REGION 3

PHILADELPHIA, PA 19103

Report Title:	Clean Water Act Compliance Inspection Report
Inspection Date:	7/24/2024
Regulatory Program:	National Pollutant Discharge Elimination System (NPDES)
Type of Activity:	Industrial Stormwater
Facility Name:	Annapolis Ready Mix Concrete Facility (aka Bestgate Plant)
Permittee:	Chaney Enterprises
Facility Owner/Operator:	Chaney Enterprises
Facility Address:	2015 Industrial Dr, Annapolis, MD, 21041
Latitude and Longitude:	38.99523°N, 76.54579°W
Permit No.:	15MM (General Discharge Permit)
Site Specific Permit No.:	MDG499865
NPDES Permit Effective Date:	11/4/2017
NPDES Permit Expiration Date:	4/30/2022 (Administratively Extended)
SIC code:	3273
Unique Project #:	ECAD-5528

Facility Representative(s):		**Point of Contact**
Lamont Hopkins	Regional Concrete Operations Manager	☒
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Judy Musee	Operator	
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EPA Inspectors:		
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State/Local Inspectors:		
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Report Preparer Signature/Date	Digitally signed by SAMUEL MAGRO Date: 2024.09.09 11:26:02 '-04'00 Sam Magro, Enforcement Officer NPDES Enforcement Section 2 (3ED33)	Date
Supervisor Signature/Date	JESSICA DUFFY Digitally signed by JESSICA DUFFY Date: 2024.09.09 11:21:31 -04'00' Jessica Duffy, Section Chief NPDES Enforcement Section 2 (3ED33)	Date

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I. INTRODUCTION

On July 24, 2024, representatives from EPA Region 3 (hereinafter, the "the EPA Inspection Team") and representatives of the Maryland Department of Environment ("MDE") arrived at the Chaney Enterprises Annapolis Ready Mix Concrete Facility, also referred to as the Bestgate Plant (hereinafter, "the Facility" or "Bestgate Plant") in Annapolis, Maryland. The purpose of the inspection was to assess the Facility's compliance with MDE's 15MM general discharge permit for Stormwater Discharges Associated with Industrial Activity, specifically Discharges from Mineral Mines, Quarries, Borrow Pits, and Concrete and Asphalt Plants under NPDES Permit No. MDG499865 (hereinafter, the "Permit" provided in "Attachment A") and other applicable regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the Facility at approximately 9:10AM for the inspection. The EPA Inspection Team met with the following Facility representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3 Inspectors			
Sam Magro	USEPA Region 3	215-814-3158	Magro.samuel@epa.gov
Shane McAleer	USEPA Region 3	215-814-5616	Mcaleer.shane@epa.gov
Brian Tolton	USEPA Region 3	215-814-3291	Tolton.brian@epa.gov
State/Local Inspectors			
Marla Nasantogtokh	MDE	443-934-0029	Marla.nasantogtokh@maryland.gov
Johanna Mazer	MDE	443-934-0026	Johanna.mazer@maryland.gov
Site/Facility Representatives			
Lamont Hopkins	Chaney	410-279-9282	lahopkins@chaneyenterprises.com
Victor Vilece (via phone)	Chaney	301-861-6094	VVilece@chaneyenterprises.com
Judy Musee	Chaney	301-932-5000	Jmusee@chaneyenterprises.com

Mr. Sam Magro, Mr. Shane McAleer, and Mr. Brian Tolton displayed their credentials to the Facility Representatives at the outset of the inspection, and explained the purpose of the inspection was to evaluate the Facility's compliance with the Permit. A copy of the Permit, which was administratively extended, is provided in "Attachment A". The EPA Inspection Team informed the Facility Representatives that any information that the Facility deemed to be confidential business information ("CBI") should be identified to EPA representatives during the inspection and it would be handled as CBI according to EPA's CBI procedures. Photos were taken during the inspection and are provided in "Attachment H".

B. Weather and Precipitation

At the time of the inspection, the weather was partly cloudy skies. There was occasional precipitation experienced during the inspection. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in Table 2 below.

