CLEAN WATER ACT COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 5

Purpose: Pretreatment Industrial User (IU) Inspection—Part of a Multi-Media Inspection

Facility: Metalworking Lubricants Co.
1509 S. Senate Ave.
Indianapolis, IN 46225

IU Permit: CWA Authority, Inc. IU Discharge Permit #299201

Date of Inspection: April 25 to 27, 2022

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Report Date: _____

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

Approver Signature: MOLLY SMITH Digitally signed by MOLLY SMITH Date: 2022.06.21 14:11:12 -05'00'

Approval Date: _____

Purpose of Inspection:

The purpose of this inspection was to determine Metalworking Lubricant's (MWL's) compliance with the Pretreatment requirements under the Clean Water Act (CWA). The inspection was part of an EPA multimedia inspection.

Background:

MWL is an industrial user (IU) that discharges process wastewater into a sewer. The IU is subject to pretreatment requirements under 40 C.F.R. Part 403. CWA Authority, the Control Authority for Indianapolis, IN, issued Permit #299201 to MWL (Attachment 1). The permit states that MWL is subject to:

- 40 C.F.R. Part 437 - Centralized Waste Treatment Point Source Category
    - Subpart D - Multiple Wastestreams Subcategory
        - Oils Treatment and Recovery; and
        - Organics Treatment and Recovery.
    - Pretreatment Standards for Existing Sources

CWA Authority has cited MWL for numerous pretreatment violations. Below is a summary of CWA Authority's enforcement actions against MWL:

1. August 3, 2020, Notice of Violation (NOV)—cited MWL for:
    a. Causing adverse impact to sewer system,
    b. Failure to implement slug control plan to prevent adverse impacts,
    c. Interference with proper operation of sewer system,
    d. Failure to maintain in good working order and operate treatment or control facilities or systems, and
    e. Failure to comply with permit limits.
2. March 25, 2021, Compliance Agreement (Attachment 2):
    a. Resolves violations cited in the August 3, 2020, NOV,
    b. Cites effluent limit violations found during a December 10, 2020, inspection and a February 18, 2021, sampling event, and
    c. Assessed a $1,614,000 penalty.
3. August 20, 2021, Notice of Violation and Notice of Breach of the Compliance Agreement, and Addendum No. 1 to Compliance Agreement (not signed), for effluent limit violations (Attachment 3).
4. September 8, 2021, Notice of Violation and Notice of Breach of the Compliance Agreement, and Addendum No. 2 to Compliance Agreement (not signed, Attachment 4) for:
    a. Dilution of effluent,
    b. Effluent limit violations, and
    c. Failure to provide unabated access for inspection and sample collection.
5. December 1, 2021, Notice of Violation and Notice of Breach of the Compliance Agreement and Addendum No. 3 to the Compliance Agreement (not signed, Attachment 5) for:

a. Discharge of oily-looking substances that "has the potential to cause, and in fact is causing damage or impairment to the POTW as well as interference with proper operation of the System," [1]
b. Failure to timely report analytical data in self-monitoring reports, and
c. Effluent limit violations,

6. January 13, 2022, Notice of Violation and Notice of Breach of the Compliance Agreement and Addendum No. 4 to the Compliance Agreement (not signed, Attachment 6) for:
    a. Discharge of oily-looking substances that "has the potential to cause, and in fact is causing damage or impairment to the POTW as well as interference with proper operation of the System,"
    b. Failure to timely report analytical data in self-monitoring reports, and
    c. Effluent limit violations.
7. February 9, 2022, Notice of Revocation of Industrial Discharge Permit #299201 (Attachment 7). Through this notice, CWA Authority:
    a. Cites and incorporates the four Notices of Violation and Notices of Breach of the Compliance Agreement issued to MWL,
    b. References inspection findings from a third-party contractor (KERAMIDA Environmental, Inc.),
    c. References a report by Plymouth Technology, that provides results of jar testing and recommendations to MWL for changes or modifications to its wastewater treatment processes to achieve compliance, and
    d. CWA Authority gives notice that it seeks to revoke MWL's IU permit.
8. April 21, 2022, Notice of Violation and Notice of Breach of the Compliance Agreement (Attachment 8) for:
    a. Discharge of oily-looking substances that "has the potential to cause, and in fact is causing damage or impairment to the POTW as well as interference with proper operation of the System,"
    b. Failure to timely report analytical data in self-monitoring reports,
    c. Failure to conduct weekly self-monitoring, and
    d. Failure to follow sampling and analysis procedures.

