



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(s):** 05/10/2024  
**Regulatory Program(s):** National Pollutant Discharge Elimination System (NPDES)  
**Type of Activity:** Stormwater-Industrial  
**Site/Facility Name:** Route 30 Auto & Truck Salvage, LLC  
**Permittee(s):** Route 30 Auto & Truck Salvage, LLC  
**Site/Facility Operator:** Tim Dyson, Owner  
**Site/Facility Address:** 12441 Whitesville Road  
Laurel, DE 19952  
**Latitude/Longitude:** 38.498720, -75.528040  
**County/Parish:** Sussex  
**Permit Number:** DEI000324  
**NAICS/SIC Code:** 423140/5015 Enter SIC or N/A  
**DSB ID #:** ECAD-5501

**Site/Facility Representative(s):**

Cody Dyson, Son/Operator

Phone: (302) 841-1314

Email: Rt30salvage@yahoo.com

**Point of Contact**



**EPA Inspectors:**

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NPDES Section 1 (3ED32)

Date

**Supervisor**

**Signature/Date**

Michael Greenwald, Acting Section Chief

NPDES Section 1 (3ED32)

Date

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## I. Introduction

On May 10, 2024, an inspection team composed of staff from the U.S. Environmental Protection Agency (“EPA”) Region III (hereinafter, “EPA Inspection Team”) conducted a CWA-NPDES Stormwater Industrial Compliance Evaluation Inspection (CEI) at the Route 30 Auto & Truck Salvage, LLC site (hereinafter, “the site”). The purpose of the inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the site’s National Pollutant Discharge Elimination System (NPDES) Permit No. DEI000324 (hereinafter, “the Permit”) and applicable State and Federal regulations.

### A. Inspection Opening Conference

The EPA Inspection Team arrived at the site at est. 11:15 a.m. for the inspection. Inspectors met with the following site representative:

**Table 1: Inspection Attendee List**

| Name                                             | Affiliation     | Telephone      | Email                        |
|--------------------------------------------------|-----------------|----------------|------------------------------|
| <b>EPA Region III Inspectors and Contractors</b> |                 |                |                              |
| Ingrid H. Hopkins                                | Inspector, ECAD | (215) 814-5437 | Hopkins.Ingrid@epa.gov       |
| Johannah Jacobson                                | Inspector, ECAD | (215) 814-2318 | Jacobson.Johannah@epa.gov    |
|                                                  |                 |                |                              |
| <b>Site/Facility Representatives</b>             |                 |                |                              |
| Cody Dyson                                       | Son/Operator    | (302) 841-1314 | Rt30Salvage@yahoo.com        |
|                                                  |                 |                |                              |
| <b>State Representatives</b>                     |                 |                |                              |
| Brianna Orlando                                  | DNREC           | (302) 270-1861 | Brianna.Orlando@delaware.gov |
| Chad Dolt                                        | DNREC           | (302) 739-9945 | Chad.Dolt@delaware.gov       |
| Coleen Slater                                    | DNREC           | (302) 739-9945 | Coleen.Slater@delaware.gov   |

Ingrid Hopkins and Johannah Jacobson met Mr. Cody Dyson in the business office. Ingrid Hopkins displayed her credentials to Mr. Dyson at the outset of the inspection, and explained the purpose of the inspection was to observe compliance with the Permit since the previous inspection on September 1, 2021. Mr. Dyson explained that during the previous inspection, Bill Tanner, a Department of Natural Resources and Environmental Control (DNREC) Inspector, informed him that due to the site not experiencing runoff, that he was exempt from complying with the activities required by the Permit. Since that time, Mr. Dyson had not submitted a Notice of Termination (NOT) to the permitting authority. A copy of the Permit is provided in Attachment 1. The EPA Inspection Team informed Mr. Dyson that any information that the site deemed to be Controlled Unclassified Information (“CUI”) should be identified to EPA representatives during the inspection and it would be handled as CUI according to EPA’s CUI procedures.

### B. Weather and Precipitation Conditions

During the inspection, weather was 83° F and sunny. 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) <sup>1</sup> |
|----------------------------------------------|--------------|--------------------------------------------|
| Georgetown - Delaware Coastal Airport (KGED) | May 5 2024   | 0                                          |
| Georgetown - Delaware Coastal Airport (KGED) | May 6, 2024  | .03                                        |
| Georgetown - Delaware Coastal Airport (KGED) | May 7, 2024  | .17                                        |
| Georgetown - Delaware Coastal Airport (KGED) | May 8, 2024  | .51                                        |
| Georgetown - Delaware Coastal Airport (KGED) | May 9, 2024  | 0                                          |
| Georgetown - Delaware Coastal Airport (KGED) | May 10, 2024 | .30                                        |

## II. Site/Facility Activity

Route 30 Auto and Truck Salvage, LLC is an industrial facility that engages in the sale of secondhand auto parts. The site is regulated under DNREC's Regulations Governing Storm Water Discharges Associated with Industrial Activities (NPDES General Storm Water Permit Program), NPDES Permit No. DEI000324.