Table. 2 Precipitation Preceding Inspection[1]

Station Name	Date	Precipitation Amount (inches)
Arnold 1.6 N, MD US US1MDAA0091	7/19/2024	0
Arnold 1.6 N, MD US US1MDAA0091	7/20/2024	0
Arnold 1.6 N, MD US US1MDAA0091	7/21/2024	0
Arnold 1.6 N, MD US US1MDAA0091	7/22/2024	0
Arnold 1.6 N, MD US US1MDAA0091	7/23/2024	0
Arnold 1.6 N, MD US US1MDAA0091	7/24/2024	2.46

C. Summary of the Facility

The Bestgate Plant is in Annapolis, Maryland and manufactures ready-mix concrete from various raw material components located on the site. Raw materials used at the facility include sand, stone, cement, water, and chemical additives. The aggregate stockpiles of sand and stone are stored outside and exposed to stormwater. Stone or sand aggregates are loaded into three (3) separate hoppers where they are conveyed by belt for mixing with water, cement mix, and concrete admixtures. Cement mix is stored in silos and delivered to mixing trucks through a pneumatic tube. Chemical additives and concrete admixtures are stored in drums inside a shipping container or outdoor tanks and transferred to the mixer via pumps. Process waters and stormwater are managed onsite by a system of tiered sediment basins. Process waters and stormwater from the site drain directly into the system or are conveyed by strip drain to the system, depending on which part of the facility the water came from. Per the facility Stormwater Pollution Prevention Plan ("SWPPP" is provided in "Attachment B"), the site is divided into two drainage zones.

- DZ-1: the northern section of the site, which includes the batch plant, truck loading, fueling area, washout basin, and the tiered sediment basins. Flow is directed directly into the tiered sediment basins.
- DZ-2: the southern end of the property which includes the raw material bins, hopper access ramp, and the main entrance. Flow is directed into the strip drain which feeds the tiered sediment basins.

Water treatment on site is conducted by a five (5) tier sediment basin system. Settling occurs as the water passes through each tier. In the final southernmost tier, stormwater is treated for pH control by the addition of Carbon Dioxide and the effluent is discharged through the Outfall 001.

II. Site Activity

During the inspection, the EPA Inspection Team was escorted throughout the facility by Mr. Lamont Hopkins and observed:

- the raw material storage bins
- the hopper access ramp for unloading raw materials into the process
- the conveyance of the materials for cement chemical, and raw material mixing
- the loading into mixing trucks
- the vehicle washing, fueling, and concrete washout areas
- the five (5) tier sedimentation system to discharge at Outfall 001
- the chemical storage trailer
- the property boundaries and entry/exit ways

The inspection team was given information of each part of the industrial process of the facility. The inspection observations were made pursuant to the requirements of the Permit. The observations from the inspection are described in detail below in the Observations section. Observations of the documents received from the facility are described in detail in the Records Review section. Photographs were taken during the inspection by Brian Tolton and are provided in "Attachment H."

III. Observations

As part of the inspection, the Inspection Team visually observed Facility conditions. Visual observations and site conditions were documented through photographs.

The photographs ("Attachment H") for this report have been processed using EPA Region 3's Photo Management Process. A camera generated file name (e.g., P1010001) is assigned to each photograph as part of the process. The file names generated by the camera are used to identify each photograph in the Main Narrative and Photographs Log of this inspection report. Unused photographs are digitally stored and maintained in the inspection file. Unused photographs are available upon request. Photos in this report will be referred to by the last three (3) digits of the full name (e.g., P1010023 will be referred to as 023 in this report).

The following section presents the Inspection Team's observations relative to the Facility's Permit requirements.

<u>Permit Requirement – Stormwater Management</u>

Appendix D, Sector E.6.2.1 of the permit states "Your concrete washout and/or vehicle washing must be performed in an area dedicated to the washing activity and must be separate from any area where vehicle maintenance work is performed. This dedicated area must be identified as a dedicated washing area with signage. If this area may be used by anyone not trained on your practices, include any prohibitions on the signage to aid in compliance with this permit."

Observation 01:
The Inspection Team observed the concrete washout and vehicle washing areas. The vehicle washing area is outside of the old maintenance shop and adjacent to the fueling area (Photo 052). No signage denoting the vehicle washing area was observed. The concrete washout basins area (Photos 059 through 062 and photo 067) is located at the north end of the property. No signage denoting the concrete washout area was observed.

Appendix D, Sector E.6.4.1, table E-4 states "No visible sheen is permissible on any water discharging from the facility."

