



REGION 3

PHILADELPHIA, PA 19103

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): 09/24/2024
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Industrial Stormwater
Site/Facility Name: U.S. Concrete Products
Permittee(s): U.S. Concrete Products
Site/Facility Operator: U.S. Concrete Products
Site/Facility Address: 200 Frankfurst Ave.
 Brooklyn, MD 21225
Latitude/Longitude: 39.242109, -76.606614
Permit Number: MDG492090
Effective Date: October 31, 2017
Expiration Date: April 30, 2022
SIC: 3273
Unique Project #: ECAD-518

Site/Facility Representative(s): Chris Baldauf, U.S. Concrete Products **Point of Contact**
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I. Introduction

On September 24, 2024, an inspection team composed of representatives from the U.S. Environmental Protection Agency (“EPA”) Region 3 and a representative from the Maryland Department of the Environment (“MDE”) (hereinafter, the “Inspection Team”) conducted a compliance evaluation inspection (“CEI”) of the U.S. Concrete Products facility located in Brooklyn, MD (hereinafter, “the facility”). The purpose of the inspection was to observe compliance with the Clean Water Act and to verify compliance with the facility’s permit coverage under Maryland’s National Pollutant Discharge Elimination System (NPDES) General Discharge Permit for Discharges from Mineral Mines, Quarries, Borrow Pits and Concrete and Asphalt Plants (General Discharge Permit No. 15MM/ NPDES Permit No. MDG49), Permit Registration No. MDG492090 (the “Permit”), and other applicable State and Federal regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the facility at approximately 11:05AM for the inspection. Inspectors met with the following representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3 Inspectors and Contractors			
Dominic Cotton	USEPA Region 3	215-814-2046	cotton.dominic@epa.gov
Edward Simas	USEPA Region 3	215-814-2120	simas.edward@epa.gov
Amrita Gupta	USEPA Region 3	215-814-3298	Gupta.amrita@epa.gov
State/Local Inspectors			
Andrea Jones	Maryland Department of the Environment	443-934-0018	Andrea.jones4@maryland.gov
Site/Facility Representatives			
Chris Baldauf	US Concrete Products, Operation Manager	866-827-8727 ext 709	chrisb@uscproducts.com
Joe Brennan	US Concrete Products, Plant Manager	443-895-0992	joeb@uscproducts.com
Thomas Brennan	US Concrete Products	720-810-5842	tjbrennan@uscproducts.com

Dominic Cotton and Edward Simas displayed their credentials to the facility representatives at the outset of the inspection, and explained the purpose of the inspection was to observe compliance with the facility’s Permits. A copy of the Permit is provided in Attachment 1. The Inspection Team informed the facility representatives that any information that the facility deemed to be confidential business information (“CBI”) should be identified to EPA

representatives during the inspection and it would be handled as CBI according to EPA's CBI procedures.

B. Weather and Precipitation Conditions

During the inspection, the weather was 69° and cloudy. The National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches) ¹
MARYLAND SCIENCE CENTER, MD US USW00093784	9/19/24	0.00
MARYLAND SCIENCE CENTER, MD US USW00093784	9/20/24	0.00
MARYLAND SCIENCE CENTER, MD US USW00093784	9/21/24	0.01
MARYLAND SCIENCE CENTER, MD US USW00093784	9/22/24	1.12
MARYLAND SCIENCE CENTER, MD US USW00093784	9/23/24	0.11
MARYLAND SCIENCE CENTER, MD US USW00093784	9/24/24	0.00

II. Facility Activity

U.S. Concrete Products (USCP) produces dry, packaged concrete for use in construction that is a mixture of various aggregates. The USCP product roster includes Concrete repair products, Concrete mixes/cement mixes, Grouts, Repair mortars, and Liquid products. The facility is currently operating under an administratively extended permit since the Permit expired as of April 30, 2022.

The facility leases land and is a tenant of Vulcan Materials, which is located adjacent to the facility. Facility representatives stated the area once belonged to P. Flanigan Asphalt and that US Concrete Products began operating on the property in 2008. The facility consists of 5 buildings, all numbered, as well as a 6th building (an empty trailer) that will be converted into a break room. The hours of operation run from 6AM-12AM, with Shift 1 being 6AM-3PM and Shift 2 from 3PM-12AM. Shipping and receiving hours are from 6AM-2:30PM. The facility is located on generally flat terrain adjacent to the Baltimore Harbor (Patapsco River) and is surrounded by an apparent berm that prevents drainage from leaving the facility.

According to facility representatives, stormwater from the facility infiltrates into the ground, evaporates, or is directed to one of three (3) stormwater ponds located on site. The facility representatives stated that there is no apparent outfall from any of the three ponds.