The site occupies approximately 35 acres in Sussex County, Delaware, in the Chesapeake Bay Watershed. Mr. Dyson estimated there are roughly 100 salvage vehicles maintained onsite. Discharges from the site are directed to a manmade ditch system that exists on the property. Flows from the ditch system migrate to a perimeter ditch that ultimately flows to a stormwater pond.

During the inspection, observations by the EPA Inspection Team were made pursuant to the requirements of the Permit. In-field observations are described in detail below, in Section III. Photographs were taken during the inspection by Johannah Jacobson and are provided in Attachment 2.

## III. Observations

**Observation #1:** EPA Region 3 conducted an initial CEI at the site on September 1, 2021. At that time, Outfall 001 was visibly located near the front corner of the chicken house. During the May 10, 2024 inspection, the EPA Inspection Team found Outfall 001 inaccessible due to an overgrowth of brush and scrap materials. ***See Photo P5100037.***

Outfall 002 lies on private property behind downed wooden stakes and orange barrier fencing. Mr. Dyson stated that due to a property dispute, it has been impossible to access the outfall for evaluation. ***See Photo P5100062.***

Outfall 003 is in near proximity to the entrance of the chicken house. The EPA Inspection Team was unable to observe Outfall 003 due to vegetative overgrowth.

**Observation #2:** At the dismantling rack, vehicle fluids are drained into various buckets and containers over a concrete pad. Fluids are not stored under protective cover, as they

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

are maintained in open air, where the activity occurs. Puddles containing an oil sheen were observed around the immediate vicinity. ***See Photos P5100009 and P5100011.***

**Observation #3** Two ditches were recently excavated on site to control ponding water in and around the property. Both ditches drain to a perimeter ditch that ultimately flows to a stormwater pond. The EPA Inspection Team observed that vehicles were stored on the banks of the ditches, where erosion, fallen auto parts and trash/debris were identified. ***See Photos P5100019, P5100020, P5100027, P5100028, and P5100054.***

**Observation #4** Several scrap tire piles have been generated throughout the site. This activity is regulated by Delaware's Regulations Governing Solid Waste (DRGSW). The total number of tires were more than DNREC's allowable minimum threshold of 100 tires. As a result, regulatory requirements may be applicable. The EPA Inspection Team subsequently referred this matter to DNREC's Solid and Hazardous Waste Management Branch for follow-up. ***See Photos P5100004, P5100032, P5100033 and P5100048.***

**Observation #5:** The recreation vehicle (RV) dismantling area is immediately visible from the rear of the chicken house. ***See Photos P5100043 and P5100044.***

**Observation #6:** Located at the southernmost portion of the site are saleable miscellaneous vehicular parts, fluids containers and drums, and other scrap materials that are stored in a chicken house. Mr. Dyson stated that Taylor and Phillips collect the liquid wastes when each product reach 3500 gallons. ***See Photos P5200032 and P5100037.***

**Observation #7:** The EPA Inspection Team observed an area on site that housed trailer cabs. Also identified at this location were fluids containers and a wood chip pile. This parcel is delineated from the auto salvage operation by jersey barriers and without any posted signage. Mr. Dyson stated that Route 30 Truck and Auto Salvage, LLC leases this parcel to another operator. ***See Photos P5100013 and P5100014.***

**Observation #8:** Hydraulic and diesel oils are stored in an unsecured trailer adjacent to Outfall 002. ***See Photo P5100003.***

#### **Quarterly Visual Monitoring**

Section 9.1.4.3.1 of the Permit states, "All facilities required to monitor storm water discharges, must perform and document quarterly visual examinations of storm water discharges associated with industrial activities from each storm water outfall. The examination(s) must be made at least once in each of the following three-month periods: January through March, April through June, July through September, and October through December. The examination must document observations of color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators of storm water pollution. The examination must be performed during daylight hours and must be made of samples collected within the first thirty (30) minutes of when runoff or snowmelt begins discharging from the facility. If no storm event resulted in runoff from the facility during a monitoring

quarter, the permittee is excused from visual monitoring for that quarter provided that documentation is included with the monitoring records indicating that no runoff occurred.”