Observation 02:
Runoff with an oily sheen was observed in the area of the washout pits and material recycling area. The runoff from this area was flowing towards the sediment basins (Photo 068 and 069).

Part III.B.1.b.i of the permit states: "The discharge of wastewater from steam cleaning or cleaning with detergents of vehicle and equipment, including tank cleaning operations, is not authorized by this permit. These wastewaters must be covered under a separate NPDES permit, discharged to a sanitary sewer in accordance with applicable industrial pretreatment requirements, or disposed of otherwise in accordance with applicable law."

Observation 03:
Washing agent totes, hoses, and moist ground from washing were observed (Photo 051 through 053).

Permit Requirement – Stormwater Management

Part III.B.1.b.i of the permit states: "Minimize Exposure. You must minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings (although significant enlargement of impervious surface area is not recommended). In minimizing exposure, you should pay particular attention to the following:

- *use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away from these areas;*
- *clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants;"*

Observation 04:
During the inspection, a concrete truck was observed being sprayed with water via a hose at the vehicle washdown station. The water from this station flows across the facility driveway / parking lot. There is a concrete berm which appears to be designed to trap and direct water towards the sediment basin system. The Facility map contained in the facility Stormwater Pollution Prevention Plan (SWPPP, see Attachment B) indicates a strip drain

at the location of this concrete berm. During the inspection, some runoff appeared to be bypassing the berm and running offsite at the facility entrance / exit. The water was observed pooling in the entrance driveway apron and flowing offsite along the Industrial Drive curbline, into a stormwater catch basin in Industrial Drive. The catch basin did not contain inlet protection (Photos 111, 117, 119, and 120 through 125).

Observation 05:
The Inspection Team observed washing agent totes that appeared to be leaking or spilled recently and the lids were not completely fastened shut (Photo 053).

Part III.B.1.b.xi of the permit states: "Waste, Garbage, and Floatable Debris. You must ensure that waste, garbage, and floatable debris are not discharged to receiving waters…"

Observation 06:
Multiple dumpsters onsite were observed to be uncovered (Photos 054 through 058).

Part III.B.1.b.vi of the permit states: "Management of Runoff. You must divert, infiltrate, reuse, contain, or otherwise reduce stormwater runoff, to minimize pollutants in your discharge."

Observation 07:
Site runoff and raw materials were observed at or beyond site curbing along the west edge of the property (Photo 075 and 091).

Observation 08:
Partial areas of silt fencing were observed as well as partial area without silt fencing (Photos 064, 065, 071, 072, and 075).

Observation 09:
An area of eroded curbline was observed with little freeboard to prevent runoff from going over the curb and off the west side of the property (Photos 074 through 079).

Observation 10:
An area of apparent overflow was observed over the first tier of the sediment basin system (Photos 083 through 089).

Part III.B.1.b.xii of the permit states: "Dust Generation and Vehicle Tracking of Industrial Materials. You must minimize generation of dust and offsite tracking of raw, final, or waste materials."

Observation 11:
Raw materials migration and vehicle tracking was observed near the facility entrance / exit and into Industrial Drive, in the vicinity of the previously mentioned stormwater catch basin in Industrial Drive. The catch basin did not contain inlet protection (Photos 111 and 121 through 125).

Permit Requirement – Stormwater Pollution Prevention Plan

Part III.C.2.c. of the permit states: "Site map(s). Provide a map (or alternatively several overlay maps) showing…"

Part III.C.3.b of the permit states: "Pollutants. A list of pollutant(s) or pollutant constituents… associated with each identified activity. The pollutant list must include all significant materials that have been handled, treated, stored, or disposed, and that have been exposed to stormwater in the 3 years prior to the date you prepare or amend your SWPPP."

Part III.C.5.b.i of the permit states: "You must document in your SWPPP your procedures for performing, as appropriate, the three types of inspections specified by this permit, including:

- *Routine facility inspections (See Part V.A.1);*
- *Quarterly visual assessment of stormwater discharges (see Part V.A.3); and*
- *Comprehensive site inspections*

Part III.C.5.b.iii of the permit states: "If numeric or benchmark monitoring is required for your industry or industries per Appendix D your SWPPP must document:

- *Locations where samples are collected…*
- *Parameters for sampling and the frequency of sampling for each parameter;*
- *Any numeric control values (benchmarks…) for each outfall; and*
- *Procedures for gathering storm event data, as specified in Part V.C."*
    - Appendix B of the permit provides a Quarterly Visual Monitoring Form.

