



U.S. Environmental Protection Agency, Region 4
61 Forsyth Street SW, Atlanta, GA 30303

Compliance Inspection Report for Stormwater Discharges from Construction Activities (CGP)

FACILITY DATA

Site/Project Name: Insurance Auto Auctions-Millington	NPDES Tracking Number: TNR155426	Date Coverage was Issued: 8/4/2023
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Name of Permittee (Developer/Operator): Scott Guenther

Inspection Purpose: CGP compliance inspection

Tennessee Department of Transportation (TDOT) Project? ☐ Yes ☒ No

Onsite Representative:

No onsite representative took part in the inspection, but a representative for the Site granted access.

Responsible Official:

Scott Guenther, Senior Vice President of North American Operations Insurance Auto Auctions

Phone Number:

N/A

Email Address:

N/A

Phone Number:

(713) 551-3699

Email Address:

sguenther@iaai.com

INSPECTION ENTRY DATES/TIMES

Entry Date/Time: July 10th, 2024 / 9:00 AM

Exit Date/Time: July 10th, 2024 / 10:38 AM

NAMES OF STATE INSPECTORS

Name: Joellyn Brazile, Environmental Consultant

Tennessee Department of Environment and Conservation (TDEC)

Phone Number: 901-237-6000

Email Address: Joellyn.Brazile@tn.gov

AREAS EVALUATED DURING INSPECTION (*Check those areas evaluated*)

☒ Permit	☐ Self-Compliance Program	☐ Pretreatment
☒ Records	☐ Compliance Schedule	☒ Pollution Prevention
☒ Facility Site Review	☐ Laboratory	☒ Storm Water
☒ Effluent/ Receiving Waters	☒ Operations & Maintenance	☐ Combined Sewer Overflow
☐ Flow Measurement	☐ Sludge Handling/ Disposal	☐ Sanitary Sewer Overflow

INSPECTION SUMMARY

On July 10, 2024, Jeremy Judd from EPA Region 4, Joellyn Brazile from TDEC, and two (2) contractors from Eastern Research Group (ERG), Taylor Fontaine and Ryan Marrero-Vila (the EPA Inspection Team), conducted an unaccompanied construction general permit (CGP) inspection of the Insurance Auto Auctions-Millington project. The documents used for the record review were retrieved from the Tennessee Department of Environment and Conservation's Document Viewer database (<https://tdec.tn.gov/document-viewer/search/CGP>).

EPA AND CONTRACTOR REPRESENTATIVES

Inspector Name:	Email Address:	Office/Phone Number:
Jeremy Judd EPA Region 4	Judd.Jeremy@epa.gov	(206) 769-1789
Signature:		

Taylor Fontaine Eastern Research Group	Taylor.Fontaine@erg.com	(703) 956-1977
Signature: <i>Taylor Fontaine</i>		
Ryan Marrero-Vila Eastern Research Group	Ryan.Marrero-Vila@erg.com	(571) 439-6262
Signature: <i>Ryan Marrero</i>		
Management Name:	Email Address:	Office/Phone Number:
Ahmad Dromgoole EPA Region 4, Water Section Chief	Dromgoole.Ahmad@epa.gov	(404) 562-9212
Signature: AHMAD DROMGOOLE Digitally signed by AHMAD DROMGOOLE Date: 2024.09.16 12:46:53 -04'00'		

NPDES Construction Stormwater Worksheet (Tennessee)

1. FACILITY LOCATION INFORMATION

GPS Coordinates:	Latitude	35.27286	Longitude	-89.96173	
Receiving Water(s), blue line stream or MS4:	Unnamed Tributary to Loosahatchie River that discharges to the Loosahatchie River		Weather Conditions: Approximately 82°F and sunny. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA), the Millington, TN area received 1.94 inches of rain the day before the inspection and trace amounts the day of the inspection.		
Total site area acres & disturbed acres? Part 1.4.2	59.65 total acres/48.43 disturbed acres per the SWPPP	Notice of Coverage Effective Date	August 4, 2023	Notice of Coverage Expiration Date	September 30, 2026
Total project size over 50 acres? Part 5.5.3.3	☒ Yes ☐ No				
NOI submitted? Part 1.4.	Yes, submitted on 6/5/2023.		Discharge to 303(d) listed or TMDL waters	Yes (nutrients, e. coli, sedimentation/siltation, lead, mercury, dioxin, chlordan, PCB)	
Email on NOI:	sguenther@iaai.com		Exceptional Tennessee Waters	No	
Has Owner or Operator changed?	No	Has a new NOI been submitted?	No	Aquatic Resource Alteration	No