On October 7, 2020, CWA Authority held an enforcement conference with MWL (See Attachment 9). During the conference, CWA Authority described:

1. The report of oily material in the White River, south of combined sewer outfall (CSO) 117, and north of Pleasant Run Creek.
2. The investigation of the source of the oily substance. CWA Authority identified MWL as the source of the oily substance that discharged through CSO 117.

Under the March 25, 2021, Compliance Agreement, CWA Authority hired a third-party contractor (KERAMINDA) to conduct inspections at MWL. Some of the issues written in KERAMINDA's inspection reports are listed below:

1. MWL exceeded permit limits multiple times;

[1] The December 1, 2021, January 13, 2022, and April 21, 2022, NOVs state that CWA Authority has sealed one of its combined sewer overflow (CSO) outfalls, called CSO 117, because of MWL's continued discharge of oily-looking substances.

2. A dissolved air flotation (DAF) at the wastewater treatment plant (WWTP) unit was not properly operating. "Wastewater and air was routed through the DAF, but the skimmer was not operating."
3. A clarifier in the WWTP had a significant amount of solids on the water surface at the top. The inspector wrote, "The presence of the solids across the clarifier troughs indicated inadequate settling before discharge."
4. "The hydraulic loading of the clarifier appeared to be higher than a target flow rating of 450 gallons per minute (gpm), based on visual observation of discharge velocity from the clarifier."
5. Effluent samples collected by KERIMINDA were less clear than those collected by MWL.
6. During three inspections in July 2021, MWL stopped discharging wastewater shortly after the inspector arrived. The operators stated the discharge was discontinued because solids or high color were noted in the flume and/or the bag filters needed to be changed.
7. During an August 31, 2021, inspection, a potable water hose was discharging into a discharge flume (See Attachment 10).
8. Solids from the clarifier, solids from the bottom of Final Effluent Tanks (FETs), and recycling the DAF through the clarifier, coupled with routing solids to the Small Pit for re-treatment is resulting in a high solids loading of the treatment system.

On-Site Inspection Activities on April 25, 2022

EPA staff entered the MWL facility at 7:45 a.m.

Opening Interview

Opening Meeting and Discussion

EPA staff presented their credentials to Mr. Souders. Each media inspector explained his/her purpose and the scope of the inspection. Ms. Benisek explained the company's right to claim confidential business information.

Process Description

MWL staff told the inspection team the following:

- MWL receives used oil, converts it to burner fuel, and re-sells it.
- MWL receives used oil via trucks, individual drums and totes.
- MWL uses multiple trailers onsite to store used oil.
- The company measures the characteristics of incoming used oil (e.g., chloride content and moisture) to determine the appropriate treatment.
- MWL heats used oil and adds chemicals to demulsify it, and to separate solids.
    - MWL uses spent sulfuric acid for processing used oil.
    - MWL used to use spent caustic for processing used oil but discontinued it.
    - MWL also uses virgin oil for blending. MWL receives virgin oil via rail cars.
- Used oil processing produces sludge and wastewater.

    - Sludge undergoes centrifuge processing; this processing separates product oil from waste solids and wastewater.
- MWL has five rail cars onsite.
    - Four rail cars contain sludge. These rail cars have been onsite for five years. MWL plans to have the rail cars cleaned out (with a vacuum truck), then removed.
    - One of the rail cars is empty.

