



NPDES Compliance Inspection Report

Cherry City Metals Salem, Oregon

Permit #: ORR603637

Inspection Date: December 13, 2021

Prepared by:

Raymond Andrews
U.S. Environmental Protection Agency, Region 10
Enforcement & Compliance Assurance Division
Water Enforcement & Field Branch
Field, Data & Drinking Water Enforcement Section

Signature/Date:

RAYMOND ANDREWS	Digitally signed by RAYMOND ANDREWS Date: 2022.02.24 08:25:49 -08'00'
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Supervisor Signature/Date:

PETER CONTRERAS	Digitally signed by PETER CONTRERAS Date: 2022.02.24 08:58:34 -08'00'
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ATTACHMENT A – Aerial Images of Site and Site Diagrams

ATTACHMENT B – Inspection Photographs and Photograph Log

(All details in this report were obtained through conversations with Ms. Jennifer Nicoli, Plant Manager and Mr. Aaron Leritz, Bridgewater Group Environmental Consultant, from a review of records, or from observations made during the inspection.)

I. Facility Information

Facility Name: Cherry City Metals LLC

Facility Owner/Operator: Co-owned by Schultz Management Inc., and Scrap Financial Services

Physical Address: 3155 Kanz Court NE
Salem, Oregon 97301
Marion County

Lat/Long: 44.97035, -123.01406

Mailing Address: P.O. Box 5191
Salem, Oregon 97304

NAICS Code: 423930 (Recyclable Materials Merchant Wholesale)

SIC Code: 5093 (Recyclable Materials)

Facility Contacts: Jennifer Nicoli
Plant Manager
Office Phone: 971-273-0266
Email: jnicoli@cherrycitymetals.com

Aaron Leritz
President, Bridgewater Group
Environmental Consultant
Office Phone: 503-675-0297
Cell Phone: 503-703-9690
Email: aleritz@bridgeh2o.com

Permit Number: ORR603637

Receiving Water: Claggett Creek → Willamette River

II. Inspection Information

Inspection Date: December 13, 2021

Inspector: Raymond Andrews, Inspector
EPA Region 10, ECAD /FDDWES
Phone: 206-553-4252

Arrival Time: 9:00 AM

Departure Time: 3:30 PM

Weather: Overcast/Drizzle, 40°F

Purpose: To determine facility compliance with the Oregon 1200-Z General National Pollutant Discharge Elimination System (NPDES) permit and the Clean Water Act.

III. Permit Information

Cherry City Metals (“Facility”) is permitted under the Oregon 1200-Z National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit (“Permit”). The Facility’s current permit, NPDES permit # ORR603637, became effective on August 1, 2017, and will expire on July 31, 2022. The facility is permitted under Sector N (Scrap and Waste Materials) of the permit.

IV. Background

Cherry City Metals, located at 3155 Kanz Court NE in Salem, Oregon is owned through a joint venture between Schultz Management Inc., and Scrap Financial Services.

On September 17, 2019, EPA conducted an industrial stormwater inspection on the facility. No enforcement action was taken due to the inspection.

The Oregon Department of Environmental Quality (ODEQ) has not conducted an inspection of the facility.

V. Inspection Chronology

This was an announced inspection. On December 6, 2021, I emailed Ms. Nicoli to let her know that I would be conducting an industrial stormwater inspection of the Cherry City Metals facility in Salem, Oregon on December 13, 2021. I also submitted a list of documents I wanted to review as part of the inspection.

I conducted an opening conference, which included an interview of Ms. Nicoli and Mr. Leritz, followed by a records review, a site inspection, and a closing conference.

VI. Opening Conference

I arrived at the facility at 9:00 am and presented my inspector credentials to Ms. Jennifer Nicoli, Plant Manager and Mr. Aaron Leritz, Bridgewater Group Environmental Consultant. I provided Ms. Nicoli with a copy of EPA’s Small Business Resource Information Sheet.

I explained the purpose of the inspection was to determine compliance with the Oregon Department of Environmental Quality’s (ODEQ) 1200-Z permit and the Clean Water Act (CWA).

The following information was obtained through conversation with Ms. Nicoli and Mr. Leritz, or from a review of facility documents.

