on our interviews with facility personnel, my review of the SWPPP, and our visual observations of the site. All observations were discussed in detail with Derek Engler throughout the inspection on February 8, 2024, and during the formal exit meeting on February 9, 2024. All photos were taken during the inspection on February 8, 2024.

1. During our review of the SWPPP (Attachment 3) that was dated January 5, 2017, and revised January 9, 2017, I noticed the following:

- a. The SWPPP was not signed and did not include the certification statement. Therefore, we issued Notice of Preliminary Findings number 1 (NOPF #1) for failure to sign the SWPPP in accordance with Part III.C.2 of the NPDES GP #3.

During our exit meeting, Derek Engler provided us with a hard copy of the SWPPP with his signature dated February 8, 2024.

- b. We issued NOPF #2 because the facility failed to update the SWPPP since January 2017, to accurately reflect current site activities, especially the addition of the ready-mix concrete plant. The SWPPP document indicated that the site is an existing concrete batch plant. However, during our walkthrough we noticed that the site had added: (1) a ready-mix plant on the south end of the paved area, (2) a large pile of topsoil stored at the edge of the southwest section of the property without proper sediment and runoff controls, and (3) a maintenance shop on the adjacent property on the southeast corner of the site.

Based on Linn County GIS map⁽¹⁾, the 2018 map does not show the ready-mix plant on site; the 2019 map shows a different plant that was added; and the 2020 map shows the current plant which indicates that the current onsite ready-mix plant was added in either 2019 or 2020. In addition, the 2020 imagery does not show the pile of topsoil which conforms to Derek Engler statement during the inspection that the pile was added a couple of years ago.

I informed Derek Engler that the facility must update the SWPPP to reflect current site activities as required by Part III.C.3 of the NPDES GP #3 and update the map as required by Part III.C.4.a.(1).

2. During our inspection of the south side of the site, we noticed significant ground erosion and evidence of traces of concrete washout that runs west toward the waterway that runs into Willow Creek as shown in photo 22 below. The source of the concrete washout traces was because the facility uses this section to dump excess material (photo 24). We pointed out our observation to Derek Engler and informed him that Part III.C.4.b.(7) of the NPDES GP #3 requires the facility to include this point on the SWPPP and map. The permit also requires the management of stormwater leaving the site. Derek Engler confirmed our observation. Therefore, we issued NOPF #3 for evidence of concrete washout toward the waterway.

(1) <https://gis.linncountyiowa.gov/apps/real-estate/land-records/>

Photo 22, Concrete washout runoff toward the Creek



3. We issued NOPF #4 because the facility failed to conduct employee training as required by Part III.C.4.b.(8) of the NPDES GP #3 since 2017.
4. We issued NOPF #5 because the facility failed to certify that there are no non-storm water discharges from the site as required by Part III.C.4.b(10) and Part V.A. of the NPDES GP #3.
5. We issued NOPF #6 because the facility failed to conduct annual visual inspections of the site as required by Part III.C.4.c since 2017.
6. We issued NOPF #7 because the facility failed to monitor its stormwater discharge annually since 2017 as required by Part V.B.2 of the NPDES GP #3. The permit requires the facility to monitor the following parameters:
 - total suspended solids (TSS) (mg/L)
 - pH
 - any pollutant limited in an effluent guideline to which the facility is subject.
 - the date and duration (in hours) of the storm event(s) sampled.
 - rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff.
 - the duration between the storm event sampled and the end of the previous measurable (greater than 0.1-inch rainfall) storm event; and
 - an estimate of the total volume (in gallons) of the discharge sampled.

7. The aboveground storage capacity of aggregate petroleum products stored on site was more than 1,320 gallons including the 800-gallon diesel fuel and the 500-gallon off-road diesel fuel tanks located outside (photos 9-11), and the tote and drums inside the maintenance shop (photos 25-26). However, the facility failed to develop and implement a Spill Control and Countermeasure Plan (SPCC) in accordance with §112.7 and all other applicable sections of 40 CFR Part 112, §112.3. Section 112.3 requires the owner or operator of an onshore or offshore facility subject to this section must prepare in writing and implement a SPCC Plan that describes the physical layout of the facility and includes a facility diagram, which must mark the location and contents of each fixed oil storage container and the storage area where mobile or portable containers are located. The facility diagram must identify the location of and mark as “exempt” underground tanks that are otherwise exempted from the requirements of this part under § 112.1(d)(4). The regulation also requires employee training, inspections, tests, and records.

Conclusion

1. On March 1, 2024, I received an email (Attachment 7) from Derek Engler that included an updated SWPPP site plan.
2. On February 19, 2024, I received an email (Attachment 5) from Derek Engler that included photos of corrective actions taken by facility personnel in response to NOPF #3. Formal response to the NOPF yet to be received from Metro Ready Mix.
3. The facility failed to implement the SWPPP since 2017.
4. The aboveground storage capacity of aggregate petroleum products stored on site was more than 1,320 gallons. However, the facility failed to develop and implement a Spill Control and Countermeasure Plan (SPCC) in accordance with §112.7 and all other applicable sections of 40 CFR Part 112, §112.3.

NAJI AHMAD Digitally signed by NAJI AHMAD
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Naji J. Ahmad
Environmental Engineer,
ECAD-WB

JODI BRUNO Digitally signed by JODI BRUNO
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Jodi Bruno
WB/DWIS Manager,

Attachments

1. ISW Checklist
2. NPDES GP3
3. SWPPP
4. NOPF
5. Initial response to the NOPF
6. Photo Log
7. Updated SWPPP site plan