REPORT OF COMPLIANCE EVALUATION INSPECTION
(INDUSTRIAL STORMWATER)

AT
**Cedar Valley Recycling & Transfer**
1920 Water Street
Waterloo, Iowa 50703

**Not Permitted**

BY
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 7
ENFORCEMENT AND COMPLIANCE ASSURANCE DIVISION (ECAD)
WATER BRANCH/DRINKING WATER & INSPECTIONS SECTION (WB/DWIS)

ON
MAY 10 AND 12, 2022

## INTRODUCTION

At the request of the Water Branch (WB), Enforcement and Compliance Assurance Division (ECAD), a Compliance Evaluation Inspection (Industrial Stormwater) was conducted on May 10 and 12, 2022, at the Cedar Valley Recycling & Transfer facility located at 1920 Water Street in Waterloo, Iowa. The inspection was conducted under the authority of Section 308 of the Clean Water Act, as amended. It was conducted in accordance with the U.S. Environmental Protection Agency (EPA) Region 7 Standard Operating Procedures for Compliance Inspections (ENST SOP No. 2332). This narrative report presents the findings of the inspection.

## PARTICIPANTS

**Cedar Valley Recycling & Transfer**

- Dena Smith, Site Supervisor
- Blaine Benham, Regional Manager

**Iowa Department of Natural Resources, Field Office 1**

- Michele Smith, Environmental Specialist

**U.S. Environmental Protection Agency (EPA), Region 7**

- Naji J. Ahmad, Environmental Engineer, ECAD/WB/DWIS

## PROCEDURES

Ms. Michele Smith and I arrived at the Cedar Valley Recycling & Transfer facility at 9:15 A.M. on May 10, 2022. We met with Ms. Dena Smith. We introduced ourselves,

presented our credentials, and I explained the purpose and procedures of the industrial stormwater compliance evaluation inspection.

Ms. Dena Smith informed us that she is not familiar with the stormwater regulations. Ms. Dena Smith contacted Mr. Blaine Benham the Regional Manager of the facility who was off site at that time.

At approximately 9:45 AM, Mr. Benham arrived at the facility. We introduced ourselves to Mr. Benham and presented our credentials. I explained to Mr. Benham the purpose and procedures of the industrial stormwater compliance evaluation inspection. These included completing the Region 7 Industrial Stormwater Checklist, completing the Receipt for Documents and Samples Form and the US EPA Confidentiality Notice, evaluating self-monitoring and stormwater management practices, and conducting a facility walk-through with photographs.

I provided Mr. Benham with the U.S. EPA Small Business Resources Information Sheet, the U.S. EPA Confidentiality Notice, and copy of the Iowa NPDES General Permit No.1.

Soon after, Mr. Benham escorted Ms. Smith and I on a visual inspection of the facility. We started our visual inspection of the facility at the indoor process operation where we observed totes, drums, and aboveground storage tanks containing petroleum products. At the outdoor equipment maintenance area, located in the northwest section of the facility, we observed significant amount of ground discoloration caused by improper storage of containers and improper equipment maintenance. We also observed three stormwater inlets that discharge to the Waterloo storm sewer system (MS4) which discharges directly to the Cedar River. We also observed diesel fuel tank located near one of the inlets. To conclude, we walked the Cedar Valley Lakes Trail (levee) along the west perimeter of the facility and the Cedar River where we located two discharge points created by stormwater runoff beneath the west fence of the facility.

After the facility walkthrough, I explained to Mr. Benham that because the facility discharges stormwater that comes in contact with the process, they are required to obtain a permit. I also advised him to contact the Iowa Department of Natural Resources (IDNR) since they are the permitting authority. I informed Mr. Benham that I will return on May 12, 2022, to hold the formal exit meeting, complete the required inspection forms, and issue a notice of preliminary findings (NOPF).

On May 12, 2022, I returned to the facility. I held a formal exit meeting with Ms. Dena Smith and Mr. Benham. I discussed my preliminary observations of the facility. I completed the Receipt for Documents and Samples Form and the US EPA Confidentiality Notice (CBI). Although Cedar Valley Recycling & Transfer chose not to claim any confidential business information, they did not sign the Confidentiality Notice. Mr. Benham kept the CBI notice.

