

**REPORT OF INDUSTRIAL STORMWATER
COMPLIANCE EVALUATION INSPECTION**

**AT
Metal Finishing Co.
1423 S McLean Blvd,
Wichita, Kansas 67213
Facility Registry Service ID: 110000446438
National Pollutant Discharge Elimination System Permit: Not Permitted**

December 11, 2024

**by U.S. ENVIRONMENTAL PROTECTION AGENCY
Region 7: Enforcement and Compliance Assurance Division**

INTRODUCTION

At the request of the Water Branch of the Enforcement and Compliance Assurance Division in Region 7 I inspected Metal Finishing Co. in Wichita, Kansas, for a compliance evaluation of applicable industrial stormwater regulations. Section 308(a) of the Federal Water Pollution Control Act authorizes the inspection. I conducted this inspection following the procedures described here and following applicable Environmental Protection Agency Region 7 standard operating procedures. This narrative report presents the findings of my inspection.

PARTICIPANTS

Metal Finishing Co.:

Shawn Lamb, Health and Safety Manager (316) 267-7289
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Richard Smith, Vice President Operations and Director of Lean Processing
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U.S. Environmental Protection Agency:

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INSPECTION PROCEDURES

I, Caitlin Dix, the EPA Region 7 lead inspector, arrived at Metal Finishing Co. at 1423 S McLean Blvd, in Wichita, Kansas about 9:45 a.m. on December 11, 2024, for an unannounced inspection. I presented my inspector credentials to Shawn Lamb, health and safety manager. I told Mr. Lamb that this was an inspection by the EPA Region 7 to determine compliance with the industrial stormwater requirements under Sections 301 and 402(p) of the Clean Water Act 33 U.S.C. Section 1251 (2018) and implementing regulations found at 40 C.F.R. Part 122.26. This

report is based on information collected by me, the EPA Region 7 inspector, including digital images, physical evidence, measurements, statements made by facility representatives, and documents shown or sent to the EPA Region 7 inspector by facility representatives during or after the on-site inspection. Information gathered before and after the inspection from a review of the EPA, state, and public records may be included in this report.

Before the inspection, I reviewed facility background information including the:

- EPA's Enforcement and Compliance History Online.
- Kansas Department of Health and Environment records.
- Relevant maps and aerial images like The National Map by the U.S. Geological Survey.
- Waterbody report using How's My Waterway by the U.S. Environmental Protection Agency.

During the opening conference I met with Mr. Lamb. I described the Confidential Business Information Notice for Information Collected During the Inspection and the Small Business Resource Information Sheet during the opening conference. Mr. Lamb sent a signed notice on December 20, 2024, and did not claim any confidential business information was collected during the inspection.

During the visual inspection I documented my findings and observations by taking pictures and taking notes using Smart Tools, a digital tool for field inspectors. I included digital images taken during the inspection in attachment 1.

I summarized my onsite observations with Mr. Lamb and Richard Smith, vice president of operations and director of lean processing, during the closing conference on December 11. I issued a Notice of Preliminary Findings to the facility during the closing conference of the onsite inspection. I included this notice in the inspection report as attachment 2. I asked Mr. Lamb to send any earlier correspondence about industrial stormwater permitting if available. The facility sent a response of the Notice of Preliminary Findings on December 20. The facility did not send any records of earlier correspondence about industrial stormwater permitting.

FACILITY DESCRIPTION

Facility Location

The facility is about 7 acres in Wichita, Kansas. The facility is across the street from the Arkansas River. The land in this area drains to the Arkansas River. The U.S. Geological Survey shows this section of the Arkansas River as permanent artificial path. The National Wetland Inventory shows the riverine system is permanently flooded with water covering the substrate throughout the year in all years. The hydrologic unit code for Arkansas River watershed is 110300130106 and this section of the river is state waterbody identifier KS-110300139. The waterbody report shows water is used for drinking water, aquatic life, swimming and boating, and other. The water is listed as impaired for drinking water, aquatic life, and swimming and boating. Identified issues included bacteria and other microbes, degraded aquatic life, nutrients, and salts.

Facility Operations

Metal Finishing Co. plates and paints ferrous and nonferrous allows primarily for aerospace customers. This facility has operated since the 1940s. In Wichita, Metal Finishing Co. employs about 300 people; globally they employ about 500. The Occupational Safety and Health Administration's standard industrial classification manual shows plating and coating of metals in industry group 347: coating, engraving and allied services.

