REGION 3
PHILADELPHIA, PA 19103

Report Title:	Clean Water Act Compliance Inspection Report
Inspection Date(s):	July 25, 2024
Regulatory Program(s):	National Pollutant Discharge Elimination System (NPDES)
Type of Activity:	NPDES Industrial Stormwater Inspection
Site/Facility Name:	Chaney Enterprises – Baltimore, MD Concrete Plant
Permittee(s):	Chaney Enterprises, LP
Site/Facility Operator:	Chaney Enterprises
Site/Facility Address:	2120 Annapolis Road Baltimore, MD 21230
Latitude:	39.265556 **Longitude:** -76.63325
County/Parish:	Baltimore County
Permit Number:	15MP9934
NAICS Code:	327320 **SIC:** 3273
ECAD ID #:	ECAD-5527

Site/Facility Representative(s): **Point of Contact**

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JOHANNAH JACOBSON Digitally signed by JOHANNAH JACOBSON Date: 2024.09.10 10:58:58 -04'00'

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Table of Contents

I. Introduction

On July 25, 2024, an inspection team composed of staff from the U.S. Environmental Protection Agency ("EPA") Region 3 (hereinafter, "EPA Inspection Team") conducted a stormwater inspection of the Chaney Enterprises – Baltimore, MD Concrete Plant site (hereinafter, the "Facility"). The purpose of the inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the Facility's National Pollutant Discharge Elimination System (NPDES) Permit No. 15MP9934 (hereinafter, the "Permit") and applicable State and Federal regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the Facility at approximately 9:30AM for the inspection. Inspectors met with the following Facility representatives from Chaney Enterprises (Chaney) and the Maryland Department of the Environment (MDE):

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3 Inspectors and Contractors			
Johannah Jacobson	EPA Inspector	215-814-2318	Jacobson.johannah@epa.gov
Chuck Schadel	EPA Inspector	215-814-5761	Schadel.chuck@epa.gov
Edward Simas	EPA Inspector	215-814-2120	Simas.edward@epa.gov
Facility Representatives			
Anthony (Dean) Dimaio	Chaney Enterprises	410-433-3502	adimaio@chaneyenterprises.com
Kevin Lyles	Chaney Enterprises	310-367-2506	finaltouch325@gmail.com
State or County Representatives			
Andrea Jones	MDE	443-934-0018	andrea.jones4@maryland.gov
Johanna Mazer	MDE	443-934-0026	johanna.mazer@maryland.gov

EPA Inspectors displayed their credentials to Chaney representatives 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 Attachment A. The EPA Inspection Team informed Chaney 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, weather was cloudy and approximately 80°F. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and five days prior are provided in the Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches)[1]
Baltimore Washington International Airport, MD	7/20/2024	0.06
Baltimore Washington International Airport, MD	7/21/2024	0.00
Baltimore Washington International Airport, MD	7/22/2024	0.40
Baltimore Washington International Airport, MD	7/23/2024	0.03
Baltimore Washington International Airport, MD	7/24/2024	T[1]
Baltimore Washington International Airport, MD	7/25/2024	T[1]

[1]"T" values in the Precipitation Amount column above indicate a "trace" value was recorded.

C. Summary of the Facility

The Facility is located in Baltimore, MD and is operated by Chaney as a concrete batch plant. Structures on the site include an office, the batch plant, concrete material containment areas, concrete treatment basins and concrete recycle bin, a garage, and fueling area.

Aggregate is stored on-site in containment areas on the western portion of the property (Photo 9). The material is mixed with water, admixture (Photos 5, 7 and 8), and occasionally dyes in the batch plant area and loaded into trucks for transport. Water for concrete production is trucked in.

Trucks are fueled on-site at the fueling area by 2,000-gallon and 500-gallon diesel tanks (Photo 21). All concrete washing activities occur adjacent to the concrete treatment basins (Photo 17). The water in the treatment basins is allowed to settle through a three-tiered basin system (Photo 16), and then pumped back to the washing station to be reused. Excess sediment in the basin is dredged and placed into a concrete recycle bin to settle (Photos 19 and 20). Once water evaporates from the bin, the dried contents are moved to the material storage area on the western portion of the Facility (Photo 9). Excess material is hauled and disposed of or re-used off-site by Pitman.

