

**CWA COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5**

Facility: LYCON Ready Mix Plant #31
2100 Larsen Road
Green Bay, Wisconsin 54303

NPDES Permit Number: WIR05IA0F

Purpose: To evaluate compliance as an industrial stormwater permittee and other applicable regulations under the Clean Water Act (CWA).

Date of Inspection: April 30, 2025

EPA Region 5 Water Enforcement Compliance Assurance:

- Eric Small, Physical Scientist, US EPA Region 5
- Keith Middleton, Environmental Engineer, US EPA Region 5
- Danny Nguyen, Environmental Engineer, US EPA Region 5

Facility Representatives:

- Jennifer Greco, Environmental Manager, jjgreco@lyconinc.com, 608-225-6067
- Kevin Yaklin, Quality Control Manager, kyaklin@lyconinc.com, 608-754-7701

Report Prepared by: Eric Small, Physical Scientist, Water Enforcement and Compliance Assurance Branch

Inspector Signature: ERIC SMALL  Digitally signed by ERIC SMALL
Date: 2025.05.22 15:35:47 -05'00'

Approver Name and Title: Ryan Bahr, Section 2 Supervisor, Water Enforcement and Compliance Assurance Branch

Approver Signature and Date: Bahr, Ryan  Digitally signed by Bahr, Ryan
Date: 2025.05.22 16:46:55 -05'00'

INTRODUCTION

On April 30, 2025, representatives from the U.S. Environmental Protection Agency, Region 5 conducted a Compliance Evaluation Inspection at LYCON Inc., Plant #31 within Oneida Reservation boundaries (“LYCON, Inc” or “Facility”). As a result of its location on a federally recognized reservation, U.S. EPA is both the permitting and oversight authority for Clean Water Act compliance at the Facility. The purpose of this inspection was to evaluate this Facility’s compliance with portions of the Clean Water Act and the Facility’s National Pollutant Discharge Elimination System Multi-Sector General Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity.

The inspection consisted of the following: an opening conference, a facility walk-through, and a closing conference. A review of records submitted by the Facility was also conducted after the inspection. The EPA Inspection Team comprised three inspectors: Eric Small, Keith Middleton, and Danny Nguyen of U.S. EPA Region 5. Areas of Concern are listed in the section entitled “Areas of Concern” starting on page 9 of this report.

SITE INSPECTION



Exhibit 1: LYCON, Inc. Plant #31, facing east; Source: Google Earth

Initial Inspection Discussion

The EPA Inspection Team initially arrived at the Facility at approximately 8:35 A.M., where they were greeted by Mr. Ken Lathrop, a Human Resources Specialist. Mr. Lathrop proceeded to call Ms. Jennifer Greco, Environmental Manager, who is the environmental specialist for all 32 LYCON Inc. facilities in Wisconsin. After a brief discussion with Ms. Greco and Mr. Kevin Yaklin, Quality Control Manager for Plant #31, the EPA Inspection Team elected to conduct the inspection in the afternoon upon Ms. Greco's arrival. The EPA Inspection Team proceeded to arrive back at the Facility at approximately 1:00 P.M. The weather was partly cloudy and approximately 55° Fahrenheit during the inspection. After entering the Facility, the EPA Inspection Team was greeted by Ms. Greco and Mr. Yaklin. Ms. Greco, Mr. Yaklin, and the EPA Inspection Team then entered the Facility's conference room area to initiate an opening conference.

The EPA Inspection Team then announced their intentions to conduct an inspection under the Clean Water Act. Credentials were subsequently presented to both Ms. Greco and Mr. Yaklin. The opening conference for the inspection commenced at 1:01 P.M. The EPA inspectors also noted that Confidential Business Information provisions could be claimed, though no such claim was made by Facility representatives. Inspectors emphasized the scope of this inspection would surround the Facility's compliance with its NPDES Permit # WIR05IA0F and any other applicable regulations under the Clean Water Act. The following is a summary of the discussions EPA had with Facility representatives before a walkthrough of the site.