Wastewater treatment

MWL staff told the inspection team the following:

- MWL generates wastewater by processing used oil.
- Also, MWL receives wastewater from the following sources:
    - Metal stamping operations,
    - Steel mills,
    - Landfill leachate, and
    - Automakers (from washing rolling oil off equipment).
- Wastewater is treated at the facility wastewater treatment plant (WWTP) in batches. MWL uses the following treatment operations:
    - Dissolved Air Flotation (DAF) unit
        - Air bubbles in the DAF lift oil to the top. Heavier solids settle at the bottom. The separated oils and solids are routed to a storage tank (W8).
        - Water from the DAF is pH-adjusted, and a polymer is added.
    - Lamella clarifier
        - The clarifier has a hydraulic loading capacity of 450 gallons per minute (gpm).
    - Bag filter
        - MWL changes the bag filter after each discharge.
- Sample point
    - MWL measures the flow rate at a parshall flume.
    - Compliance samples are collected (using an ISCO sampler) at the flume.
    - A third-party lab (Envision) collects most samples for analysis.
    - MWL measures the pH and temperature of the discharge in-house.
- Stormwater
    - Stormwater collected at the facility is routed to the "Small Pit," (see description in WWTP Walkthrough section below) then treated at the WWTP.

<u>Plant Walkthrough</u>

Bill Souders led EPA and CWA Authority staff on the plant walkthrough. We saw the following operations during the plant walkthrough:

Blending Tank Farm

There are about 50 process tanks in the blending tank farm. There are a range of tank sizes: 20,000-gallon, 18,000-gallon, and 8,000-gallon.

Blending Building

- There are five 7,000-gallon mix tanks in this building.
    - Tanks 1, 4, and 5 contain virgin oil.
    - Tanks 2 and 3 contain "on-spec" used oil.
- MWL dries used oil and adds chemicals to make product.

Process Tank Farm

- Outside the process tank farm, we saw a barrel washing station. Water from this area is routed to the WWTP.
- We also saw a truck washing area. There was an 18,000-gallon "flush out tank" used to clean trailers. The tank was enclosed by a short, cinder block wall; however, there was a small opening at the bottom of the enclosure. Water drained from the opening, then along the perimeter of the Process Tank Farm (Attachment 11, Photos 1-5). Staff said that this water is routed to the WWTP for treatment.

Trailer Lot

At the time of the inspections, trailers were parked in this area. MWL identified it uses many of these trailers to store used oil.

Sludge Drying Bed

- MWL mixes sludge with sawdust, then stores it in this area to dry (Attachment 11, Photo 6).
- Attachment 11, Photo 7 is a picture of three water treatment tanks:
    - Tank W6 is scheduled to be removed,
    - Tank W7 is for water treatment, and
    - Tank W8 stores wastewater to be fed back into the WWTP.
- Attachment 11, Photo 8 is a picture of water draining from the sludge drying bed into the southeast corner of the Water Treatment Building. The water drains into a sump inside the building for treatment.

<u>On-Site Inspection Activities on April 26, 2022</u>

MWL staff showed EPA staff records, including a Water Treatment Shift Report (Attachment 11, Photo 9). This sheet is a record of the volume of water in MWL's water treatment tanks.

<u>WWTP walkthrough</u>

Greg Mackley led Mr. Ellens, Ms. Zale and CWA Authority staff through the WWTP. MWL staff stated that they were having the clarifier cleaned that morning. The WWTP was not discharging during the walkthrough. During the WWTP walkthrough, Mr. Mackley showed and discussed the following with the inspection team:

Big Pit

The Big Pit is a 60,000-gallon storage pit. MWL fills the Big Pit with batches of wastewater from used oil processing activities (Attachment 11, Photos 10 and 11).

Small Pit
The Small Pit (6,500-gallon capacity) collects water from Water Treatment activities, trenches inside the WWTP, and the sludge dewatering area (Attachment 11, Photos 12 and 13).

