EPA REGION 10 Enforcement and Compliance Assurance Division

INSPECTION REPORT

Inspection Entry Date/Time	09/16/2024 09:30 AM (PT)	Announced: No
Inspection Exit Date/Time	09/16/2024 02:25 PM (PT)	Access: Granted
Weather	73°F, Clear	
Media	Water	
Statute(s)/Program(s)	Clean Water Act, NPDES, Stormwater – Industrial	
Type of Inspection	Compliance Evaluation Inspection	
Permittee Name	Simplot Western Stockmen's	
Facility Name	Simplot Western Stockmen's Store and Mill	
Facility Physical Address	223 Rodeo Ave	
City, State, Zip Code	Caldwell, Idaho 83605	
County	Canyon	
Facility GPS Coordinates	43.671732, -116.707077	
FRS ID	110001756662	
Permit Number	IDR053118	
SIC NAICS	2048 (Prepared Feeds)	

Lead Inspector:

RAYMOND ANDREWS Digitally signed by RAYMOND ANDREWS Date: 2024.11.01 15:04:37 -07'00'

Raymond Andrews	EPA Region 10	andrews.raymond@epa.gov	(206) 553-4252

Supervisor Review:

PETER CONTRERAS Digitally signed by PETER CONTRERAS Date: 2024.11.01 15:29:50 -07'00'

Peter Contreras	EPA Region 10	contreras.peter@epa.gov	(206) 553-6708

SECTION I – Opening Conference

I arrived at the Simplot Western Stockmen's Store and Mill (the "Site" or "Facility"), located at 223 Rodeo Avenue, Caldwell, Idaho, at 09:30 AM (PT) on 09/16/2024 for an unannounced inspection. I presented credentials to David Modde, Environmental Manager, and informed him I was there to conduct an inspection to determine compliance with the Clean Water Act (CWA), and the facility's Multi-Sector General Permit (MSGP), permit number IDR053118. This report is based on information supplied by Mr. Modde, my direct observations, and records and reports maintained by the permittee. In addition, information gathered prior to, or after, the inspection from a review of EPA, State, and/or public records may be included in this report.

Attendees

Organization	Attendee Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA Region 10	Raymond Andrews	Lead Inspector	Yes	Yes
Simplot Land and Livestock	David Modde	Environmental Manager	Yes	Yes

Facility Information

Responsible Official	David Modde
Type of Operation	Feed Mill
Industrial Sector/Sub-sector	Sector U: Food and Kindred Products; U1 Grain Mill Products
Years in operation	The facility has operated at this location since the 1970s under various owners. The Simplot Company acquired the property in 1987.
Number of employees	The facility has approximately 60 year-round employees.
Shifts/Days of Operation	The facility runs three shifts Monday through Friday. The shifts are 7:00am until 4:00pm, 3:30pm until 11:00pm, and 10:30pm until 7:00am.
Personnel conducting inspections/sampling	The Environmental Manager, David Modde, performs the inspections and conducts sampling. Mr. Modde is also a member of the SWPPP Team.
Number of Stormwater Inlets and Outfalls	The facility has two outfalls labeled Outfall A and Outfall B. Outfall A is sampled. Outfall B no longer discharges. Stormwater that would have discharged from Outfall B is collected and pumped to the retention pond.
Sampling location	Stormwater is sampled on the east side of the facility as stormwater overflows the retention pond. As the water overflows the pond, it travels down a concrete path that uses a series of three filter socks as check dams and further filtration. The stormwater sample is collected prior to filtering through the sock filters.
Additional BMPs	At the time of the inspection, the facility was installing sand/oil separators. Once complete, the facility would have two 1,500-gallon sand/oil separators. The sand/oil separators remove sand and oil from the stormwater. The water then flows to a lift station which sends the stormwater to the retention pond.
Receiving Water	Lower Boise River
Industrial activities exposed to stormwater	The rail car offloading area is not covered so it is exposed to stormwater. The railcar releases its contents into an underground storage chamber. Once the offloading operation is complete, any residual material is immediately cleaned up.

Type of materials and/or vehicles stored outdoors	Heavy equipment and operational vehicles are stored outside and is exposed to stormwater. Wrapped packaged products are occasionally stored outside while awaiting ship out.