Facility Processes and Wastewater Generation

The Facility is a ready-mix concrete production plant operating on approximately 8.5 acres with ten-to-twelve employees. Ready-mix concrete is composed of sand and coarse aggregate that is combined into a truck with a concoction of chemicals and water. The mixture must constantly be mixed until it is ready to be placed into a designated area. Mixing is a covered process, per Ms. Greco. Both the water and sediment employed in this process is reused. For this operation, sand is sourced from Waupaca, Wisconsin and limestone aggregate arrives from a quarry in Door County. Ms. Greco provided the Facility's Standard Industrial Classification code as 3273: Ready-Mixed Concrete Establishments.

The Facility operates from 6:00 A.M. to 5:00 P.M. Monday through Friday, with the occasional – once a month or so – half-day of operation on Saturdays. LYCON, Inc. has eight drivers stationed at this location; of the eight trucks in their fleet, two-to-three trucks are stored outside overnight, according to Ms. Greco. Trucks deliver approximately 40 loads of ready-mix concrete per day to customers, with seasonal variation. Trucks are rinsed out nightly to

alleviate any concrete solidification. The on-site wastewater treatment system is designed to not discharge wastewater and was developed after violations during the 2010s.

Ms. Greco indicated that LYCON Inc. acquired the Facility from Green and Gold Concrete in March 2024. The Facility began operations as a ready-mix concrete supplier sometime between the 1970s and 1980s. Ms. Greco indicated that the Facility did not have stormwater permit coverage prior to acquisition under LYCON, Inc. According to Ms. Greco, the Facility submitted its Notice of Intent for Stormwater Discharges Associated with Industrial Activity Under the NPDES Multi-Sector General Permit on June 14, 2024 upon property acquisition, which was subsequently issued in August 2024. Ms. Greco also noted a small amount of capital improvements and improved housekeeping since LYCON, Inc. has owned and operated the Facility.

General housekeeping practices at the Facility include ensuring that there is aisle space between drums, washing trucks near the basin area, and sweeping Facility grounds as needed. The Facility has one above ground diesel fuel tank to fuel trucks and a small amount of engine maintenance occurs within the Facility's enclosed garage. Spill response kits are also present within the Facility's maintenance shop. Stormwater Pollution Prevention Plan training occurs during onboarding, and it is also intermittently covered during a bimonthly training forum. When asked about a sign of permit coverage, Mr. Yaklin and Ms. Greco indicated that the Facility did not have a sign at the time of the inspection.

Ms. Greco indicated that there is a singular storm drain in the Facility's yard, along with one detention pond in the northeast corner of the Facility. There are two city-owned storm inlets on the north side of Larsen Road. Facility personnel described stormwater flow to generally be west-southwesterly across the yard, though some could pond in the back detention pond. Given a typical rain event, Ms. Greco estimated that approximately 66% of the precipitation would enter the stormwater drain and the other 33% would collect in the northern third of the property to infiltrate. Ms. Greco also indicated that there is a berm around the northern and eastern perimeter of the Facility to impede stormwater from flowing offsite in those respective directions. Other engineering controls at the Facility include controlling high pH water within the wastewater system and employing a filter fabric sock in the storm drain that is changed out every three-to-six months. Additionally, the diesel tank is double-walled and equipped with an overflow alarm and emergency shutoff to mitigate the potential of spills. Oil Equipment Company out of Madison, Wisconsin assists the Facility in maintaining the diesel tank.