DAF pH Adjustment Tank (Attachment 11, Photo 14)
- The wastewater feed rate for this tank is 250 gpm.
- The pH of wastewater entering this tank ranges from 3 to 5.
- The pH of wastewater discharged from this tank is 5.
- MWL has plans to raise the pH discharged from this tank to 7, as part of a pilot study (see Efforts to Comply with IU Limits section below).

DAF Mix Tank (Attachment 11, Photo 15)
Polymer is added to wastewater in this tank.

DAF (Attachment 11, Photos 16 and 17)
- The DAF is a circular tank.
- Bubbles are introduced to the bottom of the tank. The bubbles raise lighter solids to the top. Heavier solids settle to the bottom.
- Underflow from the DAF goes to Tank W8.
- The "Rag layer" is water in between the top and bottom solids. This water is transferred to the clarifier.

Clarifier pH Adjustment Tank (Attachment 11, Photo 18)
Caustic is added to wastewater to this tank, and the pH is raised to 10.

Clarifier Polymer Mix Tank (Attachment 11, Photo 19)
The clarifier polymer mix tank was empty at the time.

Lamella Clarifier (Attachment 11, Photos 20-23)
- The lamella clarifier was empty at the time of the inspection. The process was described to the inspection team, as follows:
    - Wastewater enters the bottom of the clarifier and rises up inclined plates.
    - Solids settle to the bottom of the clarifier. These solids are pumped to Final Effluent Tank 1 (FET 1).
    - Clarified water is discharged from the top. The water is pumped to the remaining Final Effluent Tanks, FET 2, FET 3, and FET 4.
    - There is a pH meter at the bottom of the clarifier (Attachment 10, Photo 24). The target pH for wastewater leaving the clarifier is 9.7 to 10.3.
    - The hydraulic rating is 450 gpm.
- MWL has had problems with solids rising to the top of the clarifier.
- CWA Authority operates an automatic sampler on an upper level, near the clarifier. The sample tube goes down to the sample point at the parshall flume, at the ground level.

Final Effluent Tanks (Attachment 11, Photos 37-40)
- Solids in FET 1 go to sludge dewatering.
- MWL tests the wastewater in FET 2, FET 3, and FET 4

- MWL tests for metals, temperature, and pH (against permit limits).
- MWL uses a mass spectrometer for metals testing.

Bag Filter
MWL uses a 100-mesh filter for wastewater routed from FET 2, FET 3, and FET 4.

Monitoring Point 01 (Attachment 11, Photos 25-32)
- Monitoring Point 01 is a parshall flume.
  - An ultrasonic flow sensor is installed above the flume.
  - Sample tubes were placed inside the flume; one tube is connected to MWL's automatic sampler (sitting behind the flume), and another tube extends to CWA's automatic sampler on an upper floor (as described above).
  - MWL's sampler was not refrigerated. Mr. Mackley stated that someone may put ice inside the sampler before use.[2]
  - CWA installed a camera at the end of the flume. The camera is pointed into the flume. CWA Authority stated that they can access video of wastewater flowing through the flume online.
  - There are signs posted on the wall near the flume. The signs read, "Water and Wastewater Discharges to this flume Other than FET Tank Sewering are absolutely PROHIBITED!!" Unauthorized discharges WILL result in disciplinary action! Bill Souders." There is a picture of water spraying into the trench below the sign.
- A trench leads up to the sample point.
  - Treated wastewater enters the front of the trench.
  - Pipes for reverse osmosis reject water and soft reject water (boiler blowdown) are installed to accommodate discharge into the trench.

Water Treatment Office (Attachment 11, Photo 36)
- This is a laboratory used to test samples of used oil accepted at the facility.
- MWL will test these samples and determine the appropriate treatment needed to demulsify the used oil.

<u>Parking Lot Manhole and Monitoring Point 02</u>

During a break (after leaving the sample point, but before going to the Water Treatment Office), CWA Authority staff showed EPA staff a parking lot manhole and Monitoring Point 02.