Regulatory History

Federal regulations at 40 C.F.R. Section 122.26(a)(1)(ii) require stormwater discharges associated with industrial activity to be covered under National Pollutant Discharge Elimination System permits unless otherwise excluded. Under 40 C.F.R. Section 122.26(b)(14)(i) facilities subject to toxic pollutant standards under 40 C.F.R. subchapter N are engaging in industrial activities applicable to National Pollutant Discharge Elimination System. Under 40 C.F.R. Section 122.26(b)(14)(xi) facilities with standard industrial classifications 34, except 3441, are engaging in industrial activity applicable to the National Pollutant Discharge Elimination System. The EPA authorized the State of Kansas to issue National Pollutant Discharge Elimination System permits for all facilities outside tribal lands in Kansas.

This facility does not have a current industrial stormwater permit with the Kansas Department of Health and Environment. The City of Wichita permits the facility to discharge industrial wastewater to the publicly owned treatment works. My inspection focused on compliance with the industrial stormwater regulations and I did not review the facility's compliance with pretreatment regulations.

Based on available information I reviewed, the Kansas Department Health and Environment and the Environmental Protection Agency have not inspected this facility in the last five years to evaluate compliance under the National Pollutant Discharge Elimination System.

FINDINGS AND OBSERVATIONS

I noted the following observations during the visual inspection and record review.

I accessed measurements recorded at nearby weather station Wichita Dwight D. Eisenhower National Airport with station identifier USW00003928. This weather station recorded 1.02 inches of rain on November 18 and 0.19 inches of rain on November 17.

Metal Finishing Co. plates and paints ferrous and nonferrous metals. This facility has industrial activities and materials outdoors not under storm resistant coverings.

Stormwater runoff from Metal Finishing Co. is stormwater directly related to manufacturing, processing and raw materials storage areas at an industrial plant as described in 40 C.F.R. 122.26(b)(14)(xi). I saw industrial activities at this site as described under 40 C.F.R. 122.26(b)(14) such as:

- Industrial yard.

- Immediate access roads used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility.
- Material handling sites, including storage, loading and unloading, transportation or conveyance of raw material, intermediate product, final product, byproduct or waste product.
- Refuse sites.
- Sites used for the storage and maintenance of material handling equipment.
- Sites used for residual treatment, storage, or disposal.
- Shipping and receiving areas.
- Manufacturing buildings.
- Storage areas for raw materials, and intermediate and finished products.
- Areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater.

I saw an industrial yard and access roads around manufacturing buildings. Images 3, 15 and 26 show some of manufacturing buildings, access roads, and industrial yard.

I saw a loading and unloading area shown in images 1 and 2. Mr. Lamb and Mr. Smith said that all shipping and receiving happens at this loading dock at the north side of the 1441 McClean Blvd building. An overhang covers the building doors but the overhang does not cover the loading area as shown in Image 2.

I saw material handling and storage sites throughout the industrial yard. I saw dust collection equipment like in images 4 and 28 that are outdoors and not under storm resistant cover. I saw storage of pallets, shipping boxes, and empty tanks in Image 5. I saw used barrels and tanks stored outside and not under storm-resistant cover like in images 6 and 8. I saw trash dumpsters and a scrap metal recycling dumpster shown in images 11 and 13. These dumpsters were outdoors, not closed, and not under storm-resistant cover.

I saw waste materials, like trash and metal fines, on the ground as shown in images 9 and 11-13. I saw stains on the ground like in images 10 and 11.

I saw manufacturing buildings with vents that release pollutants from indoor industrial activities to the environment. I saw staining on the roofs of manufacturing buildings in recent aerial images through publicly available mapping programs. Mr. Smith said they recently upgraded vents on top of some buildings with three-staged HEPA filters. Not all vents have or have had a three-staged HEPA filters and staining on the roof around vents show some vents may release pollutants to the environment and stormwater may contact deposits on the roofs.

Stormwater runoff from this facility drains through private storm sewer pipes and a municipal separate storm sewer system to the Arkansas River.

I saw five stormwater inlets in the facility's industrial yard that collect stormwater runoff. I used the City of Wichita's open data available at ict.opendata-cityofwichita.hub.arcgis.com to view

stormwater structures mapped by the City of Wichita. I displayed these structures on a map, shown below in Figure 1. I described the inlets in Table 1.

Figure 1. Map showing Metal Finishing Co and storm structures mapped by the City of Wichita, Kansas.

