

UNPERMITTED INDUSTRIAL FACILITY STORMWATER INSPECTION CHECKLIST

Inspection Date			May 16, 2024		
Time			Entry: 2:25 PM		Exit: 3:05 PM
Weather Conditions			Rainy with temperatures approximately 80° F		
Media/Program			Water – CWA § 301, 402 – Industrial SW/NEC		
Operator Name: Safe Harbor Marinas					
Facility or Site Name: Safe Harbor Walden					
Permit ID or Tracking #: N/A; No permit at the time of the inspection					
SIC Code: Based off visual observations, industrial activity would most likely fall under SIC Code 4493 – Marinas.					
Facility Address: 12050 Melville Dr					
(city, state, zip code) Montgomery, TX 77356					
Geographic Coordinates: 30.401440°, -95.606880°					
Mailing address: 12050 Melville Dr					
(city, state, zip code) Montgomery, TX 77356					
County: Montgomery County					
Regular Days/Hours of Operation: 10:00 AM – 6:00 PM (Wed – Sun); Closed (Mon-Tues)					
# of Employees at location: 5					
Size of Facility (in acres): 16 acres					
Receiving Water(s): Facility located on Lake Conroe					
Date facility est. @ location: 2012					
Onsite Representatives:					
Name: Matt Harris		Title: Facility Manager		Phone: (936) 582-1060	
		Email: mharris@shmarinas.com			
Authorized Official:		Contacted? ☒ Yes ☐ No			
Name: Matt Harris		Title: Facility Manager		Phone: (936) 582-1060	
		Email: mharris@shmarinas.com			
Additional Personnel Participating in Inspection:					
Name: N/A		Title: N/A			
Inspector(s):					
Inspector(s):		Title:		Company:	
Christopher Pardo		Lead Inspector		Eastern Research Group, Inc.	
Ryan Marrero-Vila		Inspector		Eastern Research Group, Inc.	
Ivy Koberlein		Inspector		Environmental Protection Agency, Headquarters	
Sharron Crayton		Inspector		Environmental Protection Agency, Region 6	
Inspection Report Author:					
Name: Ryan Marrero-Vila		Signature: <i>Ryan Marrero</i>		Date: 7/03/2024	
Supervisor Review:					
Name:		Signature: <i>Carol Johnson</i>		Date: 07/10/2024	

UNPERMITTED INDUSTRIAL FACILITY STORMWATER INSPECTION CHECKLIST**SECTION I – INTRODUCTION****Purpose of the Inspection**

The purpose of the inspection was to determine compliance with the industrial stormwater requirements under §§ 301 and 402(p) of the Clean Water Act (CWA) and its implementing regulations found at 40 Code of Federal Regulations (CFR) Part 122.26. The inspection was unannounced and consisted of interviewing Facility representatives, recording field observations, and taking photographs to document site conditions throughout the Facility at the time of the inspection.

Opening Conference

- 1) Brief narrative documenting those present, introductions, presentation of credentials, and explanation of the purpose of the inspection.

On May 16, 2024, a U.S. Environmental Protection Agency (EPA) contractor, Eastern Research Group, Inc. (ERG), conducted an industrial stormwater non-filer inspection at Safe Harbor Walden located in Montgomery, Texas (Facility). Ivy Koberlein of EPA Headquarters, Sharron Crayton of EPA Region 6, and Christopher Pardo and Ryan Marrero-Vila of ERG (collectively, EPA Inspection Team) met with the facility representative, Matt Harris. The EPA Inspection Team presented their credentials and explained that it was EPA's understanding that the facility did not have an industrial stormwater permit. The EPA Inspection Team explained they were onsite to conduct a Clean Water Act stormwater inspection, which includes observing the current operations of the facility and assessing the potential for stormwater discharges from the facility.

The weather at the time of the inspection was overcast followed by heavy rain and approximately 80°F. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA), the Montgomery, Texas area received 0.08 inches of rain the day of and no rain the day prior to the inspection.

- 2) Credentials presented to: Matt Harris (Facility Manager)
- 3) Facility acknowledged receiving previous outreach materials or correspondence on Permit requirements?
☐ Yes ☒ No Describe: N/A
- 4) Facility has been individually notified by permit authority or EPA that it is subject to stormwater requirements?
☐ Yes ☒ No Describe: N/A

**U.S. EPA Headquarters Enforcement Division
1200 Pennsylvania Avenue NW, Washington, DC 20004
UNPERMITTED INDUSTRIAL FACILITY STORMWATER INSPECTION CHECKLIST**

FACILITY'S OPERATION & PRODUCT DESCRIPTION

Description of business and industrial activities occurring throughout the site. (Include operator's description and note any documentation that further establishes SIC code (permit applications, reports, business registries, website...).

