

INSPECTION REPORT

Inspection Entry Date/Time	05/17/2023 10:07 AM (PT)	Announced: No	
Inspection Exit Date/Time	05/17/2023 02:25 PM (PT)	Access: Granted	
Weather	75°F, Clear		
Media	Water		
Statute(s)/Program(s)	Clean Water Act, NPDES, Stormwater – Industrial		
Type of Inspection	Compliance Evaluation Inspection		
Permittee Name	Peak Sand and Gravel, Inc.		
Site Name	Fighting Creek Quarry		
Site Physical Address	23100 S Highway 95		
City, State, Zip Code	Coeur D'Alene, Idaho 83814		
County	Kootenai		
Facility GPS Coordinates	47.52326, -116.93436		
Mailing Address	P.O. Box 405		
City, State, Zip Code	Sandpoint, Idaho 83864		
FRS ID	110070381900		
Permit Number	IDR05IA00		
SIC	1429 (Other crushed & broken stone mining & quarrying (pt))		
Lead Inspector:			
Raymond Andrews	EPA Region 10	andrews.raymond@epa.gov	(206) 553-4252
Supervisor Review:			
Peter Contreras	EPA Region 10	contreras.peter@epa.gov	(206) 553-6708

SECTION I – Opening Conference

I arrived at the Fighting Creek Quarry site (the “Site” or “Facility”), located at 23100 South Highway 95, Coeur D’Alene, Idaho, at 10:07 AM (PT) on 05/17/2023 for an unannounced inspection. I presented my credentials to Scott Rusho, Project Manager, and informed him I was there to conduct an inspection to determine compliance with the Clean Water Act (CWA) and the Idaho Multi-Sector General Permit (MSGP). This report is based on information supplied by Mr. Rusho, direct observations made by me, 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
Peak Sand & Gravel	Scott Rusho	Project Manager	Yes	Yes

Site Information

Responsible Official	Matt Peak
Site Representative	Scott Rusho
SWPPP Team	Mr. Rusho is half of the SWPPP team. Mr. Peak, one of the owners, is the other half of the SWPPP team but was not present during the inspection.
Size of Site	76 acres
Hours/Days of Operations	The site typically operates from 7:00am until 4:00pm, Monday through Friday. conditional use allows operations from 6a - 10p, Mon - Sat
Is property owned or leased?	The site is partially owned by Matt and Mike Peak. Part of the site is leased.
Type of Operation	Basalt Quarry
Industrial Sector Sub-sector	Sector J: Mineral Mining and Dressing Sub-sector J2: Dimension and Crushed Stone and Nonmetallic Minerals (except fuels)
Industrial activities exposed to stormwater	Rock quarrying and crushing
BMPs/Stormwater Treatment	The site has paved entrances and is sloped to its back wall to keep the stormwater on-site. An earthen berm separates the creek from the quarry and its activities. The site has two retention ponds.
Number of Outfalls	The site has three outfalls and samples both above and below the quarry. The site does not discharge. Stormwater is impounded on site and infiltrates
Receiving Water	Fighting Creek → Coeur d'Alene Lake
What pollutants are monitored?	The site is required to monitor pH, Nitrate & Nitrite Nitrogen, and total suspended solids (TSS). Mr. Rusho said the pH is analyzed by a laboratory.

SECTION II – Observations

I did not observe any areas of concern during the site tour.

SECTION III – Records Review

Records may not be in sequential order.

