

Notice of Preliminary Findings

Media: Water

Facility Name: Allmetal Recycling

Facility Address: 800 E 21ST ST N, WICHITA, KS 67214

EPA ID#: 110070099136

Date: 12/12/2024

This notice is provided to call your attention to the following preliminary findings regarding state and federal regulations. This notice does not constitute a compliance order and may not be a complete listing of all findings resulting from the inspection.

Citation

Description of Finding

Permit sections 2.2, 2.4, 3.3, 4.8

Pooling stormwater in Outfall 1 and the drainage swale upstream of the discharge point is milky. This shows stormwater contamination and that additional controls are needed. Nonstormwater discharge not authorized.

Permit sections 2.4.3.

Lack of adequate controls around the canal embankment allows contaminated stormwater to drain into the canal.

As a continuation of the inspection performed at your facility, you are asked to submit a written response within 14 calendar days of receipt of this notice. Your response should include a description of all corrective actions taken and/or a schedule for completing the necessary corrective actions. The response should be submitted to: dix.caitlin@epa.gov

U.S. Environmental Protection Agency
Region 7, Enforcement & Compliance Assurance Division (ECAD)
~~11201 Renner Boulevard, Lenexa, KS 66219~~
ATTN: _____

If you have any questions about this Notice or wish to discuss your response, you may call me at (913) 551-7109, or email me at dix.caitlin@epa.gov ~~(Compliance Officer)~~ at _____.

This Notice prepared by Caitlin Dix Date: 12/12/2024

The undersigned person hereby acknowledges that he/she has received a copy of this Notice and has read same.

Printed Name: _____

Signature: _____

Title: _____

Date: _____

Instructions for Responding to a Notice of Preliminary Findings (NOPF)

Note: The instructions below are being provided to assist you if you choose to submit a written response to the preliminary findings identified in the EPA's NOPF. This is an opportunity for you to provide to the EPA any and all information that you believe is relevant to these preliminary findings and your efforts to return to compliance with the regulatory requirements. The EPA will consider information submitted by you in determining our enforcement response to the preliminary findings identified at your facility, but please be advised that any information you submit may be used in a subsequent enforcement action.

1. Identify the person(s) responding to the NOPF authorized to make statements for the facility, including the person's name, title, and telephone numbers, if different from the facility's telephone number. For each numbered preliminary finding, identify all persons consulted in the preparation of the answer.
2. Your answers should address and reference each numbered preliminary finding separately.
3. Each of your answers should identify all documents consulted, examined, or referred to in the preparation of the response, or that contain information responsive to the preliminary finding. Please provide legible copies of all such documents. For each document provided, indicate on the document (or in some similar manner) the number of the preliminary finding to which it responds.
4. Describe all actions taken by you to correct the preliminary findings identified in the NOPF and/or a schedule for completing the necessary corrective actions for each numbered preliminary finding. If the preliminary finding has been corrected, please provide the date the preliminary finding was corrected.
5. Your responses should include documentation, photographs, drawings, etc. of corrected preliminary findings where applicable (for example, photographs of properly labeled containers). The information submitted should indicate the number of the preliminary finding to which it corresponds.
6. If information responsive to a preliminary finding is not in your possession, identify the person(s) from whom the information may be obtained.
7. If different or new procedures are put in place to prevent the same or similar preliminary findings, provide a description of those procedures.
8. If you want to make a confidentiality claim pursuant to 40 C.F.R. Part 2, Subpart B covering part or all of the information submitted, identify the material with words such as "trade secret," "proprietary," or "company confidential." Refer to the Confidentiality Notice provided to you at the time of the inspection.
9. If you choose to respond, and plan to submit your response after 14 calendar days, please discuss your plans with the compliance officer noted on the NOPF.

RCRA Inspected Facilities:

If your facility was cited for hazardous waste determination preliminary findings, provide the following information for each waste stream and/or each waste unit listed:

- a. specify the waste name;
- b. indicate whether the waste is hazardous, non-hazardous, used oil, universal waste, or exempt from regulation (if you claim the waste is exempt from regulation, include the regulatory reference that you believe is applicable to the exemption for the waste);
- c. state whether process knowledge or analytical testing was used to make the determination (attach all supporting documentation, i.e., the specific documents (e.g., Safety Data Sheets) used as process knowledge);
- d. if the waste is a hazardous waste, list all applicable RCRA waste code(s) and the hazardous properties (Ignitable, Reactive, Corrosive, Toxic);
- e. if the waste is a hazardous waste, used oil, or universal waste,
 - i. indicate the quantity or monthly generation rate of this waste at your facility;
 - ii. indicate the length of time the waste has been generated at your facility, and how long the waste has been stored at your facility;
 - iii. state how you plan to handle or manage the waste at your facility;
 - iv. if applicable, describe your facility's plans for disposing the waste (attach all supporting documentation, e.g., any shipping documents or arrangements made for shipping documents); and,
- f. if the waste is non-hazardous or if you believe it is exempt from regulation, provide information on how it will be disposed, recycled, or used, and where these activities will occur.