II. Facility Activity

During the inspection, the EPA Inspection Team was escorted throughout the Facility by Mr. Dean Dimaio, and observed:

- the batch plant and its operations
- the concrete treatment basins
- the concrete recycle bin
- the garage
- the fueling area
- the material storage areas
- the property boundaries and entry/exit ways
- the general site conditions

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

The inspection observations were made 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 Edward Simas and are provided in Attachment B. Unused photographs are digitally stored and maintained in the inspection file. Unused photographs are available upon request.

III. Observations

Stormwater Management Requirements – Control Measures and Effluent Limits

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. A good practice for ensuring housekeeping activities are performed at regular intervals would be keeping a schedule for routine grounds maintenance and cleanup."

> **Observation 1:** The EPA Inspection Team observed the pump out of the pit in the batch plant area during the inspection (Photos 1 and 2). In the area to the northwest of the batch plant, excess sediment and standing water were observed on the ground (Photo 3). Facility representatives did not have a record of maintaining or sweeping this area of the Facility.

Part III.B.1.b.i. states, "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;…"

Section IV.b. of the Stormwater Pollution Prevention Plan (SWPPP) states, "Stock Piles: All stock piles will be consolidated and employees will ensure that there is no sediment, sand/or aggregate leaving the appropriate holding areas. These areas will be inspected twice a day and reconsolidated when needed."

> **Observation 2:** Material was observed beyond the designated stockpile area in several areas (Photos 9 and 10). Concrete barriers are used as best management practices (BMPs) to contain the material. Facility representatives stated that when material flows out of the containment, they reconsolidate it approximately once a week; however, they did not document these practices. Several breaks in the concrete barriers were observed (Photo 11).

Section IV.b. of the SWPPP states, "Material Storage: Any fluid canisters (truck oil, grease) housed on-site will be kept of out contact with storm water and will remain covered when not in use…"

> **Observation 3:** An uncovered tub filled with unidentified liquid was observed outside of the garage during the inspection (Photo 23).

Observation 4: Multiple uncovered tubs filled with an unidentified black oily substance were observed within the garage area during the inspection (Photos 25 and 26).

Part III.B.1.b.iii. Of the Permit states, "Maintenance. You must regularly inspect, test, maintain, and repair all industrial equipment and systems to avoid situations that may result in leaks, spills, and other releases of pollutants in stormwater discharged to receiving waters. You must clean catch basins when the depth of debris reaches two-thirds (2/3) of the sump depth and keep the debris surface at least six inches below the lowest outlet pipe. You must also maintain all control measures that are used to achieve the effluent limits required by this permit in effective operating condition."

Section IV.b. of the SWPPP states, "Treatment Basin: The three-tiered basins will be inspected for potential problems and sediment buildup. Appropriate measures will be taken to ensure they are functioning as designed."

Observation 5: The treatment basins appeared to be at capacity during the inspection (Photos 15, 16, and 17).

Part III.B.1.b.i. of the Permit states, "clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants; use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible; use spill/overflow protection equipment…"

Observation 6: Staining was observed on the asphalt in the truck staging area (Photo 24).

Part III.B.1.b.iii. of the Permit states, "…Nonstructural control measures must also be diligently maintained (e.g., spill response supplies available, personnel appropriately trained). If you find that your control measures need to be replaced or repaired, you must make the necessary repairs or modifications as expeditiously as practicable."

Observation 7: A spill kit filled with absorbent pads was observed near the fueling station. The spill kit bucket contained standing water and appeared to be covered in mold (Photo 22).

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…"

Observation 8: The white aboveground storage tank (Photo 5) was not under cover of any structure and was not staged within secondary containment.

Part III.B.1. of the Permit states, "Considering the control measure selection and design considerations, you must select, design, install, and implement control measures (including best management practices) to meet the non-numeric effluent limits as described below, meet limits contained in applicable process water numeric limits and effluent limitations guidelines in Appendix D, and water quality based effluent limitations in Part III.B.2. The selection, design, installation, and implementation of these control measures must be in accordance with good engineering practices and manufacturer's specifications."