¹ Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

There are several types of aggregate stored on site that is used for concrete production, including sand (~500 tons), gravel (~100 tons), stone (~100 tons), and Shale Aggregate ASTM-C330 Light Weight Shale received from North Carolina. All aggregate piles are exposed to stormwater. There is dry (roofed) storage of packaged inventory which includes rock mix, sand mix, play sand, white cement, deck mix, and gunite. These bags of products are stored on skids under roof and are not exposed to stormwater.

III. Observations

The inspection observations were made pursuant to the requirements of the Permit. The observations from the inspection are described in detail below. Photographs were taken during the inspection by Edward Simas and are provided in Attachment 2 (Photograph Log). Unused photographs are available upon request.

Appendix D Sector E.2.1 of the Permit states: “Good Housekeeping Measures. (See also Part III.B.1.b.ii) As part of your good housekeeping program, prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), kiln dust, fly ash, settled dust, or other significant material in stormwater from paved portions of the site that are exposed to stormwater....”

Observation 1:

- The Inspection Team observed residual concrete waste on the ground where the facility conducts their concrete testing (Photos R0010123 and R0010125). The area where the facility conducts their concrete testing is located approximately 5ft from the edge of where the Patapsco River and the facility meets. The residual concrete waste has the potential to discharge into the Patapsco River if a rain event occurs.
- The Inspection Team observed an apparent old concrete pad that was broken up, with remnants of the concrete material shown on the ground (Photos R0010140 and R0010141).
- The Inspection Team observed an uncovered drum barrel with apparent rainwater inside. According to facility representatives, the drum barrel was used to contain water that assisted with concrete testing parameters (Photos R0010126 and R0010128).

Part III.B.1.b.iv of the Permit states: “*Spill Prevention and Response Procedures*. You must 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....”

- Procedures for plainly labeling containers (e.g., “Used Oil,” “Spent Solvents,” “Fertilizers and Pesticides,” etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills

or leaks occur....”

Observation 2:

- The Inspection Team observed two (2) diesel fuel tanks, one (1) 1,000-gal fuel tank and one (1) 500-gal fuel tank, with no apparent spill kit in sight (Photo R0010083). Facility representatives stated they have spill kits onsite stored away in storage but not next to both fuel storage tanks if a spill was to occur.
- The Inspection Team observed an apparent unlabeled tote with its top cut and two (2) drum barrels of apparent used oil waste inside (Photos R0010121 and R0010122).

Part III.B.1.b.ii of the Permit states: *“Good Housekeeping. You must keep clean all exposed areas that are potential sources of pollutants, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers.”*

Observation 3:

The EPA Inspection Team observed an old outfall with old water bottles and overgrown vegetation located inside the feature (Photos R0010142, R0010143, and R0010144).

Part III.B.1.b.i of the Permit states: *“Control Measures. Considering the control measure selection and design considerations, you must select, design, install, and implement control measures (including best management practices)...*

- i. *Non-Numeric Technology-Based Effluent Limits (BPT/BAT/BCT). Minimize Exposure. You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, you should pay particular attention to the following:*
 - use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas....”

Observation 4:

- The facility has an apparent small earthen berm surrounding the outer edge of its boundary to prevent material from spilling over or discharging offsite into the Patapsco River (Photo R0010106). Facility representatives stated the earthen berm gets mowed but has not been further upgraded since the facility started operations.

- The Inspection Team observed several areas where piles of aggregate, stored equipment and pallets of bagged mortar were sitting on top of the earthen berm and jersey barrier that surrounded the boundary of the facility (Photos R0010103, R0010104, R0010105, R0010106, R0010107, R0010108, R0010137 and R0010138).

Part V.C.6 Representative Sampling of the Permit states: “You must take all required samples and measurements at times to be representative of the quantity and quality of the discharges during the specified monitoring periods. At a minimum, samples must be taken once every quarter unless otherwise specified.”

Observation 5:

During the inspection, the Inspection Team asked facility representatives where they take samples and the location of the outfall. Facility representatives were unsure of the term “outfall” and or were not aware if an outfall was on site. The facility representatives had shown the EPA Inspection Team where they collect samples from a vegetated area called “Collection Pond E-2” (Photos R0010134 and R0010135).

Part III.B.1.xii of the Permit states: “*Dust Generation and Vehicle Tracking of Industrial Materials*. You must minimize generation of dust and offsite tracking of raw, final, or waste materials.”

Part V.A.2.a.iii of the Permit states: “Offsite tracking of industrial or waste materials or sediment where vehicles enter or exit the site.”

Observation 6:

- The Inspection Team observed apparent tracking of a black substance within the cement plant leading outside of the building (Photos R0010125 and R0010131). Facility representatives stated the black substance is iron oxide.
- The Inspection Team observed apparent sediment tracking at the exit where loading trucks leave the facility and back onto the entry for the facility via Frankfurst Ave (Photos R0010147 and R0010148).