The Stormwater Pollution Prevention Plan (SWPPP) was developed by Ms. Greco and finalized in May 2024. Quarterly inspections are conducted by Ms. Greco, using a sheet incorporated within the Facility's Stormwater Pollution Prevention Plan. Among the observations noted during these quarterly visual inspections include stormwater discharge turbidity, color, sheen,

and odor. Ms. Greco elaborated that the quarterly visual inspection sheet demarcates specific drainage areas and the potential contaminants within each drainage area. Ms. Greco also stated that two benchmark analyses have been conducted since being under permit, during the fourth quarter of 2024 and first quarter of 2025. Routine inspections are conducted but not documented. The Facility's annual report was submitted on January 28, 2025 and was sent to the EPA Inspection Team after the inspection.

Facility Walkthrough

At approximately 2:00 P.M., the EPA Inspection Team was accompanied by Ms. Greco and Mr. Yaklin to conduct a walkthrough of the Facility, beginning at the loading station for the ready-mix plant (see Photo 1 in Attachment A). Mr. Yaklin indicated that the tank observed on the north side of the ready-mix plant contains calcium chloride, which is used as an additive in the process (see Photo 2 in Attachment A). Proceeding to the north, the EPA Inspection Team next observed the initial basin, where trucks are washed (see Photo 3 in Attachment A).

Wastewater generated from this process is gravity-fed into the Facility's wastewater treatment system, which is composed of three settling ponds and is subsequently funnelled to a final bay/treatment area (see Photos 4-5 in Attachment A). Mr. Yaklin indicated that the first three bays are dredged to a sludge pit located to the west of the wastewater treatment area. The EPA Inspection Team next entered the colorizer building, which is attached to the ready-mix plant. The Facility representatives pointed out two plugged drains in this building as well as their new coloring system tanks installed in November (see Photos 6-7 in Attachment A). Mr. Yaklin elaborated that these tanks help infuse color into the ready-mix concrete, depending on customer request. While walking out of the colorizer building, the EPA Inspection Team observed three totes of bulk colorizer stored outside of the building (see Photo 8 in Attachment A).

Moving to the northeast, Facility representatives guided the EPA Inspection Team to the wet cleanout bunker, where dredged media is dried. Piles of virgin sand and aggregate material were stored to the and northeast and southeast of this bunker (see Photos 9-10 in Attachment A). Mr. Yaklin emphasized that the bunker is designed to contain the dredged media, ensuring it does not migrate out of the bay. The EPA Inspection Team next traversed further to the north to observe the stormwater infiltration basin, located in the northeast corner of the Facility (see Photos 11-12 in Attachment A). Facility personnel indicated that there have been no issues with the adjoining property to the north, as the infiltration basin straddles the northeastern property boundary. Walking westward, Ms. Greco and Mr. Yaklin pointed out the concrete block casting and storage area located along the northern Facility perimeter, where 3 and 6' blocks are cast for a variety of industrial and residential customers (see Photos 13-15 in Attachment A).

Beginning to walk along the western extent of the Facility, the EPA Inspection Team observed two totes of Hammer Clean product, which Ms. Greco indicated is used to help remove concrete before it solidifies on or in vehicles (see Photo 16 in Attachment A). Municipal solid waste and recycling dumpsters were also observed by the EPA Inspection Team along the western fence line (see Photo 17 in Attachment A). Both dumpsters were covered at the time of the inspection. The EPA Inspection Team then walked into the Facility maintenance shop (see Photos 18-19 in Attachment A). The trench drain leads to a sump, which is vacuumed out by either a Safety-Kleen or Crystal Clean contractor as needed. Harlon Lubricants Inc. and Crystal Clean service the Facility's used oil, per Ms. Greco. While exiting the Facility maintenance shop, the EPA Inspection Team noted a diesel exhaust fluid tote, which is used by Facility vehicles (see Photo 20 in Attachment A).

