

From: [Ahmad, Naji](#)
To: bachigbu@bmakk.com
Cc: [Fleagle, Sam](#)
Subject: Notice of Preliminary Findings
Date: Thursday, October 5, 2023 8:57:00 PM
Attachments: [BMAKK Notice of Preliminary Findings.pdf](#)

Mr. Achigbu,
It was our pleasure meeting with you and Mr. Harrold.
Attached please find the NOPF as we discussed during our visit to your site

Thank you,
Naji J. Ahmad
Environmental Engineer
U.S. Environmental Protection Agency - Region 7 (USEPA)
Enforcement & Compliance Assurance Division (ECAD)
Drinking Water and Inspections Section (DWIS)
11201 Renner Blvd.
Lenexa, Kansas 66219
Office: 913 551 7190

Notice of Preliminary Findings

Media: ISW

Facility Name: BMakk

Facility Address: 1440 Read Street Omaha Nebraska 68112

EPA ID#: NDEE ID 12007

Date: 10/05/2023

This notice is provided to call your attention to the following preliminary findings regarding state and federal regulations. This notice does not constitute a compliance order and may not be a complete listing of all findings resulting from the inspection.

Citation

Description of Finding

CWA & Nebraska NPDES

1. BMaKK (FACILITY) failed to re-apply for the National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with industrial activity in compliance with the provisions of the Clean Water Act as amended, (33 U.S.C. Secs. 1251 et. seq.), and the Nebraska Environmental Protection Act, as amended (Neb. Rev. Stat. Secs. 81-1501 et. seq.)
2. The FACILITY failed to update and implement the SWPPP.

40 CFR 112

3. The FACILITY failed to develop and implement a SPCC plan.

As a continuation of the inspection performed at your facility, you are asked to submit a written response within 14 calendar days of receipt of this notice. Your response should include a description of all corrective actions taken and/or a schedule for completing the necessary corrective actions. The response should be submitted to:

U.S. Environmental Protection Agency
Region 7, Enforcement & Compliance Assurance Division (ECAD)
11201 Renner Boulevard, Lenexa, KS 66219
ATTN: Naji Ahmad

If you have any questions about this Notice or wish to discuss your response, you may call me at
913 551 7190 , or Ahmad.naji@epa.gov (Compliance Officer)
at

This Notice prepared by Naji Ahmad

Date: 10/5/2023

The undersigned person hereby acknowledges that he/she has received a copy of this Notice and has read same.

Printed Name: DR. BENNETT ACHIGBU

Signature:

Title:

Date:

PRESIDENT

10/11/23