



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Four Penn Center
1600 JFK Blvd.
Philadelphia, Pennsylvania 19103-2029

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date: 12/6/2023
Regulatory Program: National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Industrial Stormwater
Facility Name: CNH Industrial America LLC
Permittee: CNH Industrial America LLC
Facility Owner/Operator: CNH Industrial America LLC
Facility Address: 300 Diller Ave
New Holland, PA 17557
Latitude and Longitude: 40.09456 N, -76.09905 W
Permit No.: PAR113518
SIC code: 3523
Unique Project #: ECAD-536

Site/Facility Representative(s):

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I. INTRODUCTION

On December 06, 2023, an inspection team composed of staff from the U.S. Environmental Protection Agency (“EPA”) Region 3 (hereinafter, “EPA Inspection Team”) conducted a compliance evaluation inspection (CEI) of the CNH Industrial America LLC in New Holland, PA (hereinafter “Facility”). The purpose of the inspection was to observe compliance with the Clean Water Act (“CWA”) and to verify compliance with the Facility’s coverage under Pennsylvania’s National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Stormwater Associated with Industrial Activity (PAG-03). Permit No. PAR113518, (hereinafter, the “Permit”) and applicable state and federal regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the Facility at approximately. 9:25 AM EST for the inspection. The EPA Inspection Team met with the following facility representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3 Inspectors and Contractors			
Dominic Cotton	USEPA Inspector	215-814-2046	cotton.dominic@epa.gov
Chuck Schadel	USEPA Inspector	215-814-5761	schadel.chuck@epa.gov
Debbie Lindsey	USEPA SPCC Inspector	304-234-0249	lindsey.deborah@epa.gov
Site/Facility Representatives			
Steven Keller	CNH Industrial – Systems Manager-NHP	717-847-1470	steven.keller@cnhind.com
Frank Kiefer	Facilities Engineer	717-344-0015	frank.kiefer@cnhind.com
Chris Bittner	Safety Manager	717-723-2700	christopher.bittner@cnhind.com
Tom Wagner	Facilities Engineer		

Chuck Schadel and Debbie Lindsey displayed their credentials to Chris Bittner and Frank Kiefer at the outset of the inspection, and explained the purpose of the inspection was to observe compliance with its Permit. A copy of the Permit is provided in Appendix A. The EPA 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

During the inspection, weather was 34 degrees with snow showers. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in the Table 2 below:

Table 2 Precipitation Preceding Inspection

Station Name	Date	Precipitation Amount (inches) ¹
New Holland 2 SE, PA US USC00366238	12/01/2023	0.24
New Holland 2 SE, PA US USC00366238	12/02/2023	0.1
New Holland 2 SE, PA US USC00366238	12/03/2023	0.00
New Holland 2 SE, PA US USC00366238	12/04/2023	0.00
New Holland 2 SE, PA US USC00366238	12/05/2023	0.00
New Holland 2 SE, PA US USC00366238	12/06/2023	0.00

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

C. Summary of the Facility

CNH Industrial America LLC is a manufacturing Facility of farm equipment that consists of several buildings on a 350-acre parcel of land within the borough of New Holland. The industrial activity at the plant includes the handling of raw materials, waste and maintaining the process equipment for these materials. The Facility is a manufacturer of farm equipment such as: Round Hay Balers, Square Hay Balers, Forage Harvesters, and Box Spreaders. Stormwater discharge from the Facility drains to an unnamed stream to Mill Creek.

The EPA Inspection Team met Facility representatives, Chris Bittner and Frank Kiefer, at the Research and Development (R&D) Building. Shortly after, the EPA Inspection Team met up with the remaining Facility representatives, Tom Wagner, Steven Keller, and Josh Perlman (on call) to have a brief meeting. During the meeting, facility representative Josh Perlman (on call), mentioned the Permit has been administratively extended and the Facility is currently working on obtaining a new one. The Facility representative Tom Wagner mentioned the Facility's NOI gets renewed every year.

Facility representative Steven Keller stated CNH employs about 560 people that works in two shifts: 6:30AM – 3PM (~80% of workers) and 10PM – 6:30PM (20% of workers), Monday – Friday. The Facility has been operable since the 1960's and is divided into 3 parts: Manufacturing, Engineering, and Administrative.

CNH is comprised of Case and New Holland, which merged in the 1990s, but was soon bought by Fiat, according to Facility representative Steven Keller. The main core of CNH is machinery, welding, powder/liquid painting, warehouse operations and assembly. Facility representative Tom Wagner mentioned that Resource Conservation and Recovery Act (RCRA) training is conducted every 3 years for employees handling hazardous waste, and the same was mentioned for Department of Transportation (DOT) training.