Observation 7:

The Inspection Team observed an old, rusted roll-off with apparent holes that contained scrap metal and was uncovered and exposed to precipitation. The roll-off was located close to the edge of the facility’s property, next to the Patapsco River (Photos R0010119, R0010116, and R0010117).

Part V.A.3 of the Permit states: *“Site Inspections and Evaluations* You must conduct the following inspections or evaluations at your facility in accordance with the monitoring procedures outlined in Part V.C. You must keep a copy of the documentation from all inspections and evaluations with your SWPPP per Part III.C.8.g. Records may also be kept in an Environmental Management System (EMS) that is accessible by site personnel.

....
....

3. *Quarterly Visual Monitoring* You are required to begin visual monitoring in the first full quarter after you have been notified that you are covered by this permit....”

Observation 8:

On 9/30/2024, EPA sent a list of documents to the facility to provide to EPA for records to review. The list of requested records included Quarterly Visual Monitoring from 2022-2024. The facility sent the records of review to EPA via email on 10/24/24. The facility did not provide any records of a Quarterly Visual Monitoring inspection from Quarter 3 in both 2023 and 2024.

Part III.C.3 of the Permit states: *“Summary of Potential Pollutant Sources* You must document areas at your facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released...”

Observation 9:

During the inspection, the Inspection Team observed two (2) diesel fuel tanks, a 1,000-gallon and a 500-gallon, on site. The facility’s 2017 SWPPP only mentioned one (1) 1,000-gallon diesel tank located on site.

Part V.B.2 of the Permit states: *“Monitoring Schedule* Your required monitoring frequency varies based on your activity. The tables in Appendix D specify how often that activity must take place....”

Observation 10:

On 10/10/24, the Inspection Team emailed facility representatives and requested records which included Benchmark Values from 2022 – 2024. The facility emailed the requested documents on November 1, 2024. The facility did not provide the Monitoring Reports for Quarter 3 from 2022 – 2024 years.

Part III.C.3 of the Permit states: *“Summary of Potential Pollutant Sources* You must document areas at your facility where industrial materials or activities are exposed to stormwater and from which allowable non-stormwater discharges are released...”

P.4.2 of the Permit states: *“Potential Pollutant Sources.* (See also Part III.C.3) Assess the potential for the following activities and facility areas to contribute pollutants to stormwater discharges: Onsite waste storage or disposal; dirt/gravel parking areas for vehicles awaiting maintenance; illicit plumbing connections between shop floor drains and the stormwater conveyance system(s); and fueling areas. Describe these activities in the SWPPP.”

Observation 11:

The Inspection Team observed an uncovered pipe (Photos R0010100 and R0010101) located in the ground. The pipe was exposed and it was unclear if it discharges to the Patapsco River. Facility representatives were asked about the pipe, but representatives were unaware of the pipe and were unclear on the connectivity and where it discharges.

Part III.C.2.c.x of the Permit states: *“The SWPPP is intended to document the selection, design, and installation of control measures. The SWPPP does not contain effluent limitations; the limitations are contained in Part III.B of the permit, and, for some Industry Sectors, Appendix D of the permit...(2). Site Description. Your SWPPP must include the following: ... (c). Site Maps:...x. locations of stormwater inlets and outfalls, with a unique identification code for each outfall (e.g., Outfall No. 1, No. 2, etc), indicating if you are treating one or more outfalls as substantially identical, and an approximate outline of the areas draining to each outfall...”*

Observation 12:

The Inspection Team entered the coordinates to find the outfall onsite. However, the coordinates for the outfall that were included on the Permit Registration Letter for 15MP2090A (Attachment 6, Page 7) was located in the middle of the Patapsco River.

IV. Records Review

Prior to the inspection, the Inspection team reviewed the permit and NOI documents. At the closing conference, the Inspection Team requested documentation from 2022 – 2024, including Routine Facility Inspections, Comprehensive Site Compliance Evaluation, Quarterly Visual Monitoring, current NOI for new permit coverage, maintenance logs, SWPPP, corrective action plans and photo of the facility outfall.

V. Closing Conference

After the facility walk, the Inspection Team met with U.S. Concrete Products representatives and for a closing conference. The Inspection Team shared preliminary observations with the facility representatives. The Inspection Team reiterated to the facility representatives that all preliminary observations discussed were not compliance determinations. Any and all

preliminary observations shared were subject to further investigation by EPA upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after EPA reviewed additional materials following the inspection.

The inspection concluded at 1:56PM (EDT).

VI. List of Attachments

Attachment 1: MDE General Discharge Permit No. 15MM

Attachment 2: Photograph Log

Attachment 3: SWPPP 2017

Attachment 4: Quarterly Visual Monitoring 2022-2024

Attachment 5: Permit Registration Letter for 15MP2090A