Walking back outside, the EPA Inspection Team observed a 10,000-gallon diesel tank, which Ms. Greco stated has one nozzle and is grounded (see Photo 21 in Attachment A). Additionally, the EPA Inspection Team walked around the southeastern quadrant of the Facility to observe stormwater runoff pathways from the Facility's bulk storage piles and overflow material storage piles containing peat gravel and 1.5" limestone (see Photos 22-23 in Attachment A). Near the center of the Facility, the EPA Inspection Team next observed Outfall 001, with discharging process water entering the outfall from the ready-mix area (see Photos 24-27 and 30 in Attachment A). Before finishing the walkthrough, the EPA Inspection Team evaluated the southern property boundary and did not observe any discharge paths flowing southward offsite (see Photos 28-29 in Attachment A).

Closing Conference

In a Facility office, Mr. Small began the closing conference at approximately 3:01 P.M. All members of the EPA Inspection Team were present for the closing conference, along with Ms. Greco and Mr. Yaklin. The EPA Inspection Team thanked the Facility representatives for their time and noted that any Areas of Concern noted would be highlighted in the subsequent report. EPA indicated that it would review the information it had requested when received. Mr. Small stated that EPA would develop an inspection report that summarized its inspection of the Facility and anticipated that it would provide a copy of the report in approximately 70 days to Ms. Greco and Mr. Yaklin. The EPA Inspection Team proceeded to exit Facility grounds at approximately 3:21 P.M.

Inspection Follow-Up

On May 9, 2025, Ms. Greco emailed Mr. Small with information indicating that the color totes noted near the ready-mix plant and truck wash in the northwestern portion of the site have all been moved indoors. Ms. Greco also added that a sign entailing requirements of Section 1.3.5 of the Permit has been ordered and will be installed as soon as possible, with pictures of its installation to follow.

DOCUMENTS REVIEWED PRIOR TO INSPECTION:

- Stormwater Pollution Prevention Plan (May 2024)
- Notice of Intent for Stormwater Discharges Associated with Industrial Activity Under the NPDES Multi-Sector General Permit (June 14, 2024)

DOCUMENTS REQUESTED DURING THE INSPECTION:

- 2024 annual SWPPP training log
- Any quarterly visual inspections conducted within the last year
- 2024 annual inspection
- Filter maintenance log for the on-site storm drain

DOCUMENTS OBTAINED AFTER THE INSPECTION:

- Employee Documentation Certifying Stormwater and Spill Policy Training for 22 Employees (November 2024)
- Storm Drain Filter Material Change Log Tracking Form (June 2024, November 2024, and March 2025)
- Quarterly Facility SWPPP Visual Inspection Forms (June 2024, September 2024, October 2024, and March 2025)
- Annual Report for Stormwater Discharges Associated with Industrial Activity Under the NPDES Multi-Sector General Permit (January 28, 2025)

AREAS OF CONCERN:

EPA has identified areas of concern based on findings during the inspection of LYCON Inc., Plant #31 and subsequent review of the information provided to EPA by Facility representatives after the inspection. Areas of concern related to these findings are as follows:

1. Non-Stormwater Discharge: Section 2.1.2.9 of the Permit requires the Facility to “evaluate for the presence of non-stormwater discharges. You must eliminate any non-stormwater discharges not explicitly authorized in Part 1.2.2 or covered by another NPDES permit, including vehicle and equipment/tank wash water...If not covered under a separate NPDES permit, wastewater, wash water and any other unauthorized non-stormwater must be discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or otherwise disposed of appropriately.” During the inspection, the EPA Inspection Team observed process water from the ready-mix plant discharging into the storm drain, Outfall 001. During the inspection, Ms. Greco and Mr. Yaklin described that this water is likely attributable to the final rinsing stage for vehicles when under the loading bay, and it is discharged out of a pipe. Review of the Facility’s SWPPP and the non-stormwater discharge certification does not currently account for this discharge.
2. Routine Inspection Documentation: Section 3.1.6 of the Permit requires the Facility to “...document the findings of your facility inspections and maintain this report with your SWPPP as required in Part 6.5.” During the inspection, Ms. Greco indicated that routine inspections are conducted but not documented.
3. Sign of Permit Coverage: Section 1.3.5 of the Permit requires the Facility to “...post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to your facility...” unless “...other laws or local ordinances prohibit such signage...” in which case this must be documented in the SWPPP. At the time of the inspection, the EPA Inspection Team did not observe a sign indicating coverage on Facility grounds. According to the Permit, the sign, at a minimum, must include language to address Parts 1.3.5.1 through 1.3.5.4. Further information can be located in Section 1.3.5 of the Permit. On May 9, the Facility emailed Mr. Small stating that a sign containing the aforementioned requirements has been ordered.
4. Spill Prevention and Response – Secondary Containment: Section 2.1.2.4 of the Permit requires the Facility to “...minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges, which includes “...the use