The facility has been operating at its current location since 1998, and has been covered by the 1200-Z permit since approximately 2012. The facility operates Monday through Saturday from 8:00 am until 4:00 pm, and has about 85 full time employees.

The facility is a scrap metal recycling operation. It receives scrap metal from the public and commercial scrap collecting operations. Both public and commercial operations contribute about 50% of the scrap collected by the facility.

After the scrap is received, it is sorted by hand or machine depending on the type of metal. The scrap is then processed by cutting to manageable sizes, bundled, and packaged for shipping. It is then shipped to U.S. steel mills, overseas mills, or other domestic processors.

The facility also receives whole cars for disposal. Once received, the cars are drained of fluids. The fluids are collected into tanks based on type. High value parts, such as engines and transmissions, are pulled from the cars. The cars are then cut up and baled to be shipped out. The parts that had fluids drained are placed in lined Gaylord boxes, or concrete bins, to prevent escape of residual pollutants while awaiting ship-out.

The Stormwater Pollution Control Plan (SWPCP) includes an area of the facility that is not covered by the permit. It is referred to as the “Western” parcel. The Western parcel is included in the SWPCP because the facility intends to extend permit coverage to that parcel soon.

This report will focus solely on the portion of the site currently under permit coverage. The permitted site area is 6.6-acres. Approximately 4.25-acres ($\approx 65\%$) of the site is impermeable and is covered by a combination of buildings and asphalt. The remainder of the site, approximately 2.35-acres ($\approx 35\%$), is permeable and covered with a combination of dirt, gravel, or vegetation.

According to usclimatedata.com, Salem, Oregon, receives an approximate average annual rainfall of 39.67 inches. December is the wettest month with an approximate average 6.86 inches of rainfall, while August is the driest month with an approximate average rainfall of 0.45 inches.

The site is generally flat with slight grades to direct stormwater sheet flow to various catch basins distributed around the site.

The SWPCP divides the site into two discharge basins each with its own discharge point, identified as Discharge Point 001 (DP-001) and Discharge Point 002 (DP-002). Below is an explanation of the two basins paraphrased from the SWPCP.

Basin 1

Basin 1 consists of the main processing area of the site. Stormwater that falls into Basin 1 is collected into one of ten catch basins located throughout the yard. The catch basins convey stormwater to a multi-unit, multi-stage stormwater treatment system (SWTS). The SWTS consists of two oil/water separators, a series of sediment interceptor weirs, and a sand filter. The stormwater is piped to DP-001, which discharges into a ditch on the northeast corner of the site. Water that

enters the ditch flows to Claggett Creek located to the north of the site. From Claggett Creek, water flows to the Willamette River.

Sanitary sewage and drainage from the equipment wash pad near the eastern property line drains to the City of Salem's ("City") sanitary sewerage system. The equipment wash pad can discharge to the City's sanitary sewer or the SWTS. During equipment wash down activities, facility operators switch a valve to direct wastewater to the City's sanitary sewerage system. When the wash pad is not in operation, the valve is positioned to direct stormwater to the SWTS.

Basin 2

Basin 2 consists of the scales area, shop roof, a portion of the non-ferrous roof, and the visitor parking lot. Stormwater that falls on the visitor parking lot flows to a sand infiltration basin and overflow. It then flows to a vault in Kanz Court near the facility entrance. Roof runoff from the office, non-ferrous, ferrous, and vehicle shop buildings as well as the weigh scale sumps drain to the south then flows to the vault in Kanz Court. The vault is connected to the City's stormwater collection system. DP-002 is in the vault. The City's stormwater system eventually merges with flow from DP-001 before continuing to the Willamette River.

The facility conducts processing operation both indoors and outdoors. Scrap metal is stored outdoors while awaiting process and again once it has been processed and packaged for shipment.