Parking Lot Manhole (Attachment 11, Photos 33 and 41)
Streams from the following buildings combine below this manhole (before routing to the sewer):
- Water Treatment,
- Blending Building Locker Room, and
- Lab and Office Building.

[2] During a review of records, a limited number of chain-of-custody forms were reviewed. The recorded temperatures were below 6ºC.

Monitoring Point 02 (Attachment 11, Photos 34 and 35)
This sample point is outside MWL's facility gate. CWA collects TPH samples at this point. MWL built an enclosure to securely store an automatic sampler.

Interview with Greg Mackley

Mr. Mackley told the inspection team the following:

- MWL Facility
  - The facility was constructed in 1952.
  - MWL bought the facility in 1975.
  - MWL has 40 employees.
  - The facility has two shifts.
- Facility operation
  - The facility accepts used oil, processes it, then re-sells it is fuel or lubricant. MWL accepts used oil from:
    - U.S. Steel
    - Cleveland Cliffs
  - MWL has onsite process units at satellite sites (origins of used oil). The process units reduce the water content of the oil to 10% (prior to shipping it to the MWL facility).
  - On-site, MWL mixes additives into used oil, then heats it to 200ºF.
  - Sources of wastewater treated by MWL WWTP:
    - Water separated by demulsification,
    - WWTP troughs,
    - Stormwater,
    - Truck washing operation, and
    - Landfill leachate.
  - There are two dilution streams:
    - Reverse osmosis water and
    - Boiler blowdown.
- WWTP
  - DAF
    - The DAF is a circular tank.
    - Wastewater enters the center of the tank and flows outward.
    - A skimmer/scrapper skims solids that rise to the top of the DAF.
    - Solids that sink to the bottom of the DAF have Btu value. These solids may be returned for further processing.
  - Final Effluent Tanks
    - Each effluent tank has a 18,000-gallon capacity.
    - MWL collects samples for preliminary analysis through a box on the side of each tank.
      - If the sample analysis results comply with limits (for metals, pH, and temperature) in the IU permit, then the tank is discharged.
      - If sample analysis results do not comply with limits, then MWL gives the water more time for settling.

            - If sample analysis results still don't comply with limits, then the water is re-routed to the Big Pit.
        - The heel building in each tank caused effluent limit violations.
        - Currently, MWL pumps solids from the tanks through geo tubes. Water from the geo tubes is sent to the WWTP's Big Pit.
    - Bag filters
        - MWL discharges wastewater from the FETs through three bag filters.
        - The bag filters are blinded with each batch discharge.
        - Initially, MWL used 800-mesh bags; then they switched to 400-mesh bags. Currently, they use 100-mesh bags.
        - MWL suspects that the polymer added to the DAF does not have enough time to activate. So MWL plans to switch to a different polymer, and to change its polymer feed rate.
    - Sample point
        - The sample point is a parshall flume.
        - MWL uses an ultrasonic flow measurement device.
        - MWL collects 24-hour, time proportional composite samples; MWL typically discharges 2-3 batches in 24 hours.
        - MWL collects the following samples:
            - SVOCs—monthly,
            - Hydrocarbons and total petroleum hydrocarbons—three times per week,
            - Metals, BOD, TSS, pH, temperature, and ammonia—weekly
        - A laboratory contractor and subcontractor (Envision and First Environmental) analyze MWL's samples.
    - Efforts to comply with IU permit limits
        - MWL tried to implement additional treatment through a membrane and ion exchange system. MWL determined that this method did not work.
        - On or around May 19, 2022, MWL plans to run a pilot study from Plymouth Technologies:
            - Water discharged from the bag filters will flow through two cylindrical units.
            - Each unit will contain coal, sand, and a proprietary filtration media.
- Stormwater
    - The inspection team asked Mr. Mackley if he knew about stormwater pumped into secondary containment. He said that he was not aware of it, and it is not MWL's practice to pump stormwater into secondary containment.
    - Mr. Mackley said that stormwater is pumped out of secondary containment for treatment. Also, there is a valve to drain stormwater out to secondary containment.