Metal Finishing Co

1423 S McLean Blvd, Wichita, Kansas 67213

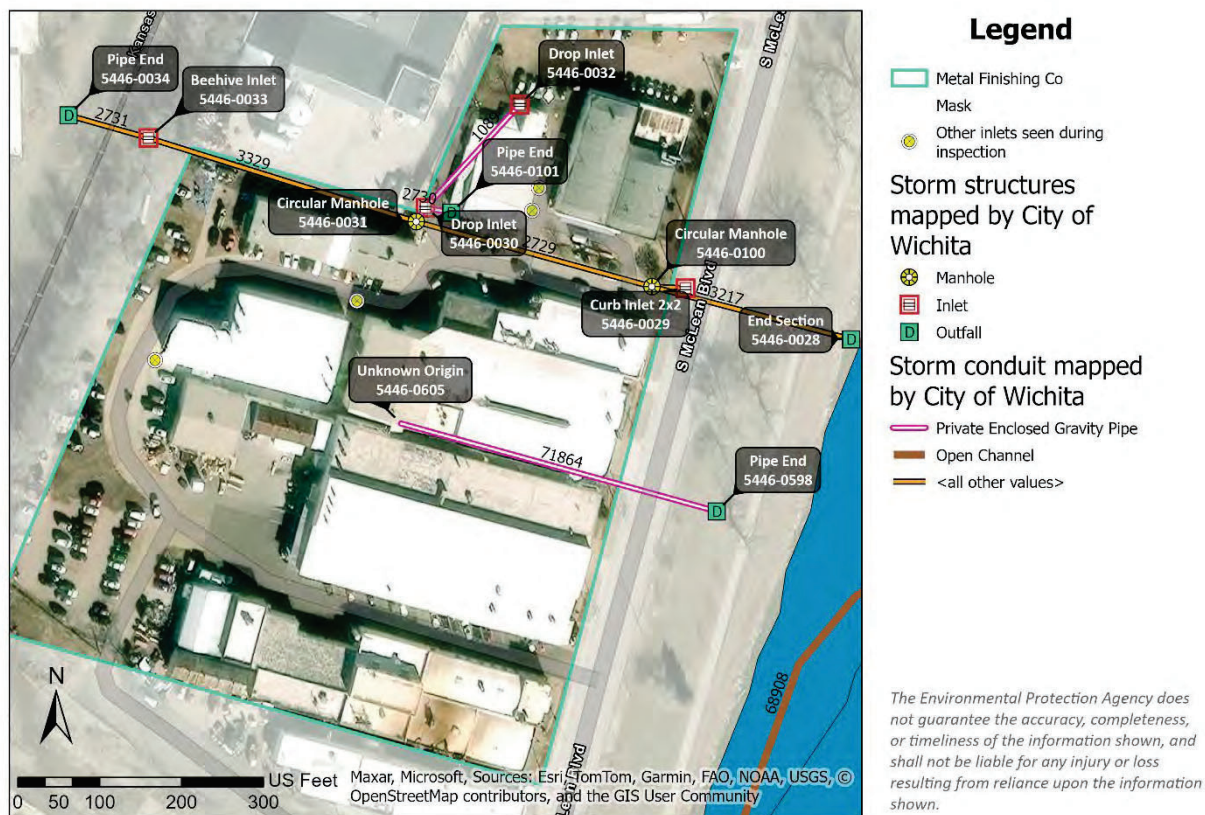


Table 1

Image number	Inlet description	Discharge Location
27	Grate inlet on grade in front of overhead door at west building on parcel addressed 1319 S McLean Blvd.	Unknown
Not shown	Grate inlet on grade in front of overhead door at west building on parcel addressed 1319 S McLean Blvd. North of inlet shown in Image 27.	Unknown
28	Inlet at the end of concrete open channel south of west building on parcel addressed 1319 S McLean Blvd.	Based on the mapped stormwater conduit the stormwater structure 5446-0101 drains to underground conveyance

	Same location as pipe end 5446-0101 mapped by the City of Wichita.	with an outlet at the Arkansas River, or pipe end 5446-0028 shown in Image 24.
29	Mr. Lamb said there is a stormwater below the steel plate in Image 29. Inlet on access road between buildings on 1423 and 1401 S McLean Blvd.	Unknown
30	Grate inlet near the southeast corner of west building on 1423 S McLean Blvd.	Unknown

I saw areas on the west side of the yard, like the dumpsters shown in images 11 and 13, drain to the ditch, shown in Image 14, between the railroad and the facility's fence. I saw this ditch flows north including to a low spot shown in Image 31. The City of Wichita feature layer shows an inlet near where I was standing in Image 31. I did not see beehive inlet 5446-0033 during my onsite inspection. Based on the City of Wichita feature layer inlet 5446-0033 drains through underground pipe to outlet 5446-0028 at the Arkansas River.