Section IV.a. of the SWPPP states "Site Evaluation of Existing Control Measures: … Silt Fence: The West side of the site is lined with silt fence. Grading directs stormwater to the treatment basins, but in the event of a large storm, the silt fence will prevent sediment from leaving the site."

Observation 9: During the inspection, the silt fencing along the western property boundary was observed to be ripped in places (Photo 12). The EPA inspection team also reviewed the monthly inspection reports from January 2024 through June 2024. The monthly inspection reports note the silt fencing condition as "good" (Attachment C).

Section II.d. of the SWPPP states, "DP-1 is located in the northwest corner of the site, Lat: 39015'58.2"N Long: 76037'59.5"W, and discharges to Gwynn's Falls. The discharge point consists of stone and silt fence, water must be pumped for a discharge to occur.

Observation 10: A red hose was observed on the Facility between the northern border of the Facility and the concrete basins. The hose's terminus was located in the approximate area of the SWPPP's designated discharge point (DP-1) (Photo 13).

Observation 11: When Facility representatives were asked about the hose's use, representatives stated they have never used the hose during their employment at Chaney. Concrete dust was observed at the hose's terminus (Photo 14).

Stormwater Management Requirements – SWPPP Requirements

Part III.C.3 of the Permit states, "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. Industrial materials or activities include, but are not limited to: material handling equipment or activities; industrial machinery; raw materials; industrial production and processes; and intermediate products, by-products, final products, and waste products. Material handling activities include, but are not limited to: the storage, loading and unloading, transportation, disposal, or conveyance of any raw material, intermediate product, final product or waste product."

Section II. d. of the SWPPP states, "The site is covered by one (1) drainage zone, DZ-1."

Table 1 of the SWPPP, "EXISITING STORM WATER DRAINAGE AND DISCHARGE POINTS", describes stormwater drainage at the site. DZ-1 is described as, "Drainage is directed to the treatment basin. Basin does not discharge without the use of a pump. Natural topography and grading directs runoff through the area."

Observation 12: During the inspection, a drainage pit was observed in the batch plant area to catch excess water from the trucks during concrete mixing (Photos 1 and 2). Facility operators stated that when the pit in the batch plant area is filled, it is pumped out to the northwest of the batch plant (Photo 3). Standing water and excess sediment were observed in this area (Photo 6), which did not appear to be graded towards the treatment basin as described in the SWPPP.

Part III.C.5.b.i of the permit states, "You must document in your SWPPP your procedures for performing, as appropriate, the three types of inspections specified by this permit, including:

- Routine facility inspections (See Part V.A.1);
- Quarterly visual assessment of stormwater discharges (see Part V.A.3); and
- Comprehensive site inspections"

Section V. a. of the SWPPP states, "Routine inspections will be conducted throughout the site to decrease the likelihood of a potential pollution situation.

The water treatment basins, storage areas, fueling station, and all other pollution prevention implementations will be inspected for effectiveness. As directed by the SWPPP Coordinator, an Environmental Evaluation team has been assigned to conduct visual observations no less than one time each month. Inspection forms will be completed, signed by the plant manager and kept in the on-site file. …"

Observation 13: The two Facility representatives present during the inspection were not aware that inspections must be completed and documented as part of the SWPPP.

Observation 14: Monthly inspection forms were not kept at the Facility file at the time of the inspection. After the inspection, inspection forms covering January 5, 2024 through June 21, 2024 were provided by Chaney representatives on August 5, 2024. The Inspection forms were not signed (Attachment C).

A copy of an excel sheet titled, "2023 Environmental Training" was provided to the EPA inspection team. Two individuals were listed on the excel sheet under the "Baltimore-MD RMC" site with a training completion date:

Name	Position	Site	Training	Date
KENNEDY, TAVON GERRARD	Batch Operator Floating	Baltimore-MD RMC	2023 Environmental Compliance Training	11/19/2023
BRUNK, JEFF	Concrete Delivery Professional	Baltimore-MD RMC	2023 Environmental Compliance Training	11/25/2023

Observation 15: Neither of the individuals listed above were present during the inspection. Facility representatives Dean Dimaio and Kevin Lyles were not listed on the provided file (Attachment C).