**Observation #9:** Mr. Dyson did not present quarterly visual monitoring records at the time of inspection.

#### **Benchmark Monitoring**

Section 9.1.4.3.2.8 of the Permit (Sector M–Automobile Salvage Yards) states, “Benchmark Monitoring Requirements for Facilities identified by SIC code 5015 shall analyze grab samples in accordance with the following parameters: pH, Total Recoverable Lead, Total Recoverable Iron, Total Recoverable Aluminum, Oil and Grease, and Total Suspended Solids.”

**Observation #10:** Mr. Dyson did not present benchmark monitoring records for the required parameters.

#### **Storm Water Plan (SWP)**

Section 9.1.5.1.1 of the Permit states, “Who engage in industrial activities identified in § 9.1.1.3.1.2, excluding those facilities classified as Industrial Activity Codes HZ and LF, shall develop and continually implement a Storm Water Plan (SWP). The SWP shall identify potential sources of pollutants, which may reasonably be expected to affect the quality of storm water discharges associated with industrial activities from a facility. In addition, the SWP shall describe and ensure the implementation of practices and programs which are used to reduce or eliminate the pollutants in storm water discharges associated with industrial activity at a facility and to assure compliance with the terms and conditions of this Subsection.”

**Observation #11:** Mr. Dyson did not present a Storm Water Plan that described implementation of program practices that would reduce or eliminate pollutants in storm water discharges.

#### **Inspections**

Section 9.1.5.7.4.1 of the Permit (Routine Inspections) states, “The facility shall conduct routine inspections of the equipment and areas of the facility designated in the SWP. The SWP shall identify the frequency for which these inspections are conducted. At a minimum, routine inspections shall be conducted once per quarter. These inspections shall ensure the proper operation of plant equipment and storm water controls. A set of tracking or follow-up procedures shall be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections shall be maintained with the SWP. Any deficiencies noted shall be corrected as soon as practicable, but no later than 14 days after the inspection.”

**Observation #12:** At the time of inspection, Mr. Dyson did not present to the EPA Inspection Team documented evidence that Routine Inspections had been conducted.

### **Comprehensive Site Evaluation**

Section 9.1.5.7.4.2 of the Permit states, "Persons subject to this Part shall conduct comprehensive site evaluations. The comprehensive site evaluations shall be used to assess the effectiveness of the current SWP. The evaluation(s) are in addition to the periodic inspections required by this Part. The evaluations may substitute for a periodic inspection if it is conducted during the regularly scheduled periodic inspection.

**Observation #13:** Mr. Dyson did not present to the EPA Inspection Team documented evidence that Comprehensive Site Evaluations had been conducted.

### **Outfall Identification**

Section 9.1.6 of the Permit states, "All persons conducting industrial activities identified in § 9.1.1.3.1.2 with discharges that flow through a regulated outfall, shall identify each storm water outfall covered under this Subsection with a legible outfall tag or stencil. The mechanism for identification should be attached to an outfall pipe, stenciled on an outfall pipe, or posted in close proximity of the outfall area. The identification shall indicate the designated outfall number.

**Observation #14:** During the September 1, 2021 site inspection, Mr. Dyson noted the existence of two (2) outfalls, Outfall 001 and Outfall 003. At the time of the 2021 inspection, Mr. Dyson informed the EPA Inspection Team that Outfall 002 was eliminated during regrading activities. These outfalls did not have any markers identifying them as outfalls. During the May 10, 2024 inspection, Outfall 001, located at the front entry corner of the chicken house, and Outfall 003, located in the NW corner of the vehicle lot, were both inaccessible due to the overgrowth of brush.

## **IV. Records Review**

Due to the lack of required documentation during the opening conference, the EPA Inspection Team did not review any records during the inspection. A copy of the Permit is provided as Attachment 1.

## **V. Closing Conference**

After the site walk through, the EPA Inspection Team met with the site representative for a closing conference. The EPA Inspection Team shared preliminary observations with the site. The EPA Inspection Team reiterated to the site representative 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.

DNREC inspectors informed the site representative they would coordinate with their Solids and Hazardous Waste Management Branch, with respect to several scrap tire piles observed onsite.

The inspection concluded at 1:30 p.m.

## **VI. List of Attachments**

- Attachment 1: Article 7, Section 9, Regulations Governing Stormwater Discharges Associated with Industrial Activities
- Attachment 2: Route 30 Auto & Truck Salvage Photo Log (May 10, 2024)