The Facility is a marina for recreational boats on the western shore of Lake Conroe. The marina has approximately 250 wet-slips and most slips are canopy covered [refer to Appendix B, Photo Log (Photographs 16, 17, 21, 30, and 31)]. The Facility also offers on-water fueling (gasoline) via two (2) fueling stations located on the dock [refer to Appendix B, Photo Log (Photographs 13-15)], and other amenities such shopping and dining for members of the marina.

The Facility has two (2) 7,000-gallon underground storage tanks (UST) for gasoline located next to the parking lot. The two (2) USTs connect to the two (2) fueling stations on the dock via underground pipes [refer to Appendix B, Photo Log (Photograph 1)].

The land portion of the Facility covers approximately 4 acres and includes the parking lot [refer to Appendix B, Photo Log (Photograph 8)], a recreational area with picnic tables, one (1) solid waste dumpster, one (1) shopping/dining building [refer to Appendix B, Photo Log (Photograph 10)], and two (2) shipping containers that store groundskeeping maintenance equipment [refer to Appendix B, Photo Log (Photographs 5-7)].

The Facility representative stated that no boat repair or maintenance services are offered at the Facility and none were observed by the EPA Inspection Team.

Other industrial facilities owned/operated by same business entity? ☒ Yes ☐ No **Describe:**

The Facility is owned/operated by Safe Harbor Marinas, a national organization with 130 locations across the continental United States and Puerto Rico according to the Safe Harbor Marinas website, <https://shmarinas.com/locations/>.

SECTION II – OBSERVATIONS

SITE EVALUATION

Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
Loading/Unloading Operations	The Facility has (2) two underground 7,000-gallon gasoline USTs located between the parking lot and Lake Conroe. A mobile fuel truck delivers and pumps gasoline into the USTs as needed.
Industrial Manufacturing/Processing Operations	The EPA Inspection team observed the Facility's primary business is boat storage, no industrial manufacturing or processing operations were observed or reported.
Industrial Machinery & Equipment Storage	The Facility has (2) two shipping containers along the western portion of the parking lot. The shipping containers store Facility's groundskeeping maintenance equipment such as lawn mowers and leaf blowers [refer to <u>Appendix B, Photo Log (Photographs 5-7)</u>].
Storage of Industrial Materials or Products	The EPA Inspection Team observed more than 20 black, polyethylene dock floats stored along the western portion of the parking lot along with other miscellaneous materials such as PVC pipes and flotation foam slabs [refer to <u>Appendix B, Photo Log (Photographs 3-7)</u>].
Liquid Storage (e.g., Tanks,	The EPA Inspection Team observed a gasoline storage area comprised of (2) two 7,000-

SITE EVALUATION	
Pollutant Sources	Note location, quantity/size, design issues, any operation and maintenance (O&M) deficiencies (including the nature and extent), potential pollutants, and evidence of exposure to stormwater. Are Best Management Practices (BMPs) in place to minimize or eliminate stormwater discharges from industrial activities?
Liquid Storage Drums)	gallon USTs located between the parking lot and Lake Conroe [refer to Appendix B, Photo Log (Photograph 1)].
Waste Storage/Disposal Areas (solid and/or hazardous)	The EPA Inspection Team observed one (1) solid waste dumpster located in the southeast corner of the parking lot. Additionally, the EPA Inspection Team observed approximately five (5) trash bins spread across the land portion of the Facility and the docks. All observed trash bins were covered with a lid [refer to Appendix B, Photo Log (Photograph 15)].
Waste Treatment Facilities (e.g., Pretreatment Systems)	None observed or reported at the Facility.
Fueling Stations/Equipment Maintenance Areas & Cleaning Areas	The EPA Inspection Team observed (2) two gasoline fueling stations located on the eastern portion of the docks which were connected to the two (2) 7,000-gasoline USTs via underground pipes [refer to Appendix B, Photo Log (Photographs 13-15)]. According to the Facility Representative, only trained staff can operate the fueling stations.
Sediment & Erosion Controls	The EPA Inspection Team observed the Facility to be permanently stabilized with landscaping or impervious surfaces.
Spills/Leaks Handling	The EPA Inspection Team observed one (1) labeled spill kit located under an awning approximately 20 feet west of the fueling stations [refer to Appendix B, Photo Log (Photographs 18 and 19)].
Outside Shelters	☐ Temporary (Date Established _____) ☒ Permanent The Facility's boat slips were covered by canopy-style awnings [refer to Appendix B, Photo Log (Photographs 16, 17, 21, 30, and 31)].
Evidence of non-stormwater sources/discharges (allowable if permitted under MSGP)?	Evidence of non-stormwater sources/discharges was not observed during the inspection.
Evidence of process wastewater sources/discharges?	Evidence of process wastewater sources/discharges was not observed during the inspection.