I issued a NOPF with three observations. I informed Mr. Benham that I would communicate to him deficiencies that I may find upon my return to the office.

**Facility Description**

Cedar Valley Recycling and Transfer is a recycling center (SIC 5093-12) that accepts material that includes, but is not limited to, white goods and bulky waste, cardboards, tires, municipal solid waste, cans, and plastics. Process of the transfer operation is in an enclosed metal building which has a wash water collection system that directs the wash water to a floor drain located in the packer bay area (lower level). The wash water is pumped into the Waterloo sanitary sewer.

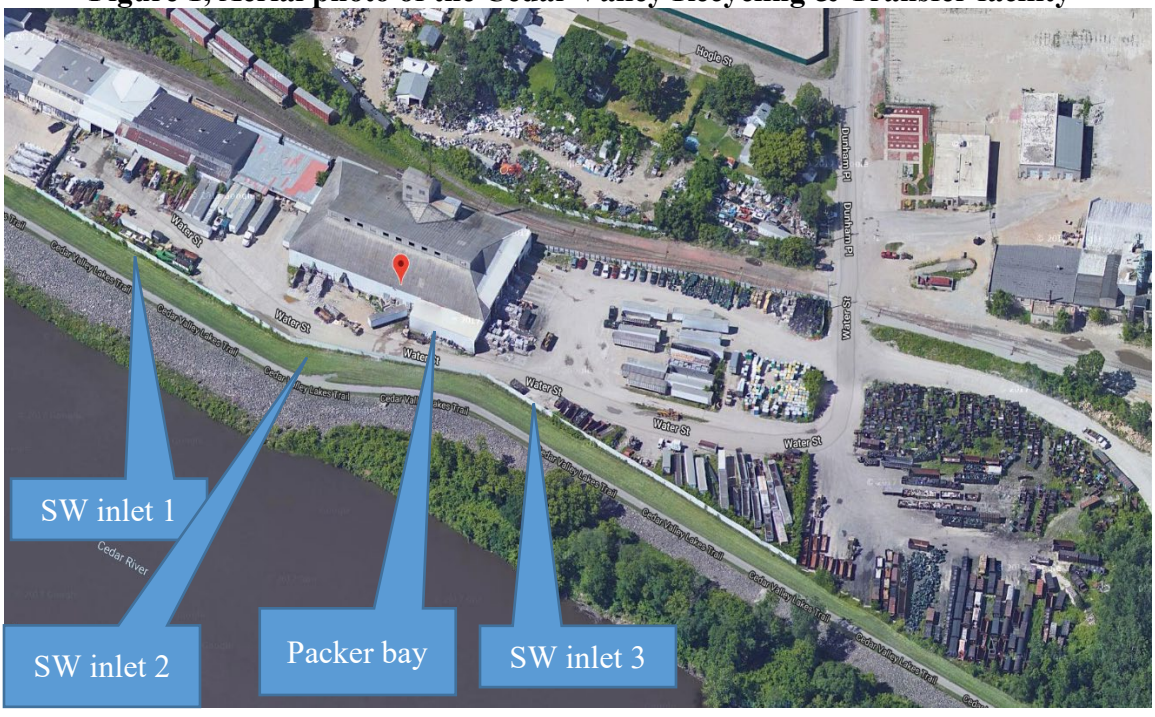
At the northwest section of the facility, there is an outdoor vehicle maintenance operation/shop that includes vehicle maintenance (including vehicle rehabilitation, mechanical repairs, fueling, and lubrication), and equipment cleaning operations that fall under SIC 4213.

The facility also stores empty and full open-top containers. Containers usually full of material received and/or material ready to be hauled doff. In addition, proceed material also stored outdoor exposed to stormwater (Figure 1).

**Site Drainage Patterns**

Generally, surface runoff would flow west and southwest towards the three stormwater inlets located along the west fence line. The three inlets discharge to the Waterloo Municipal Separate Stormwater Sewer System (MS4) which discharge directly to the Cedar River. Surface runoff would also leave the site from beneath the west fence line into the grassy area long the levee.