Records Review

EPA, IDEM, and CWA staff reviewed MWL's sample analysis reports. The inspection team identified the following areas of concern:

Effluent Limit Exceedances

From MWL's January 2022, self-monitoring report:

Pollutant parameter	Sample date	Permit limit (mg/L)	Sample analysis result (mg/L)
Copper	1/6/22	0.384	1.27
	1/27/22		4.93
Chromium	1/27/22	0.898	1.45
Tin	1/6/22	0.236	1.84
	1/27/22		16.30
Zinc	1/6/22	6.59	15.90
	1/12/22		81.60
	1/27/22		124.00

From MWL's December 2021 self-monitoring report:

Pollutant parameter	Sample date	Permit limit (mg/L)	Sample analysis result (mg/L)
Copper	12/10/21	0.384	1.22
	12/17/21		0.43
n-octadecane	12/10/21	1.16	1.31
Tin	12/10/21	0.236	3.94
Zinc	12/10/21	6.59	38.10

CWA Authority sample analysis results "Split B"[3]

Sample collection date: January 27, 2022:

Pollutant parameter	Permit limit (mg/L)	Sample analysis result (mg/L)
Chromium	0.898	2.78
Copper	0.384	7.21
Tin	0.236	2.12
Zinc	6.59	232

Chain-of-custody forms

For each of MWL's self-monitoring report reviewed, which were from the time period from April 2021 to February 2022, the sampler did not sign the associated Envision Laboratory Inc. chain-of-custody form.

[3] CWA Authority splits each sample it collects at Monitoring Point 01. Although CWA Authority splits each sample, CWA retains custody of both split samples. CWA Authority then sends one split sample (Split A) to ESG Laboratories for analysis; CWA Authority sends the other split sample (Split B) to Envision Laboratories—a lab chosen by MWL—for analysis.

The inspection team's review of temperature and pH logs revealed the following areas of concern for pH measurements:

Chain-of-custody date	Area of concern
12/1/21	The pH sample was held for longer than the maximum holding time (15 minutes) before analysis.
12/3/21	The time of pH analysis was missing.
12/10/21	The pH sample was held for longer than the maximum holding time (15 minutes) before analysis.
12/11/21	The time of pH analysis was missing.
12/17/21	The time of pH analysis was missing.
12/18/21	The time of pH analysis was missing.
12/21/21	The time of pH analysis was missing.
12/22/21	The pH sample was held for longer than the maximum holding time (15 minutes) before analysis.
12/31/21	The times of pH sampling and analysis was missing. Also, the pH calibration was missing.

On-Site Inspection Activities on April 27, 2022

Records Review

EPA, IDEM, and CWA Authority reviewed MWL waste manifest forms. Below is summary information from the inspection team's review:

Generator	Date	Type	Volume (in gallons, unless otherwise indicated)
Allied Locke	2/1/22	Oil/water	5,500
Allied Locke	2/21/22	Oil/water	5,500
Allied Locke	3/7/22	Oil/water	Left blank
Baldwin Filters	2/2/22	Oil/water	Left blank
Cleveland Cliffs	1/14/22	Used oil	5,500
Cleveland Cliffs	2/7/22	Oily water	5,500
Cleveland Cliffs	2/14/22	Oily water	5,500
Cleveland Cliffs	2/22/22	Oil/water	5,500
Cleveland Cliffs	3/7/22	Oil/oily water	5,000
Cleveland Cliffs	3/1/22	Oil/oily water	5,000
Cleveland Cliffs	3/15/22	Waste oil/water—non-haz	Left blank
Cleveland Cliffs	3/23/22	Used oil	5,000
Crown Equipment	1/4/22	Waste oil/coolant	2,860