				Permit?		
2. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND EROSION PREVENTION AND SEDIMENT CONTROL (EPSC) PLAN (PLAN) INFORMATION AND SUPPORTING DOCUMENTS (A copy of the Plan may be brought back to the office for a complete review)						
PLAN TOPICS				YES	NO	N/A
a. Stormwater Pollution Prevention Plan (SWPPP) developed and available on site (Parts 5.1, 5.3.4, and 7.2)?				X		
b. SWPPP developed by a qualified individual (Part 5.2)?				X		
c. SWPPP is signed by a duly authorized representative (Parts 5.3.3, 8.7.2, and 8.7.3)?				X		
d. SWPPP modified or updated to reflect current Site conditions (Part 5.4.1)? SWPPP available on site is dated August 1, 2023, and currently reflects the Site conditions.				X		
e. SWPPP includes Site description (Part 5.5.1)? [nature of construction; description and timeline of sequence of activities; total area of Site and disturbed portion; peak discharge info of Site before and after construction.]				X		
f. SWPPP identifies source(s) of all non-stormwater discharge(s) (Part 5.5.3.12)?				X		
g. Erosion Prevention and Sediment Controls (EPSC) Plan developed and available in the SWPPP (Parts 5.5.2 and 5.5.3)? (Date of plan?) Most recent EPSC plan was developed July 21, 2023 [Refer to <u>Appendix C, Exhibit Log (Exhibit 1)</u>].				X		
h. SWPPP/EPSC Plan describe the intended sequence and includes a description of interim & permanent stabilization measures (Parts 5.5.1, 5.5.3.2, and 5.5.3.4)?				X		
i. Was a site assessment conducted for each outfall draining 10 or more acres or 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Part 5.5.3.8)? According to the Site EPSC Plan Outfalls #2 and #3 drain more than 10 acres. The SWPPP and ESC did not include a site assessment for these outfalls.					X	
3. SITE DESCRIPTION AND PLAN						
The Insurance Auto Auctions-Millington site is a commercial project for the construction of an automotive storage facility. When complete the facility will include a 7,812 square foot building, an employee parking lot, a drop off zone, an unloading area, and inventory parking. The SWPPP notes that the storage facility will assist with the online auction business. At the time of the inspection, the site was cleared of vegetation and two (2) wetlands were present along the perimeter of the Site. The EPA Inspection Team observed most of the Site sloped southeast towards a sediment basin at the corner of the Site. The area northeast of the eastern-most protected wetland sloped to the east towards Loosahatchie River. One (1) general contractor worker from Browning Contractors Inc. was grading sections of the site in a loader and told the EPA Inspection Team that the sediment basin was still under construction but was actively being used. This worker did not accompany the EPA Inspection Team for the inspection. The EPA Inspection Team observed a perimeter silt fence on the western and southern portions of the Site, one						

(1) construction entrance along Fite Road, and two (2) drop inlets that were protected by silt fence.

4. RECORD REVIEW

Record Review	YES	NO	N/A
a. Representative onsite:		X	
b. Records available onsite or “readily available” (Part 5.3.4 and 7.2)? The notice of intent, the SWPPP, and a business card for Diann Kelley, Site Inspector, were within the mailbox onsite [Refer to Appendix C, Exhibit Log (Exhibit 2)]. Documentation of previous inspection reports were not present.		X	
c. Has the Site submitted a Notice of Intent (NOI) (Part 1.4.1)?	X		
d. Was the NOI submitted and signed by an individual who has daily operational control (Parts 3.1.1 and 3.1.6)? Yes, the NOI was signed by Scott Guenther and submitted on 6/5/2023.	X		
e. Does the Site map include the following: Site acreage to be disturbed, all outfalls discharging runoff from the property, streams receiving the discharge, and storm sewer systems conveying the discharge from outfalls (Part 3.2.2)?	X		
f. Project exceeds 50 acres of disturbance (Part 5.5.3.3)? Total disturbed area of the project is 48.43 acres.		X	
g. If yes to 4.f, is the Permittee maintaining a rainfall log per calendar day?			X
h. If yes to 4.f., are site inspections conducted at least twice weekly and following any rainfall event of more than 0.5 inches in 24 hours by authorized representative (Part 5.5.3.9 and 5.5.3.10)?			X
i. If yes to 4.f., is the Permittee conducting stormwater runoff monitoring shall be conducted at each outfall draining 10 or more acres (Section 5.5.3.5) or 5 or more acres if draining to waters with unavailable parameters or Exceptional Tennessee Waters (Section 6.4.1)?			X
j. If no to 4.f., are Permittee site inspections conducted at least twice weekly by authorized representative (Part 5.5.3.9 and 5.5.3.10)? No on-site representative was present to confirm, and site inspection documents were not present in the SWPPP box at the construction entrance.		X	
k. Inspections documented on Construction Stormwater Inspection Certification Form (Part 5.5.3.11)? No on-site representative was present to confirm, and site inspection documents were not present in the SWPPP box at the construction entrance.		X	