**Figure 1, Aerial photo of the Cedar Valley Recycling & Transfer facility**




**Findings and Observations**

1. As mentioned above, I observed three stormwater inlets along the west fence line of

the facility. Mr. Benham indicated that he is aware of the three inlets but was not aware of where about the three inlets discharge to. The three inlets had evidence of stormwater discharge (photos #: DSCN1216-1219 and 1220). One of which was completely covered with sediment as shown in photo #: DSCN1220.

**Photo #: DSCN1217, stormwater runoff entering one of the inlet to the MS4**



**Photo #: DSCN1220, one of the three inlets completely covered with sediment**



We walked along the grassy area between the facility's west fence line and the Cedar River levee. At the grassy area we observed two discharge points where stormwater surface runoff would leave the site from beneath the west fence and puddle on the grassy area and absorbed by the ground (photos #: DSCN1224 and 1225).

We also walked the bank of the Cedar River to locate outlets of the three stormwater inlets, but we were unsuccessful (photo #: DSCN1226).

After the site visit, I contacted Ms. Sarah Kempen with the City of Waterloo Engineering Department to investigate where the three stormwater inlets discharge to. On May 11, 2022, Ms. Kempen sent me an email indicating that based on City documentation, it appears there is a storm sewer line that follows the levee and discharges into the Cedar River just northwest of the facility. The email also included a construction plan of the stormwater sewers that shows the three stormwater inlets connected to the storm sewer line that discharges to the Cedar River (Attachment 2).

Therefore, I issued the first Notice of Preliminary Finding (NOPF #1), because Cedar Valley Recycling & Transfer facility failed to submit a notice of intent to obtain a stormwater discharge authorization to the IDNR.

2. I issued NOPF #2 because there was evidence of ground discoloration in the outdoor equipment maintenance area located in the northwest section of the facility (photos #: DSCN1210-1212, 1215, and 1219).

   I pointed out my observation of the ground discoloration to Mr. Benham. He indicated that he was not aware of the ground discoloration because he does not inspect this part of the facility. I also explained to Mr. Benham that surface runoff from this area where the equipment is being maintained would flow toward the three inlets and would also leave the site from beneath the fence into the grassy area on the other side of the fence.

3. Cedar Valley Recycling & Transfer facility has an aggregate aboveground storage capacity over 1,320 U.S. gallons of petroleum products (diesel fuel, gasoline, hydraulic fluid, oil, and used oil) stored onsite in various containers such as double-wall tanks, totes, and 30 to 50-gallon drums. According to 40 CFR Part 112, §112.3, the Cedar Valley Recycling & Transfer facility must prepare in writing and implement a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with §112.7 and any other applicable section of this Part. Therefore, I issued NOPF #3, because Cedar Valley Recycling & Transfer failed to develop and implement a SPCC plan as required by 40 CFR Part 112, §112.3.

**Conclusion**

Cedar Valley Recycling & Transfer has discharged contaminated stormwater to the City of Waterloo MS4 and the Cedar River. Therefore, Cedar Valley Recycling & Transfer should submit a notice of intent to obtain a stormwater discharge authorization to the Iowa Department of Natural Resources.

Based on the aggregate aboveground storage capacity of petroleum products stored on

site at the time of the inspection, Cedar Valley Recycling & Transfer must prepare in writing and implement a Spill Prevention Control and Countermeasure (SPCC) plan in accordance with §112.7 and any other applicable section of 40 CFR Part 112, §112.3.

NAJI AHMAD Digitally signed by NAJI AHMAD Date: 2022.07.19 16:05:06 -05'00'

Naji J. Ahmad
Environmental Engineer

NICOLE MORAN Digitally signed by NICOLE MORAN Date: 2022.07.20 08:32:45 -05'00'

Nicole Moran
Section Chief, DWIS

**ATTACHMENTS**

1. ISW Checklist
2. Waterloo Engineering Dept. email
3. Aerial photo
4. R7 Receipt for records
5. NOPF
6. Photo log
7. Photos
8. Received document from facility