CTP Corp.	2/10/22	Oily water	5,000
CTP Corp.	2/17/22	Oily water	750
CTP Corp.	3/8/22	Oily water	2,400
Novels	1/27/22	Non-hazardous	3,000
Regal	2/15/22	Oily water	5,500
Regal	12/30/21	Oily water	5,500
Reynolds Foil	3/7/22	Left blank	Left blank
S-C Electric	3/2/22	Waste oil	2,872
Southwire Bremen	2/7/22	Waste oil water	2,850
SUS Cast Co.	1/17/22	Non-haz waste oil water	5,000
TOA USA	1/3/22	Oily waste water/non-haz	4,500 lbs
Waste Management (Twin Bridge RDF)	4/15/22	Not listed[4]	5,995
Waste Management (Twin Bridge RDF)	4/15/22	Not listed	5,753
Waste Management (Twin Bridge RDF)	4/18/22	Not listed	5,847
Waste Management (Twin Bridge RDF)	4/18/22	Not listed	5,717
Waste Management (Twin Bridge RDF)	4/19/22	Not listed	5,775

In addition, the inspection team's review of waste manifest forms, dated January to March 2022, showed:

1. The following was missing for certain forms:
    a. Quantity of waste generated, and
    b. Generator signature and/or date.
2. For waste received from Constellium Muscle Shoals—four manifests were not signed by the transporter.

Plant Walkthrough

Mr. Mackley and Mr. Dodson led EPA and CWA Authority staff on the plant walkthrough. The inspection team saw the following operations during the plant walkthrough:

- Boiler Room and Reverse Osmosis System (Attachment 12, Photo 1)
    - The R.O. system is used to soften water for MWL's boilers.
- Truck Unloading Area (Attachment 12, Photo 2)
- Southwest corner of plant property (Attachment 12, Photo 3)
    - Mr. Mackley stated that MWL collects stormwater in this area and transfer it to Water Processing or the WWTP.
- Area behind trailer lot (Attachment 12, Photo 4 and Attachment 14)

[4] Micky Terry (MWL Pump House Operator) stated that manifests from Twin Bridge are for landfill leachate.

    - On March 23, 2022, someone entered the MWL facility and opened the valves of ten tanker trailers. The capacity of the trailers ranged from 6,000 to 8,000 gallons.
    - Material from two of the ten trailers spilled onto the ground (Tankers #58 and #60):
        - About 40 gallons of petroleum solids spilled out of Tanker #58 and stayed in a pile.
        - About 2,000 gallons of oil spilled out of Tanker #60. The oil ran off into a retaining ditch that contained stormwater.
    - MWL responded by vacuuming the oil and stormwater from the retaining ditch; they also scrapped solids off the ground. MWL removed three dumpsters of soil, brush, and trees. MWL is waiting for the health department to confirm the remediation.
    - MWL is considering whether to backfill the area.
- Sludge pile and containers (Attachment 12, Photos 5-7)
    - A couple 25-cubic yard (cy) containers (for sludge disposal) were onsite.
    - MWL calls its sludge "salts."
    - The sludge comes from:
        - The underflow and skimmings from the DAF, and
        - Centrifuged solids.
    - Several 10-30 cy piles of sawdust were onsite. MWL mixes its solids with sawdust prior to disposal. MWL staff stated that it cannot dispose of its sludge as non-hazardous waste without mixing it with sawdust first.
- Sludge drying bed (Attachment 12, Photos 8 and 9)
    - Solids in this area come from FET 1.
- Inside Water Treatment (Attachment 12, Photo 10)
    - Water from the sludge drying bed enters a sump inside the building.
- Centrifuges (Attachment 12, Photo 11)
    - Used to separate water from oil.