of secondary containment and barriers between material storage and traffic areas.”

During the inspection, the EPA Inspection Team noted three totes of colorizer and two totes of Hammer Clean susceptible to stormwater without secondary containment. In a May 9, 2025 email to the inspector, Ms. Greco indicated in a subsequent email that these totes had been moved indoors.

5. Stormwater Pollution Prevention Plan Map: Section 6.2.2.3.m of the SWPPP delineates the required components of a SWPPP map, with specific reference to the following: (i) fueling stations; (ii) vehicle and equipment maintenance and/or cleaning areas; (iii) loading/unloading areas; (v) liquid storage tanks; and (viii) transfer areas for substances in bulk. During the Facility walkthrough the inspector identified a fueling station, vehicle and equipment maintenance and/or cleaning areas, loading/unloading areas near the ready-mix plant, an aboveground liquid storage tank, and areas where bulk liquids were being stored. The inspector did not observe any of these labeled on the SWPPP map reviewed. Additionally, Section 6.2.2.3.i also indicates that all stormwater monitoring points should be displayed on the SWPPP map, which the inspector did not observe during review of the map.

Attachment A: Photograph Log

LYCON, Inc. Plant #31

EPA Inspection 04/30/2025

All photos taken by Keith Middleton, Environmental Engineer, U.S. EPA

Camera: Canon PowerShot SX230 HS



1: IMG_1225

Description: Ready-Mix Plant

Location: South-central portion of the site

Camera Direction: East

Date/Time: 04/30/2025 at 2:03 P.M.



2: IMG_1226

Description: Calcium chloride tank

Location: North side of ready-mix plant

Camera Direction: South

Date/Time: 04/30/2025 at 2:04 P.M.



3: IMG_1227

Description: Initial basin for water treatment

Location: Southeast side of facility

Camera Direction: Northeast

Date/Time: 04/30/2025 at 2:05 P.M.



4: IMG_1228

Description: One of three treatment bays (back) that gravity feeds to final bay (front)

Location: North of ready-mix plant

Camera Direction: North

Date/Time: 04/30/2025 at 2:06 P.M.



5: IMG_1229

Description: Three gravity-fed treatment bays (back left to right) that funnel wastewater to final treatment bay (front)

Location: North of ready-mix plant

Camera Direction: Northwest

Date/Time: 04/30/2025 at 2:08 P.M.



6: IMG_1230

Description: Plugged drain

Location: Colorizer building

Camera Direction: n/a

Date/Time: 04/30/2025 at 2:11 P.M.



7: IMG_1231

Description: New coloring system tanks

Location: Colorizer building

Camera Direction: n/a

Date/Time: 04/30/2025 at 2:13 P.M.



8: IMG_1232

Description: Colorizer totes stored outside of building

Location: East of Colorizer building

Camera Direction: North

Date/Time: 04/30/2025 at 2:14 P.M.



9: IMG_1233

Description: Wet cleanout bunker

Location: Southeast portion of site

Camera Direction: Southeast

Date/Time: 04/30/2025 at 2:15 P.M.



10: IMG_1234

Description: Piles of sand and aggregate near cleanout bunker

Location: Southeastern quadrant of facility

Camera Direction: East

Date/Time: 04/30/2025 at 2:16 P.M.