The manufacturing processes include a wide variety of metal fabrication machinery, as well as welding, assembly, shipping, and painting operations. Production begins with sheets or bars of steel. Parts are punched, formed, machined, welded, assembled, and painted to make the finished product.

Materials stored outdoors at the Facility consist of finished product: balers and foragers. These finished products are painted at the Facility. Raw materials consist of sheet steel and steel pipe for the manufacturing process. The sheet steel and piping are stored indoors and are not subject to storm water exposure. Steel castings are temporarily stored outdoors when delivered and brought inside; therefore, they have a low potential for storm water pollution. The Facility uses raw materials such as metals and chemicals and generates non-hazardous (residual) and hazardous waste streams from the production operations. Raw materials managed at the Facility include:

- Steel
- Tires

Steel for the manufacturing operations is stored inside Building 29. Tires are stored on racks outside the southwestern side of Building 17. Chemical materials and products managed at the Facility include:

• Urethane Paint	• Water Chemicals (Phosphoric Acid)
• Solvents	• Diesel Fuel
• Hydraulic Oil	• Dielectric Fluid (transformers)
• Machine Coolant (water soluble)	• Batteries (contains sulfuric acid)
• Parts Cleaner Solution	

There are six above ground storage tanks (ASTs) at the Facility that contain petroleum or other Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) listed hazardous substances. AST #008A is a double-walled tank with interstitial leak detection monitoring. The tank fill port is within a spill containment bucket to collect up to approximately 5 gallons of product if the tank overfills. Tanks #009A and #010A are encased together in one ConVault tank with interstitial leak detection monitoring. The concrete encasement serves as secondary containment. The fill port for these tanks is within a spill containment bucket to collect up to approximately 5-gallons of product if the tank overfills.

A 3,000-gallon underground oil/water separator was installed in 2009 in the rear of the engineering complex. This tank was installed in line with the existing storm drain system discharging to the retention basin. A 500-gallon diesel tank located outside of Building 38 is used to fill the tractors prior to leaving the plant. This AST is single-walled and located within a containment basin. A spill kit is located near the tank.

The storage tanks are stored indoors, double walled with interstitial leak detection monitoring, and/or located within secondary containment. The 500-gallon diesel tank has secondary containment that could contain water that would need to be removed if there was a spill. There are no buried or partially buried storage tanks, or mobile or portable storage tanks at the Facility.

The facility has a dust collector (Photographs 3966 and 3967) located outside of Building 29. The dust collector is used to collect particulate matter from the lasers used for painting. Outside of Building 29, a building is being used as an apron to cover roll-offs containing chip turnings and scrap storage (Photograph 3968).

II. INSPECTION ACTIVITY

The EPA Inspection Team met with Facility representatives in a conference room to briefly go over the reason for EPA's inspection. The 2022 PPC Plan was provided to the EPA Inspection Team for review (Attachment 4). After the brief discussion and overview of the PPC Plan, Facility representatives took the EPA Inspection Team on a tour of the Facility.

The photographs (Attachment 3 – PHOTO LOG) for this report have been processed using EPA Region 3's Photo Management Process. A file name which incorporates the date and time the photo was taken (e.g., 2023-12-06--10.24.27), as well as the original camera generated file name (e.g., DSCN3867) is assigned to each photo as part of the processing. The file names generated by the camera are used to identify each photo in the main narrative and the Photo Log of this inspection report. Unused photos are digitally stored and maintained in the inspection file. Unused photos are available upon request.

During the inspection, the EPA Inspection Team made observations pursuant to the requirements of the Permit. The observations from the inspection are described in detail below in the Observations section. Photographs were taken during the inspection by Chuck Schadel and are provided in Attachment 3.

III. OBSERVATIONS

PERMIT REQUIREMENT - REPORTING OF MONITORING RESULTS

Part A.III.B.4 of the Permit states: "DMRs are based on calendar reporting periods and must be received by the DEP office that approved coverage under this General Permit in accordance with the following schedule:

- Semiannual DMRs must be received within 28 days following the end of each calendar semiannual period, i.e., January 28 for the period July 1 - December 31 and July 28 for the period January 1 – June 30, unless otherwise stated in the applicable sector-specific appendix."