Record: Other - EPA's Integrated Compliance Information System (ICIS) Database		AOC: Yes
Ref #: RA1-RR-007	Reviewed By: Raymond Andrews	Reviewed Date: 06/20/2023
Post inspection, I reviewed EPA ICIS data from June 1, 2018, through May 31, 2023. The permit requires the site to submit quarterly Discharge Monitoring Reports (DMRs) every calendar quarter. The site did not submit DMR's, or complete DMRs, for 15 quarters during the period for which data was reviewed. The facility has not submitted DMR data for: • Q1 – Q4 2019 • Q1 – Q4 2020 • Q1, Q3, and Q4 2021 • Q1 – Q4 2022 The site is required to submit DMRs quarterly even when there is no discharge or rain event if it has permit coverage.		
Record: Personnel Training		AOC: Yes
Ref #: RA1-RR-006	Reviewed By: Raymond Andrews	Reviewed Date: 05/17/2023
At the time of the inspection, I reviewed the Stormwater Pollution Prevention Plan (SWPPP) and found it did not contain documentation of personnel receiving required SWPPP training.		
Record: Other - Laboratory Analytical Reports		AOC: Yes
Ref #: RA1-RR-005	Reviewed By: Raymond Andrews	Reviewed Date: 05/17/2023
At the time of the inspection, I reviewed laboratory analytical reports from 4Q 2018 through 1Q 2023. I found the contract lab was conducting pH analysis. I told Mr. Rusho the site should be analyzing pH in-house because pH has a 15-minute hold time.		
Record: Other - Quarterly Visual Inspection Reports		AOC: No
Ref #: RA1-RR-004	Reviewed By: Raymond Andrews	Reviewed Date: 05/17/2023
At the time of the inspection, I reviewed quarterly visual inspection reports from 4Q 2018 through 1Q 2023. I did not find any issues.		
Record: Other - Routine Quarterly Site Inspection Reports		AOC: No
Ref #: RA1-RR-003	Reviewed By: Raymond Andrews	Reviewed Date: 05/17/2023
At the time of the inspection, I reviewed routine quarterly site inspection reports from 4Q 2018 through 1Q 2023. I did not find any issues.		
Record: Other - SWPPP Map		AOC: No
Ref #: RA1-RR-002	Reviewed By: Raymond Andrews	Reviewed Date: 05/17/2023
At the time of the inspection, I reviewed the SWPPP map. It appeared to contain all required components.		
Record: Stormwater Pollution Prevention Plan (SWPPP)		AOC: No
Ref #: RA1-RR-001	Reviewed By: Raymond Andrews	Reviewed Date: 05/17/2023
At the time of the inspection, I reviewed the Stormwater Pollution Prevention Plan (SWPPP), dated March 3, 2021. The SWPPP contained an up-to-date Modification Log. I did not find any issues.		

SECTION IV – Sampling Activity

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-005	Records Review: Other - Laboratory Analytical Reports
Permit Requirement	
Permit Part 4.2 , "...Unless otherwise specified, samples must be analyzed consistent with 40 CFR Part 136 analytical methods that are sufficiently sensitive for the monitored parameter."	
40 CFR Part 136, Table II indicates pH must be analyzed "within 15 minutes."	
AOC:	
The pH parameter was sent to an off-site lab for analysis so it could not be analyzed within 15-minutes of collection.	

AOC Reference #: RA1-RR-006	Records Review: Personnel Training
Permit Requirement	
Permit Part 2.1.2.8.a , "You must train all employees who work in areas where industrial materials or activities are exposed to stormwater, or who are responsible for implementing activities necessary to comply with this permit (e.g., inspectors, maintenance personnel), including all members of your stormwater pollution prevention team."	
Permit Part 6.2.5.1.e.iv , "The elements of your employee training plan shall include all, but not necessarily limited to, the requirements set forth in Part 2.1.2.8, and also the following...a log of the dates on which specific employees received training."	
AOC:	
There was no evidence of personnel receiving SWPPP training in the SWPPP.	

AOC Reference #: RA1-RR-007	Records Review: Other - EPA's Integrated Compliance Information System (ICIS) Database
Permit Requirement	
Permit Part 7.3.1 , "You must submit all stormwater discharge monitoring data...no later than 30 days after you have received your complete laboratory results for all monitoring discharge points for the reporting period."	
AOC:	
The site did not submit Discharge Monitoring Reports (DMRs), or complete DMRs, for 15 quarters during the period for which data was reviewed. The facility has not submitted DMR data for:	
• 2019 - 1Q - 4Q • 2020- 1Q - 4Q • 2021 - 1Q, Q3 & Q4 • 2022 - 1Q - 4Q	

SECTION VI – Closing Conference

I held a closing conference with Mr. Rusho at 02:25 PM (PT) on 05/17/2023. During the closing conference, I discussed my observations and Areas of Concern 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.

P1010755 – Site Entrance Sign

P1010756 – Berm Separating Quarry from Creek, facing East, Berm Runs East → West, photo 1

P1010757 – Berm Separating Quarry from Creek, facing East, Berm Runs East → West, photo 2

P1010758 – Upper Site, Downgraded to North

P1010759 – Overgrown Creek Bank, facing South

P1010760 – Standing on Berm, facing North

P1010761 – Retention Pond from Top of Berm, facing Northeast