On December 22, 2019, the facility submitted a Tier II Corrective Action Response for exceeding the geometric mean of the statewide benchmarks for total copper, total lead, and total zinc at Discharge Point 002. The response was submitted per Schedule A.11 of the 1200-Z permit in effect at the time of the exceedance. The Tier II Corrective Action Response, also known as, the Tier II Treatment System Modification Report, was prepared by the consulting firms:

Aquarius Environmental, LLC
2117 NE Oregon Street
Suite 502
Portland, Oregon 97232
(503) 828-0265

and

Bridgewater Group, Inc.
7100 SW Hampton Street
Suite 235
Tigard, Oregon
(503) 675-5252

To prevent the benchmark exceedances listed in the previous paragraph, Aquarius recommended raising the visitor parking lot inlet and outlet elevations to increase stormwater retention time in the sand filter holding the stormwater runoff. In addition to changes to the parking lot, the consultants recommended adding a biochar filtration unit which stormwater would pass through prior to discharge.

VII. Laboratory Inspection

The facility has two monitored discharge points, DP-001 and DP-002. For each outfall, the facility has statewide benchmark monitoring requirements, and sector specific monitoring requirements. The statewide benchmark parameters are pH, total suspended solids (TSS), total copper (Cu), total lead (Pb), and total zinc (Zn). The sector specific monitoring parameters are chemical oxygen demand (COD), and total aluminum (Al).

Stormwater samples are primarily collected by Rob Dietrich, Operations Manager. When Mr. Dietrich is unavailable, another employee, Fred Barsukoff, collects the water samples. Mr. Barsukoff does not have a title. Whomever collects the water samples conducts the pH analysis using a pH meter maintained by the facility. After the water samples are collected, they are packed and driven to the lab in Tigard, Oregon. They arrive at the lab within an hour of collection.

Except for pH, all monitored parameters are analyzed by:

Apex Laboratories, LLC
6700 Southwest Sandberg Street
Tigard, Oregon 97223
(503) 718-2323

VIII. File Review

The permit requires that documentation be retained for a minimum of three years.

I reviewed the following records and documents:

- Stormwater Pollution Control Plan (SWPCP) – updated August 2021
- Permit Reissuance Letter – dated June 14, 2021
- Tier I Reports
- Tier II CAR (Treatment System Modification Report) – updated May 12, 2019
- Monthly Facility Inspection Reports – January 2019 through November 2021
- Discharge Monitoring Reports (DMRs) – 1Q 2019 through 4Q 2021
- Chain-of-Custody Documents – 1Q 2019 through 4Q 2021
- Annual Employee Training Records – 2019 through 2021

The facility submitted five Tier I reports for benchmark exceedances during the time period reviewed. The table, below, provides the date the report was generated, the outfall where the exceedance occurred, and the benchmarks exceeded.

Date of Report	Discharge Point	Benchmarks Exceeded
January 11, 2019	001	BOD
March 20, 2019	001	BOD, COD
	002	Al, Cu, Fe, Zn
January 15, 2020	001	BOD
	002	
April 15, 2020	001	BOD, COD
June 28, 2021	001	COD, Fe

IX. Site Inspection

Attachment A contains an aerial image, provided by Google, and site map diagrams, provided by the facility.

Attachment B contains the photos used in this inspection report and a complete photo log.

Following the records review, Ms. Nicoli and Mr. Leritz accompanied me on the site tour.

The facility office sits near the high point of the site. The site pavement is graded to facilitate stormwater flowing to the catch basins located around the property. From the office, we walked to the north side of the property to the site's stormwater treatment system.

Stormwater collected in the catch basins of Basin 1 flows to the north to the facility's stormwater treatment system. The stormwater enters an oil/water separator then a 3-stage baffle separator followed by a 4-stage baffle separator. The baffle separators allow pollutants to be separated from the stormwater. The 4-stage baffle separator feeds into a 6-stage sedimentation basin (**Photo 1**). The sedimentation basin allows suspended particle pollutants to settle out of the water as it flows from south to north and into the two in-line sand filters (**Photo 2**). The treated stormwater exits the sand filters and enters an underground culvert that daylights as DP-001 (**Photo 3**). DP-001 is also one of the two monitoring locations. The discharge enters, and flows down, a vegetated ditch (**Photo 4**) on the west side of the facility. The ditch leads to Claggett Creek to the north of the facility, which then flows to the Willamette River to the south of the facility. After observing DP-001, we walked south toward DP-002 and its filtration system. Along the way, I observed the fluid reclamation area (**Photo 5**) and a sorting station (**Photo 6**).