SECTION II – Observations

I did not make any observations on-site that would be an area of concern.

SECTION III – Records Review

Records may not be in sequential order.

Record: Other - Quarterly Visual Assessment **AOC:** Yes

Ref #: RA1-RR-005 **Reviewed By:** Raymond Andrews **Reviewed Date:** 10/28/2024

Post inspection, on October 23, 2024, I sent an email request to the facility asking for copies of its Quarterly Visual Inspections from 1Q 2023 through 2Q 2024. I sent a second email on October 28th. As of October 31, 2024, the facility had not provided me with the requested documents.

Record: Other - Routine Facility Inspections **AOC:** Yes

Ref #: RA1-RR-004 **Reviewed By:** Raymond Andrews **Reviewed Date:** 09/16/2024

At the time of the inspection, I reviewed the last six quarters of Routine Facility Inspections. The permit requires routine inspections to be conducted quarterly using calendar quarters. I reviewed the Routine Facility Inspection reports for 1Q 2023 through 2Q 2024. I noted one area of concern while reviewing the inspection reports. The inspection report did not contain the required signed statement certifying the report as being true and accurate as required by Appendix B, Subsection 11 of the permit.

Record: Other - SWPPP Maps **AOC:** Yes

Ref #: RA1-RR-003 **Reviewed By:** Raymond Andrews **Reviewed Date:** 09/16/2024

At the time of the inspection, I reviewed the Facility's General Location Map and Site Map. I did not note any areas of concern in the General Location Map. I noted the Site map was missing, the size of the property in acres; the location of receiving waters; the locations of stormwater monitoring points, the discharge point into the City's MS4 system; the location of the rail line; and the locations and sources of stormwater run-on to the site.

Record: Annual Reports **AOC:** Yes

Ref #: RA1-RR-002 **Reviewed By:** Raymond Andrews **Reviewed Date:** 10/23/2024

Post inspection, I requested the facility send to me by email the facility's Annual Reports for the reporting years 2020 through 2023. I received Annual Reports for 2021, 2022 and 2023. The 2020 Annual Report was not provided for review. I did not note any areas of concern in the three Annual Reports I received. The 2020 Annual Report was not provided for review. Further, a review of EPA's Integrated Compliance Information System (ICIS) database showed EPA never received the 2022 and 2023 Annual Reports.

Record: SWPPP **AOC:** Yes

Ref #: RA1-RR-001 **Reviewed By:** Raymond Andrews **Reviewed Date:** 09/16/2024

At the time of the inspection, I reviewed the facility's Stormwater Pollution Prevention Plan (SWPPP), dated May 11, 2021. The Stormwater Pollution Prevention Plan (SWPPP) Team included members that were no longer employed by the facility. The SWPPP was not signed and certified as required by Appendix B, Subsection 11.

SECTION IV – Sampling Activities

No sampling was conducted.

SECTION V – Areas of Concern

Areas of concern may not be in sequential order.

The presentation of areas of concern does not constitute a formal compliance determination or violation.

AOC Reference #: RA1-RR-002	**Records Review: Annual Reports**
Permit Requirement Part 7.4 of the Permit states, in part, "You must submit an Annual Report to EPA...by January 30th for each year of permit coverage containing information generated from the past calendar year."	
AOC: The facility did not provide the 2020 Annual Report for review.	
AOC Reference #: RA1-RR-002	**Records Review: Annual Reports**
Permit Requirement Part 7.4 of the Permit states, in part, "You must submit an Annual Report to EPA via NeT-MSGP, per Part 7.2, by January 30th for each year of permit coverage containing information generated from the past calendar year."	
AOC: The facility did not submit the 2022 and 2023 Annual Reports to EPA.	
AOC Reference #: RA1-RR-003	**Records Review: Other - SWPPP Maps**
Permit Requirement Part 6.2.2.3 of the Permit states, in part, "Site map. Provide a map showing: a. Boundaries of the property and the size of the property in acres... e. Locations of all receiving waters, including wetlands, in the immediate vicinity of your facility... i. Locations of all stormwater monitoring points... k. ...municipal separate storm sewer systems (MS4s) and where your stormwater discharges to them... m. Locations of the following activities where such activities are exposed to precipitation... vii. 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... x. locations and sources of run-on to your site from adjacent property that contains significant quantities of pollutants.	
AOC: The Site map was missing, the size of the property in acres; the location of receiving waters; the locations of stormwater monitoring points, the discharge point into the City's MS4 system; the location of the rail line; and the locations and sources of stormwater run-on to the site.	
AOC Reference #: RA1-RR-004	**Records Review: Other - Routine Facility Inspections**
Permit Requirement Part 3.1.6.7 of the permit states the SWPPP must include "A statement, signed and certified in accordance with Appendix B, Subsection 11." Appendix B, Part 11.E of the permit states, in part, "Any person signing documents in accordance with Appendix B, Subsections 11.A or 11.B above must include the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision…the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."	