5. FIELD EVALUATION & PLAN IMPLEMENTATION

Erosion Prevention and Sediment Controls (EPSCs)	Check BMPs Listed in the Plan	Note location, quantitative description, design issue, O&M deficiencies (including the nature and extent), and sediment off site in accordance with the <u>Tennessee Erosion Prevention & Sediment Control Handbook</u> .
a. Are all applicable EPSCs installed and maintained per the SWPPP per the	No	The EPA Inspection Team observed that EPSC measures, namely the silt fence and check dams present in the EPSC plan, were not installed at the northeastern boundary of the Site.

5. FIELD EVALUATION & PLAN IMPLEMENTATION

current phase?		The EPA Inspection Team observed sediment accumulation to the height of the silt fence in the southern, southwestern, western, and eastern portions of the Site [Refer to <u>Appendix B, Photograph Log (Photographs 15-17, 19-22, and 25)</u>].
b. Are EPSCs functioning correctly at all disturbed areas/material storage areas?	No	At the time of the inspection, the Site's sediment basin was under construction, with two (2) of the four (4) planned inlets already constructed. With the sediment basin still being under construction, it was actively being used to collect surface flow from the Site, with no stabilization present along the embankments. According to the EPSC, the sediment basin should have been completely constructed before being used to collect and treat stormwater [Refer to <u>Appendix B, Photograph Log (Photographs 5-7, and 9)</u>].
c. Are EPSCs functioning correctly at outfall/discharge points such that there is no objectionable color contrast in the receiving stream, and no other water quality impacts?	No	The EPA Inspection Team observed that the southwestern corner of the Site had sediment accumulation with no EPSCs present [Refer to <u>Appendix B, Photograph Log (Photograph 18)</u>]. The EPA Inspection Team observed a constructed channel that went from the sediment basin pump to the Site's perimeter silt fence. The manmade channel's discharge point was being used as the outlet for the sediment basin pump. No pollutants were observed in the discharged waste at the time of the inspection [Refer to <u>Appendix B, Photograph Log (Photographs 11 and 12)</u>].
d. Are EPSCs functioning correctly at ingress/egress points such that there is no evidence of track out?	No	The Operator had not installed a stabilized construction entrance or other sediment control at the site entrance/exit off Fite Road [Refer to <u>Appendix B, Photograph Log (Photograph 1)</u>]. Sediment track out was observed leaving from the Site onto Fite Road from the construction entrance/exit [Refer to <u>Appendix B, Photograph Log (Photograph 1)</u>].
e. If applicable, have discharges from dewatering activities been managed by appropriate controls? (permit section 4.1.3) If "No," describe below the measure to be implemented to address deficiencies.	Yes	The EPA Inspection Team observed one (1) pump at the sediment basin for the removal of excess water from the basin. The pump discharged to the southeast into a constructed channel, which then discharges to an open field further southeast. No pollutants were observed in the discharged waste at the time of the inspection [Refer to <u>Appendix B, Photograph Log (Photographs 10-12)</u>].
f. If construction activity at any location onsite has temporarily/permanently ceased, was the area	No	No temporary or permanent stabilization was observed during the inspection.