Part III.C.2.c. of the Permit states, "Site map(s). Provide a map (or alternatively several overlay maps) showing:

i. the size of the property in acres;
ii. the location and extent of significant structures and impervious surfaces;
iii. directions of stormwater flow (use arrows);
iv. locations of all existing structural control measures or BMPs;
v. locations of all receiving waters in the immediate vicinity of your facility;
vi. locations of all stormwater conveyances including ditches, pipes, and swales;
vii. locations of potential pollutant sources identified under Part III.C.3;
viii. locations where significant spills or leaks identified under Part III.C.3 have occurred;
ix. locations of all stormwater monitoring points;
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;
xi. municipal separate storm sewer systems, where your stormwater discharges to them;
xii. locations and descriptions of all non-stormwater discharges identified under Part I.E.3;

xiii. locations of the following activities where such activities are exposed to precipitation: fueling stations; vehicle and equipment maintenance and/or cleaning areas; loading/unloading areas; locations used for the treatment, storage, or disposal of wastes; liquid storage tanks; processing and storage areas; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; transfer areas for substances in bulk; machinery; and manufacturing buildings; and

xiv. locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants."

Observation 16: The following information was not provided on the SWPPP map (Attachment C):

- The size of the property in acres
- Silt fencing on a portion of the northeastern site boundary
- Admixture aboveground storage tanks
- The drainage pit in batch plant area
- The location of receiving waters
- The location of the inlet along Annapolis Road

Inspections, Monitoring, and Reporting

Part V.A.2. of the Permit outlines the Comprehensive Site Compliance Evaluation. The Permit states, "Evaluations must include all areas where industrial materials or activities are exposed to stormwater, at a minimum: … Offsite tracking of industrial or waste materials or sediment where vehicles enter or exit the site…"

Observation 17: A stormwater inlet was identified along Annapolis Road which appeared to receive stormwater and tracked out materials from the Facility based on the observed grade (Photos 27 and 28). The inlet was observed to have sediment accumulation. This inlet was not identified on the Facility's inspection forms as a receiving inlet and was not inspected as part of the Facility's routine inspections.

IV. Records Review

During the opening conference, the EPA Inspection Team requested stormwater documents including facility inspections, the SWPPP, and the Notice of Intent (NOI) for permit coverage. The Facility operator indicated that all stormwater related documentation was available for download from an on-site QR code. The EPA Inspection team attempted to retrieve the documents during the inspection, however, no access was granted during the inspection. According to the Facility operator, requests to access site documents must be approved by Victor Vilece, the Environmental Project Manager. Mr. Vilece was not available to approve the request at the time of the inspection.

The EPA Inspection Team requested the following documents from Facility representatives on July 26, 2024, on the day after the inspection:

- SWPPP
- Most recent NOI for permit coverage

- The past 6 months of self-inspection reports/inspections of the Facility
- Most recent annual comprehensive inspection
- Documentation of stormwater training for employees
- Drawing of the Site (simple diagram or engineering drawing)

Responsive documents were sent to the EPA by Chaney representatives on August 5, 2024. Documents are provided in Attachment C.

V. Closing Conference

After the Facility walk, the EPA Inspection Team met with the Facility representatives for a closing conference. The EPA Inspection Team shared preliminary observations with the Facility representatives. 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 approximately 11:00AM.

VI. List of Attachments

Attachment A:	NPDES Permit – General Discharge Permit No. 15MM
Attachment B:	Photo Log
Attachment C:	Exhibit Log
	Exhibit 1: Facility SWPPP
	Exhibit 2: Facility Map
	Exhibit 3: SWPPP Assessment 2023
	Exhibit 4: NPDES Permit Transfer Request
	Exhibit 5: Environmental Training
	Exhibit 6: Monthly Inspection Documentation