AOC:
The inspection report did not contain the required signed statement certifying the report as being true and accurate as required by Appendix B, Subsection 11 of the permit.

AOC Reference #: RA1-RR-001	**Records Review: SWPPP**

Permit Requirement
Part 6.2.1 of the permit states, "You must identify the staff members (by name or title) that comprise the facility's stormwater pollution prevention team as well as their individual responsibilities. Your stormwater pollution prevention team is responsible for overseeing development of the SWPPP, any modifications to it, and for implementing and maintaining control measures and taking corrective actions and/or AIM responses, when required. Each member of the stormwater pollution prevention team must have ready access to either an electronic or paper copy of applicable portions of this permit, the most updated copy of your SWPPP, and other relevant documents or information that must be kept with the SWPPP."

AOC:
The Stormwater Pollution Prevention Plan (SWPPP) Team included member that were no longer employed by the facility.

AOC Reference #: RA1-RR-001	**Records Review: SWPPP**

Permit Requirement
Part 6.2.7 of the permit states, in part, "You must sign and date your SWPPP in accordance with Appendix B, Subsection 11."

Appendix B, Part 11.E of the permit states, in part, "Any person signing documents in accordance with Appendix B, Subsections 11.A or 11.B above must include the following certification: "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision…the information contained is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

AOC:
The inspection report did not contain the required signed statement certifying the report as being true and accurate as required by Appendix B, Subsection 11 of the permit.

AOC Reference #: RA1-RR-005	**Records Review: Other - Quarterly Visual Assessment**

Permit Requirement
Part 3.2.3 of the permit states, in part, "You must document the results of your visual assessments and maintain this documentation onsite with your SWPPP as required in Part 6.5…You are not required to submit your visual assessment findings to EPA, unless specifically requested to do so."

AOC:
The facility did not provide copies of the Quarterly Visual Assessments upon request.

SECTION VI – Closing Conference
I held a closing conference with Mr. Modde at 02:25 PM (PT) on 09/16/2024 for the inspection. During the closing conference, I discussed my observations and the areas of concern I identified during the inspection. Observations and areas of concern have not yet been evaluated for a formal compliance determination.

SECTION VII – List of Appendices

1. Photo Log

APPENDIX 1: Photo Log
All photos listed below were taken by Lead EPA Inspector, Ray Andrews, at the time of the inspection.

Photos were not manipulated beyond minor cropping for sizing and labels or callouts to draw attention to the subject of the photo.

All photos taken during the inspection are included in the Photo Log; however, only photos that support an Area of Concern are included in the inspection report.

- P1020040 – Retention Pond
- P1020041 – Outflow from Retention Pond, photo 1
- P1020042 – Outflow from Retention Pond, photo 2
- P1020043 – Truck Parking Area, photo 1
- P1020044 – Truck Parking Area, photo 2
- P1020045 – Stormwater Collection Point, photo 1
- P1020046 – Stormwater Collection Point, photo 2
- P1020047 – Sampling Point
- P1020048 – Sand/Oil Separator
- P1020049 – Lift Station
- P1020050 – Packaged Products Awaiting Transport, photo 1
- P1020051 – Packaged Products Awaiting Transport, photo 2
- P1020052 – Input Materials being Offloaded from Rail Car, photo 1
- P1020053 – Input Materials being Offloaded from Rail Car, photo 2
- P1020054 – Outfall B