5. FIELD EVALUATION & PLAN IMPLEMENTATION

stabilized within 14 days? (permit section 3.5.3.2) If yes, describe below each location and measures taken to stabilize the area(s).		
g. Have pollution prevention measures been installed, implemented, and maintained to minimize the discharge of pollutants from wash waters, exposure of materials and discharges from spills and leaks per section 4.1.4? If "No," describe below the measure to be implemented to address deficiencies.	N/A	The EPA Inspection Team did not observe any pollution prevention measures since the Operator was not washing or servicing equipment or storing materials with the potential to spill or leak at the time of inspection.
h. If a concrete washout facility is located on site, is it clearly identified on the project and maintained? If "No," describe below the measures to be implemented to address deficiencies.	N/A	No concrete washout facility was observed during the inspection.
i. Have all previous deficiencies been addressed? If "No," describe the remaining deficiencies in the Comments section.	No	There was no Site representative or previous inspection report documentation onsite; therefore, the EPA Inspection Team was unable to review previous inspection reports to identify previous deficiencies and corrective actions taken.
j. Silt Fences	No	Silt fences were observed installed at the site at the time of the inspection, but not at all identified locations in the EPSC plan. Refer to the "Are all applicable EPSCs installed and maintained per the SWPPP per the current phase?" section for more information on the condition of the silt fences.
k. Storm Drain Inlet/Outlet Protection (Specify: Filter Fabric, Gravel Bags, etc.)	No	One (1) inlet on the northwestern portion of the Site, between the northernmost wetland and the construction entrance off Fite Road before the railroad crossing, was unprotected and was surrounded with accumulated sediment. The EPSC indicated that the inlet should have protection in the form of a mineral aggregate mound surrounding it [Refer to Appendix B,

5. FIELD EVALUATION & PLAN IMPLEMENTATION

		<u>Photograph Log (Photograph 23)]</u>. One (1) inlet in the center portion of the Site had sediment deposited over the silt fence protection and into the inlet. The EPSC plan indicated that the inlet protection is a mineral aggregate mound surrounding the inlet [Refer to <u>Appendix B, Photograph Log (Photograph 8)]</u>.
I. Construction Entrance & Exit Controls	No	The EPA Inspection Team observed one (1) construction entrance off Fite Road. However, this entrance was not identified in the Site EPSC Plans [Refer to <u>Appendix B, Photograph Log (Photograph 1)]</u> [Refer to <u>Appendix C, Exhibit Log (Exhibit 1)]</u>. Moreover, the EPSCs observed at this site were not functioning to prevent sediment tracking from the Site onto Fite Road [Refer to <u>Appendix B, Photograph Log (Photograph 1)]</u>.
m. Truck Wash Down Controls	N/A	A truck wash down area was not present at the Site at the time of the inspection.
n. Concrete truck washout pit	N/A	At the time of the inspection, concrete work was not being done at the Site and no concrete washout pits were present at the inspection.
o. Other Practices (e.g., fueling containment, control areas for maintenance, etc.)	N/A	None present at the time of the inspection.
p. Proper Storage & Control of Construction Debris & Chemicals (i.e., sand, litter, paint, solvents, petroleum, & etc.)	No	The EPA Inspection Team observed one (1) partially covered lime and dirt pile without erosion or sediment controls in the center of the Site [Refer to <u>Appendix B, Photograph Log (Photograph 2)]</u> .

6. OUTFALL, STORMWATER DISCHARGE & RECEIVING WATER OBSERVATIONS

Outfall, Stormwater Discharge & Receiving Water	YES	NO	
a. Number & location of stormwater discharge(s)/outfall(s) consistent with the Plan	N/A		The EPA Inspection Team, despite walking the perimeter of the Site, was not able to confirm the specific number and locations of stormwater outfalls because there was no on-site representative.
b. Evidence of off-site accumulation of sediment observed in receiving water		X	The EPA Inspection Team walked the perimeter of the Site and observed no evidence of off-site accumulation of sediment within the receiving water during the inspection.
c. Non-stormwater discharge observed	X		The EPA Inspection Team observed sediment discharge offsite in the southwestern, western, and eastern portions of the Site [Refer to <u>Appendix B, Photograph Log (Photographs 17, 18, 19, and 20)]</u> .

7. INSPECTION OBSERVATIONS AND AREAS OF CONCERN

Observations

- CGP, Part 5.5.3.1.c. states “[i]f sediment escapes the permitted area, off-site accumulations that have not reached a stream must be removed at a frequency sufficient to minimize off-site impacts (e.g., sediment that has escaped a construction site and collected in a street must be removed so that it does not subsequently wash into storm sewers and streams during the next rain...”