I walked along the west bank of the Arkansas River near the facility. I saw six pipe outlets described in Table 2.

Table 2

Image number	Outlet description	Source
17	Corrugated metal pipe end at Arkansas River. Pipe not mapped by City.	Unknown
19	About 10" concrete pipe end in the same location as pipe end 5446-0598 mapped by City. Described by City as private ownership in the right-of-way with a "not found" status.	Conduit 71864, a privately owned enclosed gravity pipe. Described by City as about 10", made of reinforced concrete, and operational. Mapped length by City with origin from Metal Finishing Co. is based on City inspection by camera.
20	About 10" enclosed concrete pipe not mapped by the City.	Unknown
22-23	Corrugated metal pipe end not mapped by the City.	Unknown
24	Corrugated metal pipe end encased in concrete. Described by City of Wichita as structure 5446-0028, an operational outfall owned by City, and listed as about 3.4 feet with one conduit. City of Wichita monitoring site. Corrosion of pipe and encasement and flow during dry weather.	Conduit 3217, an 36" enclosed gravity pipe made of corrugated metal and owned by City.

25	PVC pipe adjacent structure 5446-0028.	Unknown
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Stormwater runoff also drains from the facility's access roads to the municipal separate storm sewer system, shown in images 16 and 26. The City of Wichita defines their municipal separate storm sewer system under their code of ordinances section 16.32.010.F.36 as the system of conveyances—including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains—owned and operated by the city and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage. Runoff drains into the curb inlet 5446-0029 shown in Image 26, to conduit 3216 that drains through conduit 3217 to the pipe end discharging to the Arkansas River in Image 24.

SUMMARY

Based on the industrial activities and materials I saw during my onsite inspection this facility is engaging in industrial activities regulated under the National Pollutant Discharge Elimination System. Based on my onsite observations this facility is not eligible for no exposure exemptions under 40 C.F.R. Section 122.26(g). Based on my records review, this facility is not authorized to discharge industrial stormwater under the National Pollutant Discharge Elimination System. Based on my onsite observations, industrial stormwater runoff from this facility drains by private conveyance and municipal storm sewer to the Arkansas River.

I advised the facility to contact the Kansas Department of Health and Environment about permitting for industrial stormwater discharges. In the facility's response to the Notice of Preliminary Finding on December 20, Mr. Lamb said they we will be in contact with the Kansas Department of Health and Environment to make sure they are in compliance. To date, I have not seen any records from the facility showing that they have contacted the Kansas Department of Health and Environment, such as an application to discharge industrial stormwater under the National Pollutant Discharge Elimination System.

Findings

1. This facility is engaging in industrial activities regulated under the National Pollutant Discharge Elimination System and defined under 40 C.F.R. Section 122.26(b)(14).
2. This facility is not authorized to discharge industrial stormwater under 40 C.F.R. Section 122(a)(1)(ii).
3. This facility has not applied for an individual permit or sought coverage under a stormwater general permit as required under 40 C.F.R. Section 122.26(c)(1).
4. Not all industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt and runoff. This facility does qualify for conditional exclusion under 40 C.F.R. Section 122.26(g).

Recommendations

1. The facility should obtain a National Pollutant Discharge Elimination System permit to discharge industrial stormwater following 40 C.F.R. Section 122.26(a)(1)(ii).
2. The facility should submit an application to the permitting authority, the Kansas Department of Health and Environment, following the requirement under 40 C.F.R. Section 122.26(c), including a site map that shows the locations of all stormwater inlets, conveyances, and discharge points.
3. The facility should submit to the City of Wichita, the operator of the municipal separate storm sewer system receiving industrial stormwater from this facility, the location of the discharges following 40 CFR 122.26(a)(4).
4. The facility should consider more stormwater controls measures to minimize polluted discharges, such as minimizing exposure, good housekeeping, maintenance, spill prevention and response, and other controls developed under a stormwater pollution prevention plan.

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Nicole Moran
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ATTACHMENTS:

1. Digital Image Log (34 pages)
2. Notice of Preliminary Findings (2 pages)