The site's Basin 2 stormwater treatment system was installed as a Tier II measure to eliminate benchmark exceedances. The Tier II filtration system was built on top of the sand filtration system the facility had been using as its sole filtration for this Basin. Stormwater collected by catch basins, as well as stormwater drained from roofs in Basin 2 are pumped into the filtration system, which consists of eight 350-gallon totes (**Photos 7 & 8**) filled with bark mulch and biochar. Once the water has completed its circuit through the filtration media, it flows to an underground chamber (**Photo 9**), DP-002, which is also the facility's monitoring location for Basin 2. A grab sample is collected as the stormwater is discharged into the vault.

X. Areas of Concern

At the time of inspection, I found the following areas of concern:

- A. Schedule A.10.e of the Permit states, “Include an operation and maintenance plan for active and passive treatment systems and mass reduction measures. The O&M plan must include, as appropriate to the type of treatment system, items such as system schematic, manufacturer’s maintenance/operation specifications, chemical use, treatment volumes and a monitoring or inspection plan and frequency. For passive treatment and low impact development control measures, such as mass reduction measures, include routine maintenance standards.”

At the time of the inspection, I reviewed the facility’s SWPCP. I found the SWPCP did include an Operations and Maintenance (O&M) Plan, Appendix E, but the plan appears to be inadequate to meet the intent of the permit language. The O&M plan did not include the manufacturer’s maintenance/operation specifications or treatment volumes. Appendix E does not contain a treatment system schematic; however, a schematic provided with the facility maps, Figure 4 of the SWPCP, may fill this requirement. I have included Figure 4 with the site maps in Appendix A of this report.

- B. Schedule B.12.i.viii of the Permit states the inspection report must include “Any corrective action response, source control or maintenance taken or scheduled to remedy problems found.”

At the time of the inspection, I reviewed monthly inspection reports from January 2019 through November 2021. I found the facility monthly inspection reports frequently did not include corrective actions taken to remedy issues found during inspections. For example, Mr. Barsukoff stated on the June 30, 2021, inspection report that CB1 – CB4, CB6 – CB9, the oil/water separator and car drainage area required attention for “sediment buildup or debris”. The June report also said, “Will be cleaning out in July.” There was no mention in the July 2020 inspection report that action had been taken.

XI. Closing Conference

On December 13, 2021, I held a closing conference with Ms. Nicoli and Mr. Leritz. We discussed my observations and I gave a brief overview of the post-inspection process. I thanked them for their time and assistance.