Appendix J.III of the Permit includes the following sector-specific-monitoring requirements:

Pollutant	Monitoring Requirements ^{(1),(2)}		Benchmark Values
	Minimum Measurement Frequency	Sample Type	
Total Nitrogen (mg/L) ⁽³⁾	1 / 6 months	Calculation	XXX
Total Phosphorus (mg/L)	1 / 6 months	Grab	XXX
Total Suspended Solids (TSS) (mg/L)	1 / 6 months	Grab	100
Oil and Grease (mg/L)	1 / 6 months	Grab	30
pH (S.U.)	1 / 6 months	Grab	9.0
Chemical Oxygen Demand (COD)	1 / 6 months	Grab	120

Observation 1:

The Facility failed to submit semi-annual DMR's from January 1, 2023 – March 31, 2023 and April 1, 2023 – June 30, 2023 (refer to Attachment 5, EPA ECHO Detailed Facility Report).

Permit Requirement - Good Housekeeping

Part C.II.E of the Permit states: "The permittee shall perform good housekeeping measures in order to minimize pollutant discharges including the routine implementation of the following measures, at a minimum:

1. Implement a routine cleaning and maintenance program for all impervious areas of the facility where particulate matter, dust or debris may accumulate to minimize the discharge of pollutants in stormwater. The cleaning and maintenance program must encompass, as appropriate, areas where material loading and unloading, storage, handling and processing occur.
2. Store materials in appropriate containers.
3. Minimize the potential for waste, garbage, and floatable debris to be discharged by keeping exposed areas free of such materials, or by intercepting them before they are discharged...."

Observation 2:

- The EPA Inspection Team observed debris and trash on the ground outside of the trash compactor (Photographs 3961 and 3962).
- The EPA Inspection Team observed a storm drain outside of door C-7, adjacent to Building 28, with debris atop the inlet (Photographs 3958 and 3959).

Observation 3:

The EPA Inspection Team observed a small storm drain located in front of the trash compactor that was surrounded by sediment (Photograph 3962 and 3963). The EPA Inspection Team also, observed another inlet (Photograph 3964 and 3965) between the West Annex Building and Building 38, covered with sediment and debris.

Permit Requirement - Good Housekeeping

Part C.II.E of the Permit states: "The permittee shall perform good housekeeping measures in order to minimize pollutant discharges including the routine implementation of the following measures, at a minimum:

4. Eliminate floor drain connections to storm sewers."

Observation 4:

Within Building 29, the EPA Inspection Team observed an area for Mop Bucket Water (Photographs 3927 and 3929) with both stations having a drain inlet that leads to the sanitary sewer to the onsite wastewater treatment facility. In addition to having multiple parts for farming equipment, the Parts Making area had a robot making prefabricated sheet metal for parts (Photograph 3933).

Observation 5:

The inspection continued towards Building 31 (Paint Building), where painting of farm equipment is completed. Facility representative, Steven Keller, stated the Facility has two (2) types of painting: powder and liquid painting. Located in the building are wash systems for

both paintings. The process water from the wash systems flows into a floor drain (Photographs 3937) that goes to a wastewater treatment facility located on site. The process water gets treated at the wastewater facility, located on site, prior to discharge to an unnamed tributary which leads to Mill Creek.

Permit Requirement - Spill Prevention and Responses

Part C.II.G of the Permit states: “The permittee shall minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop a plan consistent with Part C IV for effective responses to such releases....”

Observation 6:

Located in Building 28, there is a sump air compressor that pulls in the condensation and moisture which goes to the sanitary system to the on-site wastewater system. The EPA Inspection Team observed fluid coming from the air compressor (Photograph 3944). The EPA Inspection Team observed a door outside of Building 28 (identified in Photograph 3944), where the EPA Inspection Team observed additional staining leading away from the exit (Photographs 3950 – 3954).

Observation 7:

Inside the same room where the sump air compressor is located, the EPA Inspection Team observed a tote containing non-hazardous waste with apparent staining on the ground (Photographs 3945 – 3947). The fluid from the tote caused staining (Photograph 3948 – 3949) outside the garage door of Building 28 (identified in Photograph 3948). Outside of Building 28 is Door 28P7 (identified in Photographs 3951 and 3952), where the EPA Inspection Team observed additional staining leading away from the exit (Photographs 3950 – 3954).

IV. RECORDS REVIEW

During the opening conference, the EPA Inspection Team, reviewed the Facility’s 2022 PPC Plan (Attachment 4). The Facility’s General Permit, 2023 PPC Plan (Attachment 2), Stormwater Report(s), Stormwater General Permit, and Stormwater Routine Inspections were sent to the EPA Inspection Team after the inspection and received on December 18, 2023. A copy of the Permit is provided in Attachment 1.

V. CLOSING CONFERENCE

At the end of the Facility inspection, the EPA Inspection Team met with the Facility representatives for a closing conference. The EPA Inspection Team shared preliminary observations with the Facility. The EPA 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 12:30 PM EST.