The EPA Inspection Team observed evidence of sediment discharge offsite [Refer to **Appendix B, Photograph Log (Photographs 17, 18, 19, and 20)**].

- The construction entrances were not installed to the Structural Practices section in the SWPPP [Refer to **Appendix C, Exhibit Log (Exhibit 2)**]. The detail specifies clean stone sizes from 2 inches to 4 inches to a depth of at least 8 inches, underlain with geotextile fabric.

The EPA Inspection Team observed one (1) construction entrance along Fite Road that was not stabilized [Refer to **Appendix B, Photograph Log (Photograph 1)**]. Sediment track out was observed leaving from the Site onto Fite Road from the construction entrance/exit [Refer to **Appendix B, Photograph Log (Photograph 1)**].

- SWPPP, Page 11 states “Sediment must be removed from sediment traps, silt fences, sediment basins and other sediment controls when design capacity has been reduced by 50%.”

The EPA Inspection Team observed silt fence with sediment accumulation that reduced the capacity of the control by at least 50% [Refer to **Appendix B, Photograph Log (Photographs 15-17, 19-22, and 25)**] [Refer to **Appendix C, Exhibit Log (Exhibit 2)**].

Exit interview conducted with:

- N/A, no onsite Site representative was present to conduct an exit interview.

Appendix A – Aerial Location

Appendix B – Photograph Log

Appendix C – Exhibit Log

Appendix A
Aerial Location

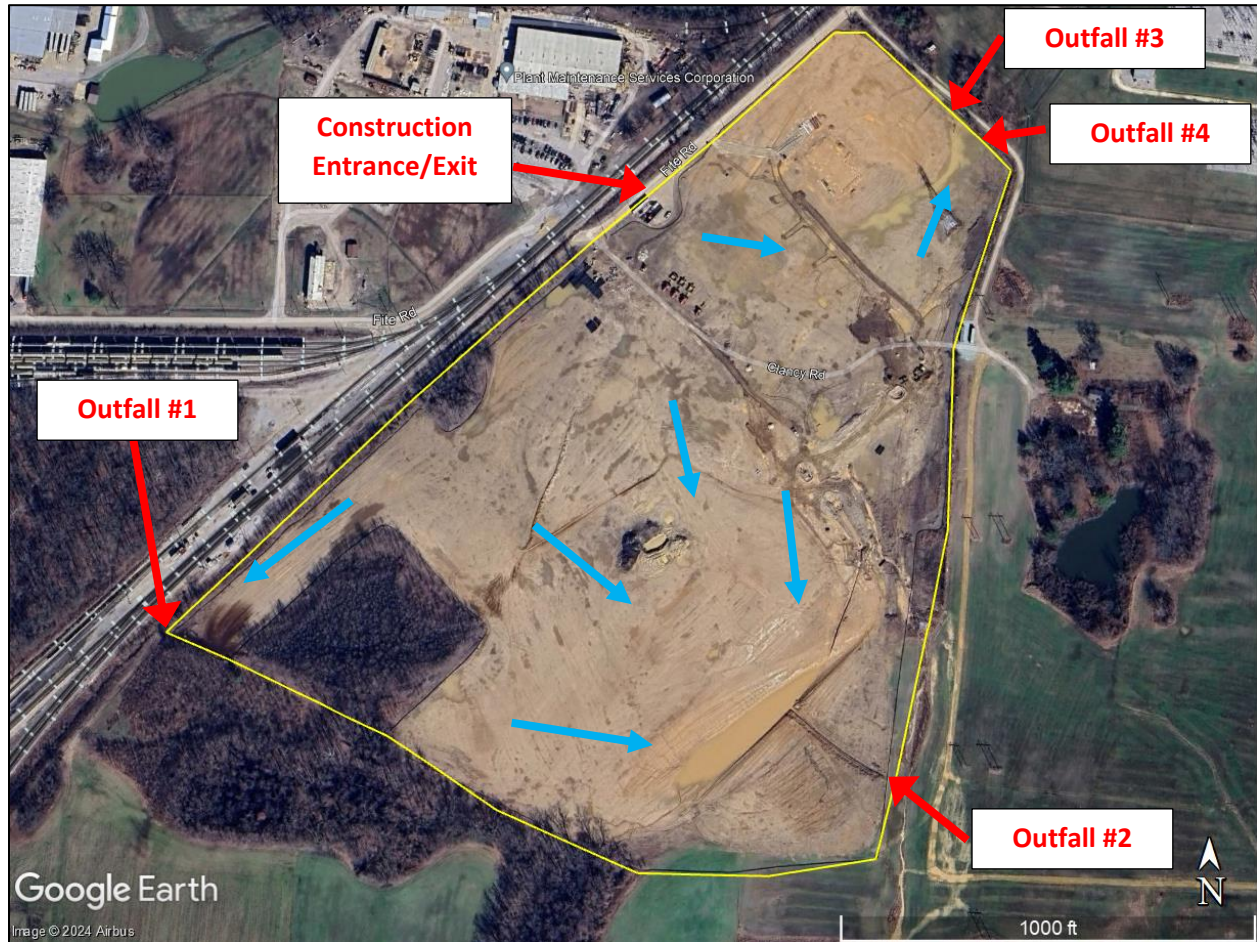


Figure 1. Aerial Image of the Insurance Auto Auctions-Millington project from Google Earth (Dated 2024). The yellow line is the approximate Site perimeter, and the blue lines are the inferred directions of stormwater flow due to grading of the Site.

Appendix B – Photograph Log

Insurance Auto Auctions - Millington

All photos taken on a Nikon CoolPix AW110 Digital Camera
by Taylor Fontaine



Photograph 1. View, facing northeast, of a Site entrance/exit off Fite Road. The entrance/exit did not have sediment controls, and sediment track out was observed leading from the Site onto Fite Road.