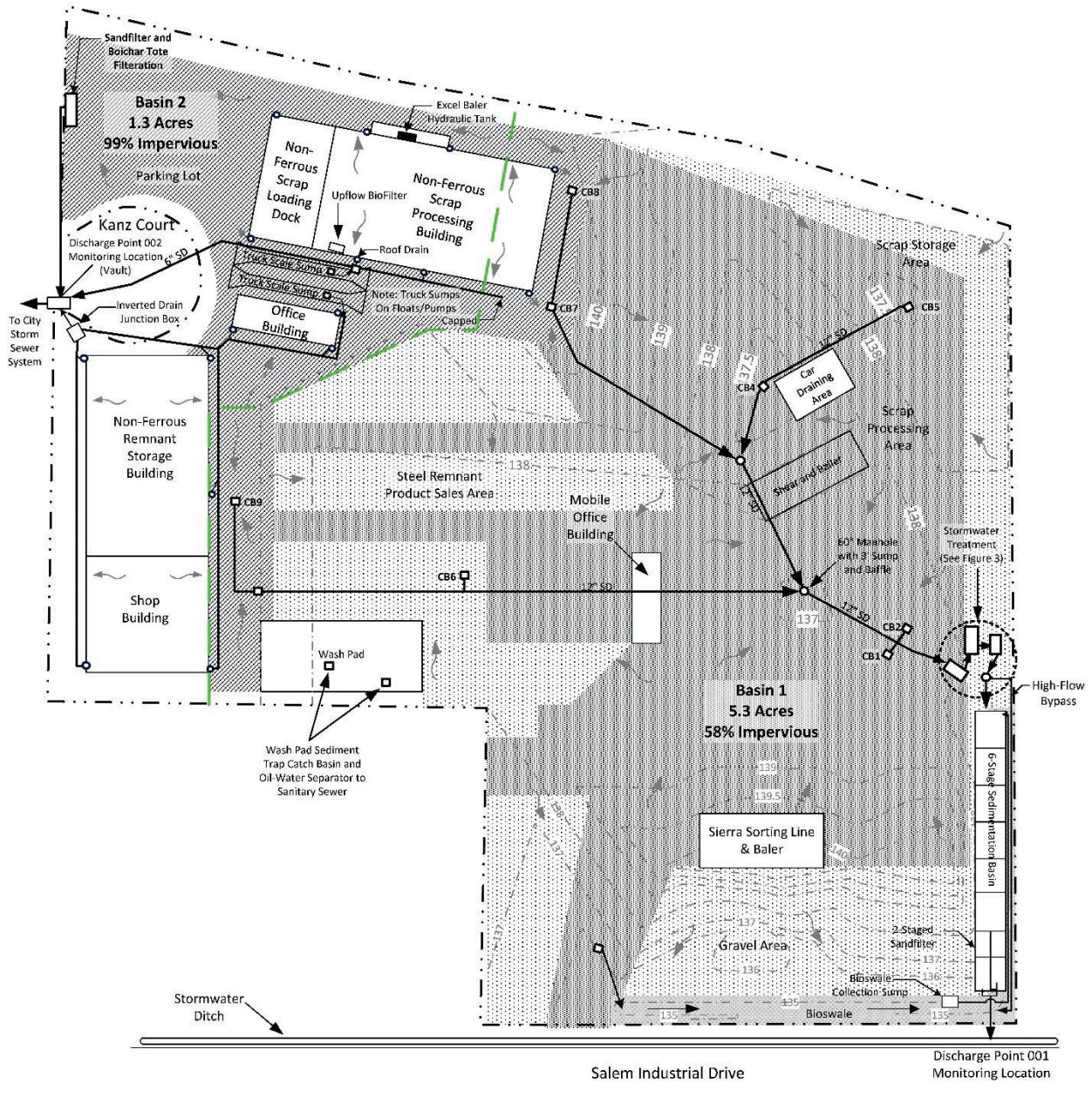
ATTACHMENT A

Aerial Image of Site Provided by Google



Yellow outline denotes approximate site border.

Site Diagram Maps Provided by Facility



Legend:



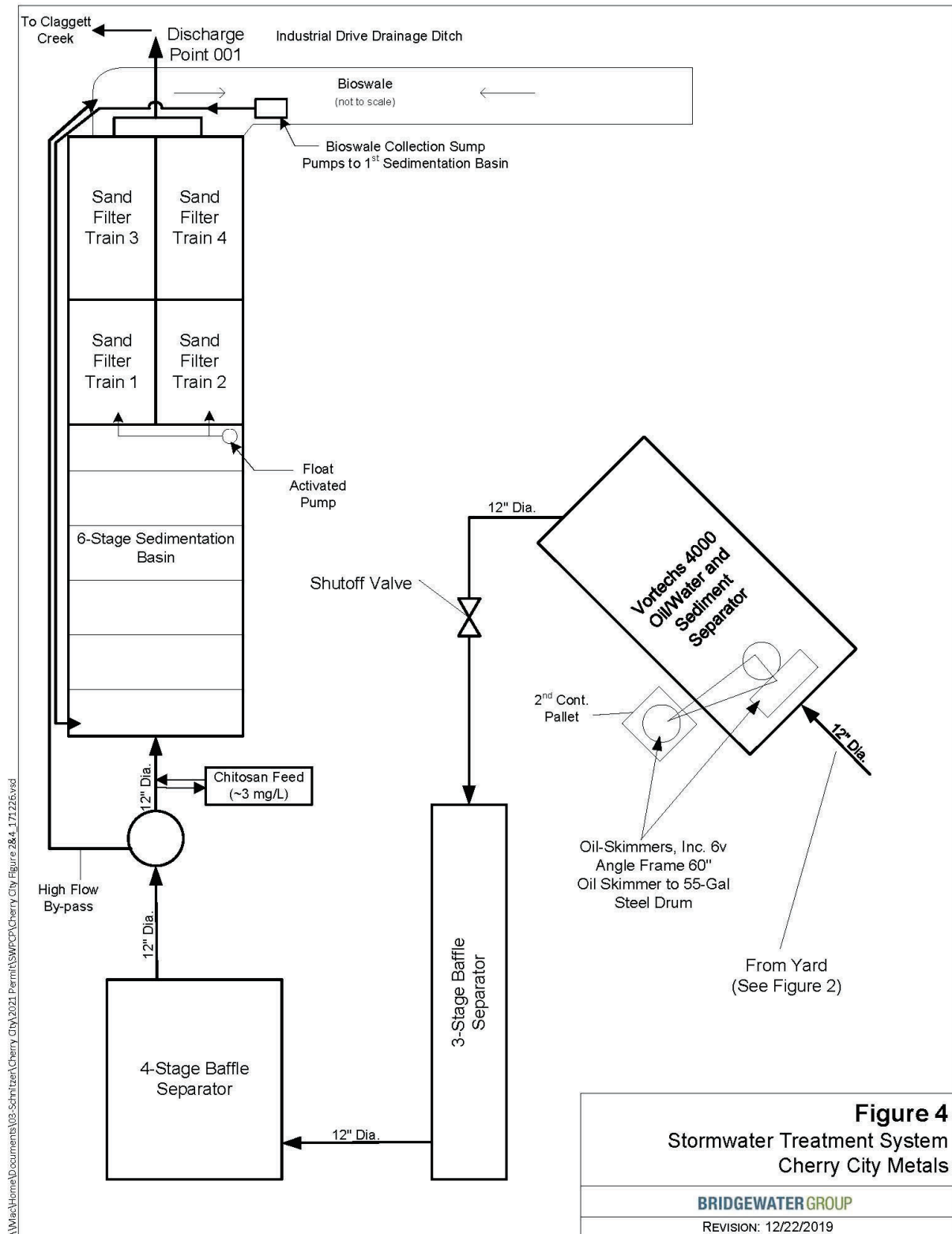
Not To Scale

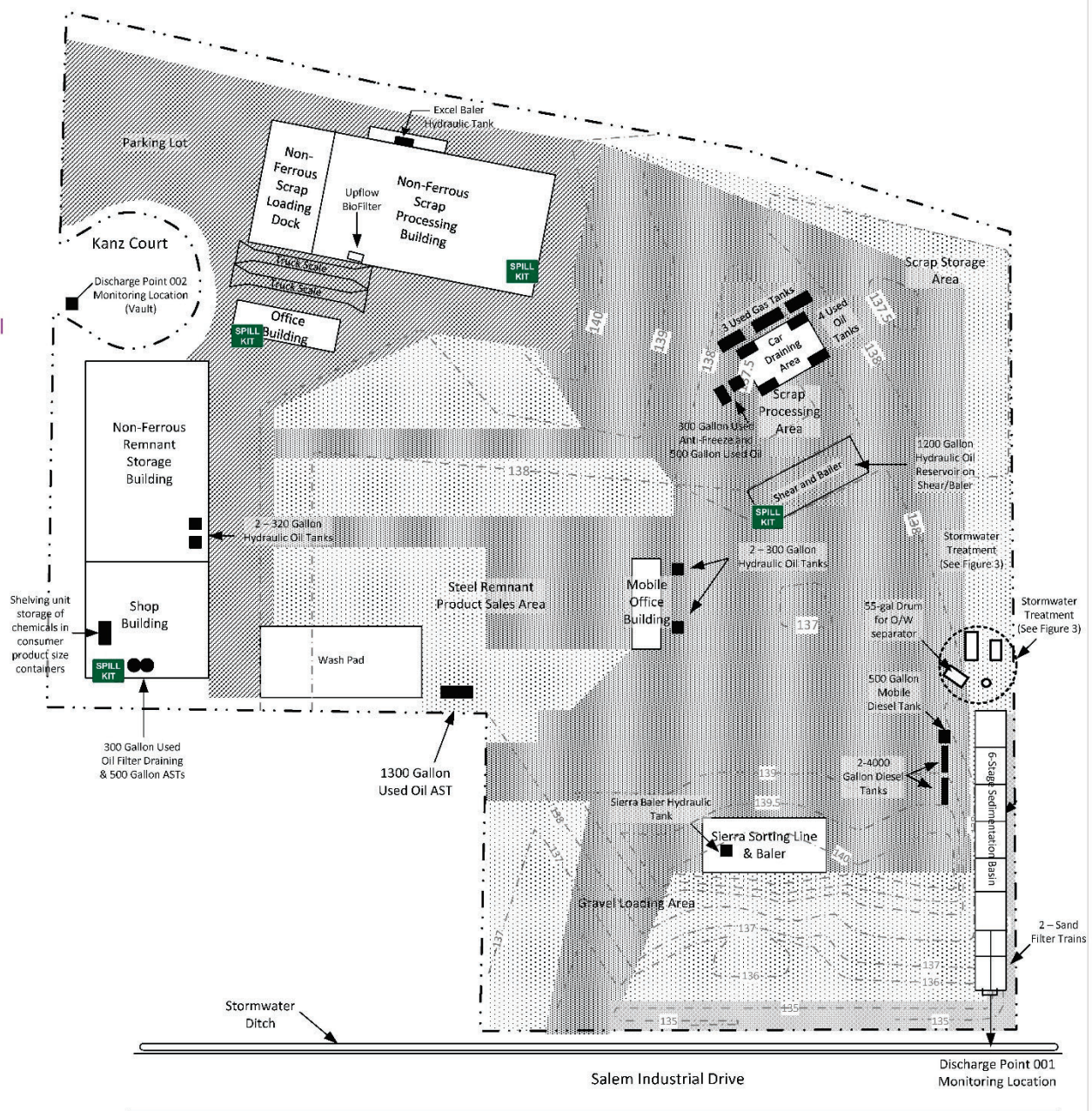
- Approximate Site Boundary
- Elevation Contour
- ▨ Asphalt Paved Area
- ▨ Concrete Paved Area
- ▨ Gravel Area
- Surface Runoff Flow Direction
- Drainage Basin Border
- Roof Drain

Note: Authorized Non-stormwater discharges: Uncontaminated air conditioning condensate and building wash water is possible around each building and could not be pictorial shown. Fire hydrant and water line flushing could at multiple locations at the CCM Facility.

Figure 2
Site Drainage Features
Cherry City Metals

BRIDGEWATER GROUP, INC.





70-feet
Approximate Scale

- Legend:
- Approximate Site Boundary
 - - - Elevation Contour
 - ▨ Asphalt Paved Area
 - ▩ Concrete Paved Area
 - ▧ Gravel Area
 - SPILL KIT Spill Kit Storage Location

Figure 6
Bulk Storage Containers
Cherry City Metals
BRIDGEWATER GROUP, INC.

ATTACHMENT B

Inspection Photographs and Photograph Log

(Photographs taken by Ray Andrews on December 13, 2021, with a Panasonic DMC-FH25 camera)



















Complete list of photographs taken during the inspection:

- P1010015 – Discharge Point 001, photo 1
- P1010016 – Discharge Point 001, photo 2
- P1010017 – Discharge Point 001, photo 3
- P1010018 – Ditch to Claggett Creek
- P1010019 – Sorting Station
- P1010020 – Sediment Settling Basins, facing south
- P1010021 – Sand Filters, photo 1
- P1010022 – Sand Filters, photo 2
- P1010023 – Fluid Reclamation Area
- P1010024 – Discharge Point 002
- P1010025 – South Treatment System, side view, photo 1
- P1010026 – South Treatment System, side view, photo 2
- P1010027 – South Treatment System, side view, photo 3
- P1010028 – South Treatment System, from view
- P1010029 – pH Meter Kit, photo 1
- P1010030 – pH Meter Kit, photo 2