Observation 12:

The following items in the current SWPPP (provided in Attachment B) provided by the facility were observed to be insufficient or missing:

- The Facility map did not include all items as required by the permit.
- The list of pollutants did not include all significant materials observed onsite, specifically; Daraset 400 (Photo 035 and 036), Zyla 640 (Photo 043), Daravair AT 30 (Photo 042).
- Procedures for quarterly visual assessments of stormwater discharges were not observed.
- Sample locations, parameters and frequencies for sampling, numeric control values, and procedures for gathering storm event data were not observed.

Permit Requirement – Stormwater Pollution Prevention Plan

*Part III.C.8 of the permit states: "You must retain a copy of the current SWPPP required by this permit at your facility and it must be **immediately** available…"*

Observation 13:
The inspection team was not able to be immediately provided with a current copy of the SWPPP. Chaney Enterprises had a Quick Response ("QR") code available on site which linked to a request for environmental documents, including the SWPPP. Once the request is submitted it must be approved by Mr. Vilece. There was no current physical copy or electronic copy of the SWPPP immediately available on site to the inspection team as required by the permit.

IV. Records Review

As part of the inspection, both during and after, the Inspection Team reviewed records submitted by the facility as required by the permit.

The records received and reviewed from the Bestgate Plant included but were not limited to:

- Stormwater Pollution Prevention Plan, January 2023 version
- Environmental Training Presentation and Attendance Sheet
- CEEIP Routine Inspection Forms for 2023 - present
- Homeland Labs Analysis Reports

The following section presents the Inspection Team's observations relative to the Facility's records and Permit requirements.

Appendix D, Sector E, subsections 4 through 6, identify benchmarks and effluent limits which apply to discharges associated with industrial activities.

Observation 14:
Upon review of sample results (provided in Attachment F) submitted by Chaney in the EPA's Integrated Compliance Information System ("ICIS"), multiple exceedances of the benchmarks and effluent limits for Outfall 001, identified in Appendix D, were observed. The exceedances are summarized in "Table-1" below.

Table -1

Monitoring Period	Parameter	Type/Base	Reported Value/Units	% Exceed	Limit/Units
05/31/2024	00530 - Solids, total suspended	MX MO AV	49.5 mg/L	65%	<=30 mg/L
01/31/2023	03582 - Oil and grease	DAILY MX	23 mg/L	53%	<=15 mg/L
05/31/2022	00400 - pH	MO AVG	8.6 su		<=8.5 su
05/31/2022	03582 - Oil and grease	DAILY MX	31 mg/L	107%	<=15 mg/L
04/30/2022	03582 - Oil and grease	DAILY MX	26 mg/L	73%	<=15 mg/L
02/28/2022	00530 - Solids, total suspended	MX MO AV	47 mg/L	57%	<=30 mg/L
01/31/2022	03582 - Oil and grease	DAILY MX	29 mg/L	93%	<=15 mg/L
03/31/2021	03582 - Oil and grease	DAILY MX	26 mg/L	73%	<=15 mg/L
07/31/2020	00400 - pH	MO AVG	8.6 su		<=8.5 su
01/31/2020	00400 - pH	MO AVG	8.9 su		<=8.5 su

V. CLOSING CONFERENCE

At the conclusion of the onsite inspection, the Inspection Team met with the Facility Representatives for a closing conference. The Inspection Team shared preliminary observations with the Facility Representatives and requested additional documentation from the Facility. The Inspection Team reiterated that all preliminary observations discussed were not compliance determinations. All preliminary observations shared were subject to further review by EPA upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after EPA reviewed additional materials following the inspection.

The inspection concluded at approximately 11:40 AM (EST).

VI. List of Attachments:

Attachment A: NPDES Final Permit (MDG499865)
Attachment B: Stormwater Pollution Prevention Plan (Jan 2023 SWPPP)
Attachment C: Environmental Training Presentation and Attendance Sheet
Attachment D: CEEIP Inspection Forms
Attachment E: Homeland Labs Analysis Reports
Attachment F: ICIS Violations Report
Attachment G: ECHO Detailed Facility Report
Attachment H: Photo Log
Attachment I: 2023 Annual Assessment