Photograph 2. View, facing south, of a partially covered pile of lime and dirt in the center of the Site without erosion or sediment controls.



Photograph 3. View, facing northwest, of corrugated piping that was being installed in the southern portion of the Site.



Photograph 4. View, facing southeast, of a disturbed area and sediment basin (dotted yellow lines) in the southeastern portion of the Site.



Photograph 5. View, facing southeast of the sediment basin in the southeastern portion of the Site. At the time of the inspection, the basin had not been stabilized, but was being utilized by the Permittee as a temporary basin during construction.



Photograph 6. View, facing north, of a headwall and pipe leading into the basin shown in [Photograph 5](#). At the time of the inspection, the stormwater piping had not been connected to this basin but had been connected to others.



Photograph 7. View, facing southeast, inside the sediment basin shown in Photograph 5.



Photograph 8. View of an inlet in the center of the Site where sediment had been deposited over the silt fence inlet protection and into the inlet.



Photograph 9. View, facing northeast, of the basin shown in Photographs 4, 5, and 7.



Photograph 10. View, facing southwest, of a pump removing water from the sediment basin.



Photograph 11. View, facing southeast, of a manmade trench used for the discharge of the water pumped from the sediment basin.



Photograph 12. Additional view, facing southeast, of the manmade channel (yellow outline) shown in Photograph 11. There was no evidence of sediment extending beyond the channel or offsite.



Photograph 13. View, facing southwest, of sediment and vegetation against the perimeter silt fence in the southern portion of the Site.



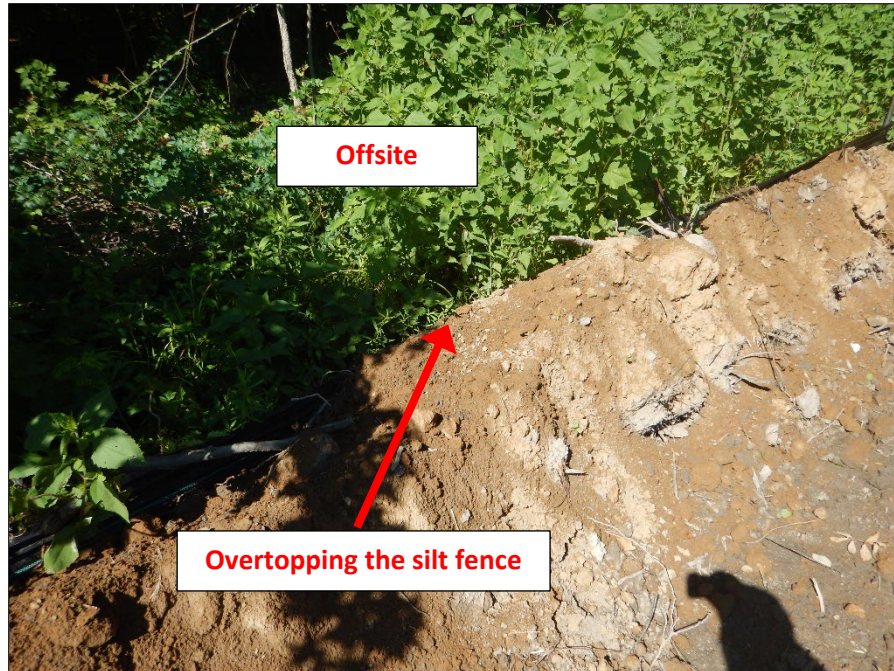
Photograph 14. View, facing east, of a raised inlet in the center of the Site.