Equivalent Treatment

According to Permit #299201, MWL is subject to 40 C.F.R. Part 437, Subpart D--Multiple Wastestreams Subcategory. Specifically, MWL receives oils waste and organics wastes for treatment. According to 40 C.F.R. § 437.40, MWL is required to establish that it provides equivalent treatment. As stated in EPA's Small Entity Compliance Guide, Centralized Waste Treatment Effluent Limitations Guidelines and Pretreatment Standards (40 CFR 437),[5] "Providing equivalent treatment means that the facility is providing treatment for its mixed Wastewater that is designed to ensure pollutant removal that are essentially the same as would be obtained from separate treatment of the different subcategory wastestreams." During the inspection, Mr. Dodson stated that MWL does not treat organics waste. According to MWL's July 20, 2001, Initial Certification Statement (an attachment of MWL's July 20, 2001, Baseline Monitoring Report—Attachment 13), MWL only uses equalization for organics treatment.

[5] Mr. Ellens showed the webpage for this EPA guidance to MWL staff during the inspection.

Laboratory

- MWL measures the pH and temperature of its discharge onsite. Mr. Souder showed the inspection team:
    - pH meter,
    - Temperature probe,
    - pH calibration records (Mr. Souder said MWL calibrates its pH meter four times per month.), and
    - pH standard bottles:

pH of standard	Expiration or retest date
10.0	11/11/22 expiration date
7.00	November 2022 expiration date
4.00	4/4/23 retest date

Closing Conference

Preliminary Determinations:

Mr. Ellens discussed the initial areas of concern at the closing meeting:

1. MWL's monitoring reports showed effluent exceedances of Permit #299201 since 2019. These effluent exceedances are ongoing. During a records review, Mr. Ellens identified effluent limit exceedances for copper, chromium, tin, and zinc.
2. During the records review, Mr. Ellens identified that the Environ chain-of-custody reports do not include the sample's name.
3. MWL is covered under 40 C.F.R., Part 437, Subpart D—Multiple Wastestreams. Specifically, MWL collects oils waste and organics waste. However, MWL wastewater treatment is for oils waste, not organics waste.
4. In 2019, oily material in MWL's discharged through CSO 117 into the White River. This discharge continued, so that CWA Authority had to seal CSO 117.
5. During an August 31, 2021, MWL inspection, KERIMIDA (a third-party contract inspector) documented MWL discharging a potable water hose into MWL's discharge flume and compliance sample point. According to the third-party contractor, MWL's discharge of potable water into the compliance sample point would dilute compliance samples.

EPA staff left the facility at 5:00 p.m.

Attachments

1. CWA Authority, Inc. Industrial Discharge Permit #299201, issued April 15, 2021
2. March 25, 2021, CWA Authority, Inc. Compliance Agreement
3. August 20, 2021, CWA Authority, Inc. Notice of Violation and Notice of Breach of the Compliance Agreement, and Addendum No. 1 to Compliance Agreement
4. September 8, 2021, CWA Authority, Inc. Notice of Violation and Notice of Breach of the Compliance Agreement, and Addendum No. 2 to Compliance Agreement

5. December 1, 2021, CWA Authority, Inc. Notice of Violation and Notice of Breach of the Compliance Agreement and Addendum No. 3 to the Compliance Agreement
6. January 13, 2022, CWA Authority, Inc. Notice of Violation and Notice of Breach of the Compliance Agreement and Addendum No. 4 to the Compliance Agreement
7. February 9, 2022, CWA Authority, Inc. Notice of Revocation of Industrial Discharge Permit #299201
8. April 21, 2022, CWA Authority, Inc. Notice of Violation and Notice of Breach of the Compliance Agreement
9. October 7, 2020, CWA Authority, Inc. presentation slides—*CWA Authority, Inc. Enforcement Conference with Metalworking Lubricants Company*
10. September 29, 2021, CWA Authority Inc. correspondence—Re: CWA Authority, Inc. v. Metalworking Lubricants Company, Docket 20-IP-0116, Paragraph 2.C.vi—Independent Oversight of Discharge and Compliance Activities, Monthly Summary of Activities
11. Metalworking Lubricants Photo Log (April 25 and 26, 2022)
12. Metalworking Lubricants Photo Log (April 27, 2022)
13. Metalworking Lubricants July 20, 2001, Baseline Monitoring Report
14. March 23, 2022, Metalworking Lubricants Incident Report