OUTFALL, STORMWATER DISCHARGE & RECEIVING WATER OBSERVATIONS	
Number and description of each potential Stormwater Discharge Point from the Facility	The EPA Inspection Team observed two (2) stormwater discharge points from the Facility: 1) Discharge Point #1 – A culvert located at the lowest topographic point in the northwestern portion of the parking lot conveyed stormwater from the entire parking lot into Lake Conroe [refer to Appendix B, Photo Log (Photograph 2 and 12)]. 2) Discharge Point #2 – A gravel ditch just north of the parking lot conveyed stormwater from the roof/gutter of the Facility shopping and dining building into Lake Conroe [refer to Appendix B, Photo Log (Photographs 10-12)]. In addition, all uncovered boat docks were located directly over the lake and would directly discharge any stormwater and accompanying pollutants into Lake Conroe [refer to Appendix B, Photo Log (Photographs 20)].
Evidence of pollutants migrating offsite (stains, deposits, ponding) at discharge points, into receiving waters or in MS4	The EPA Inspection Team did observe evidence of pollutants migrating into Lake Conroe from the fish cleaning table. The table is used by tenant boat owners to clean fish caught within the lake. A noticeable oily sheen, possibly derived from organic materials or cleaning agents, was observed on the surface of the Lake directly adjacent to the fish cleaning area [refer to Appendix B, Photo Log (Photographs 23-25)]. The EPA Inspection Team also observed minor gasoline staining around both fuel pumps at the fueling stations [refer to Appendix B, Photo Log (Photographs 14 and 15)].
Evidence of Non-stormwater Discharges leaving site (authorized or unauthorized)	Evidence of non-stormwater discharges was not observed during the inspection.
Description of general gradients/slopes onsite, all apparent discharge points, and discharge pathway from Facility to Receiving Water or MS4 (storm drains, channel, swale, ditches, driveway, pipes, & etc.)	The EPA Inspection Team observed the Facility's parking lot, grass-covered recreation area, and the area immediately surrounding the shopping/dining building were graded northward towards Lake Conroe. Stormwater from the entire paved parking lot would flow northward towards the northwestern corner and convey to Lake Conroe via one stormwater culvert at Discharge Point #1 [refer to Appendix B, Photo Log (Photograph 2, 8, and 12)]. Stormwater from the roof of the shopping/dining building would flow into the gutter and into a gravel ditch which graded northwards towards Lake Conroe at Discharge Point #2 [refer to Appendix B, Photo Log (Photographs 10-12)]. All stormwater from the Facility docks and canopies would flow directly into Lake Conroe.

SECTION III – AREAS OF CONCERN

- 1) At the time of the inspection, the EPA Inspection Team identified the following at the Facility:
 - a. The Facility is engaged in providing wet-slips, jet ski docks, on-site fueling (gasoline), and other amenities such as laundry spaces and shopping for individuals with a marina membership (SIC Code 4493 – Marinas). SIC Code 4493 is regulated under 40 C.F.R. § 122.26 for stormwater discharges associated with industrial activity.
 - b. The Facility's outdoor areas were used for industrial activities including storage and fueling of boats, storage of facility groundskeeping equipment, and the storage of black polyethylene dock floats.
 - c. At the time of the inspection, the Facility did not have coverage under the 2021 Multi-General Stormwater Permit (MSGP) for Stormwater Discharges Associated with Industrial Activity.
 - d. Facility stormwater, from areas used for industrial activities, discharged into Lake Conroe, which is located immediately adjacent to the Facility. The EPA Inspection Team observed the entire Facility graded towards Lake Conroe, and subsequently stormwater would flow into the lake.
- 2) The EPA Inspection Team also observed minor gasoline staining around both fuel pumps at the fuel pumping stations [refer to Appendix B, Photo Log (Photographs 14 and 15)]. These gasoline stains were uncovered and located approximately 1-3 feet from the edge of the dock with the potential to discharge residual gasoline during a storm event.
- 3) The EPA Inspection Team observed evidence of pollutants migrating into Lake Conroe from the fish cleaning area. A noticeable oily sheen was observed on the surface of the Lake directly adjacent to the fish cleaning area [refer to Appendix B, Photo Log (Photographs 23-25)]. This sheen was possibly derived from organic materials or cleaning agents. Additionally, one (1) uncovered bottle of bleach was observed hanging off the edge of the fish processing table with the potential to contaminate discharged stormwater into the lake [refer to Appendix B, Photo Log (Photographs 25 and 26)].

SECTION IV – LIST OF APPENDICES

Appendix A – Aerial Location

Appendix B – Photograph Log