Photograph 15. View, facing southwest, of sediment accumulation against the silt fence along the Site's southern boundary. Sediment had accumulated to at least half the height of the silt fence.



Photograph 16. View, facing south, of sediment accumulation against the silt fence in the southwestern portion of the Site. Silt fence in the area had separated from posts and required maintenance or reinstallation.



Photograph 17. View, facing south, of sediment accumulation overtopping the silt fence in the southwestern portion of the Site.



Photograph 18. View, facing west, of a lack of perimeter controls (e.g., silt fence) in the southwestern portion of the Site.



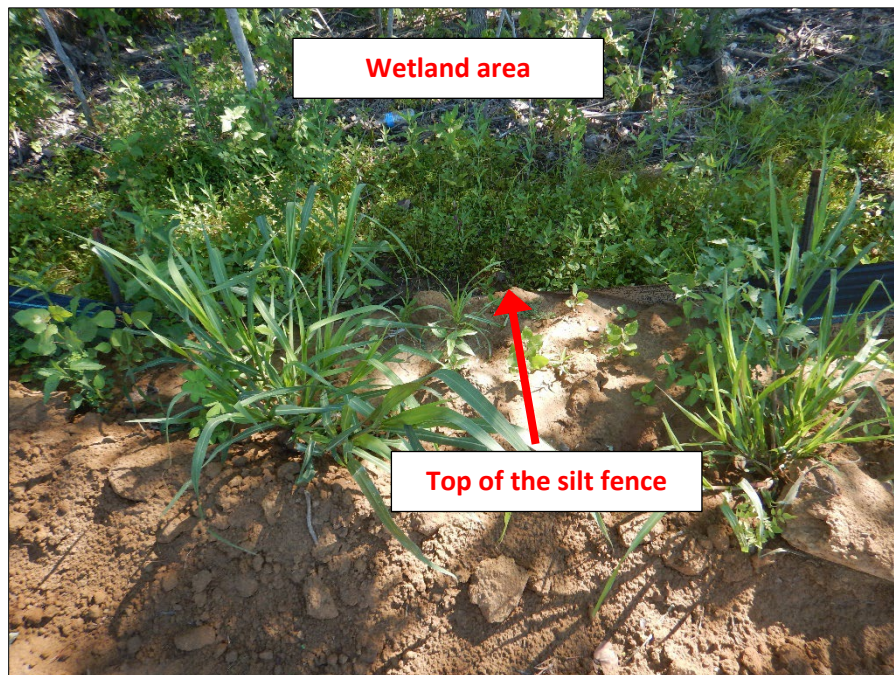
Photograph 19. View, facing north, of sediment accumulation overtopping the silt fence in the western portion of the Site.



Photograph 20. View, facing east, of vegetation that had fallen and partially collapsed the silt fence on the eastern boundary of the Site.



Photograph 21. View, facing northeast, of sediment accumulation to the height of the silt fence in the western portion of the Site.



Photograph 22. View, facing northeast, of sediment accumulation to the height of the silt fence in the western portion of the Site.



Photograph 23. View, facing southeast, of an inlet without any inlet protection to prevent sediment intrusion.



Photograph 24. View, facing southeast, of a collapsed silt fence along the Site's eastern boundary.



Photograph 25. View, facing northeast, of the northern boundary of the Site. According to the Site EPSC Plan, the Site should have silt fence along the northeastern boundary of the site. However, at the time of the inspection, no silt fence was present.