11: IMG_1235

Description: Stormwater infiltration basin

Location: Northeastern quadrant of facility

Camera Direction: Northeast

Date/Time: 04/30/2025 at 2:16 P.M.



12: IMG_1236

Description: Crushed aggregate adjacent to stormwater infiltration basin

Location: Northeastern quadrant of facility

Camera Direction: Northwest

Date/Time: 04/30/2025 at 2:20 P.M.



13: IMG_1237

Description: Concrete block casting area

Location: Northwestern quadrant of facility

Camera Direction: Northeast

Date/Time: 04/30/2025 at 2:22 P.M.



14: IMG_1238

Description: Aggregate and block storage

Location: Northwestern quadrant of facility

Camera Direction: Northwest

Date/Time: 04/30/2025 at 2:22 P.M.



15: IMG_1239

Description: Concrete blocks in storage

Location: Northwestern corner of facility

Camera Direction: Northwest

Date/Time: 04/30/2025 at 2:25 P.M.



16: IMG_1240

Description: Two totes of Hammer Clean product used to aid concrete removal

Location: Northwestern quadrant of facility

Camera Direction: Southwest

Date/Time: 04/30/2025 at 2:26 P.M.



17: IMG_1241

Description: Municipal solid waste and recycling dumpsters

Location: Northwestern quadrant of facility

Camera Direction: Southwest

Date/Time: 04/30/2025 at 2:27 P.M.



18: IMG_1242

Description: Trench drain

Location: Facility maintenance shop

Camera Direction: n/a

Date/Time: 04/30/2025 at 2:29 P.M.



19: IMG_1243

Description: Facility sump

Location: Facility maintenance shop

Camera Direction: n/a

Date/Time: 04/30/2025 at 2:30 P.M.



20: IMG_1244

Description: Diesel exhaust fluid tote

Location: Facility maintenance shop

Camera Direction: n/a

Date/Time: 04/30/2025 at 2:31 P.M.



21: IMG_1245

Description: 10,000-gallon above ground diesel storage tank and pump station

Location: West side of the facility.

Camera Direction: West

Date/Time: 04/30/2025 at 2:32 P.M.



22: IMG_1246

Description: Ready-mix concrete plant and bulk storage piles

Location: Southwestern side of the facility

Camera Direction: East

Date/Time: 04/30/2025 at 2:34 P.M.



23: IMG_1247

Description: Overflow material storage near gate entering the facility

Location: Southern boundary of the facility

Camera Direction: East

Date/Time: 04/30/2025 at 2:36 P.M.



24: IMG_1248

Description: Filter sock on Outfall 001

Location: Outfall 001

Camera Direction: n/a

Date/Time: 04/30/2025 at 2:38 P.M.



25: IMG_1249

Description: Process water discharging to Outfall 001

Location: South of facility office building

Camera Direction: East

Date/Time: 04/30/2025 at 2:39 P.M.



26: IMG_1250

Description: Process water discharging to Outfall 001

Location: South of facility office building

Camera Direction: West

Date/Time: 04/30/2025 at 2:40 P.M.



27: IMG_1251

Description: Ready-mix concrete building

Location: Southwest side of ready-mix concrete building

Camera Direction: Northeast

Date/Time: 04/30/2025 at 2:40 P.M.



28: IMG_1252

Description: South property boundary

Location: Southeast corner of facility

Camera Direction: West

Date/Time: 04/30/2025 at 2:42 P.M.



29: IMG_1253

Description: South property boundary

Location: Southeast corner of facility

Camera Direction: Southeast

Date/Time: 04/30/2025 at 2:46 P.M.



30: IMG_1254

Description: Ready-mix concrete process wastewater draining toward Outfall 001

Location: South of office building

Camera Direction: Southeast

Date/Time: 04/30/2025 at 2:53 P.M.