NPDES Compliance Inspection Report

Rick Franklin Corporation
Lebanon, Oregon

Permit #: ORR607180

Inspection Date: December 17, 2021

Prepared by:

Raymond Andrews
U.S. Environmental Protection Agency, Region 10
Enforcement & Compliance Assurance Division
Water Enforcement & Field Branch
Field, Data & Drinking Water Enforcement Section

Signature/Date:

RAYMOND ANDREWS Digitally signed by RAYMOND ANDREWS
Date: 2022.02.03 11:58:52 -08'00'

Supervisor Signature/Date:

PETER CONTRERAS Digitally signed by PETER CONTRERAS
Date: 2022.02.03 13:22:01 -08'00'

Contents

(All details in this report were obtained through conversations with Mr. Rick Franklin, President, and Mr. Darryl Robinson, Facilities Manager, or from observations made during the inspection.)

I. Facility Information

Facility Name:	Rick Franklin Corporation
Facility Owner:	Rick Franklin
Physical Address:	101 Industrial Way Lebanon, Oregon 97355 Linn County
Lat/Long:	44.55084, -122.90429
Mailing Address:	P.O. Box 365 Lebanon, Oregon 97355
NAICS Code:	423930 (Recyclable Material Merchant Wholesalers)
SIC Code:	5093 (Iron & Steel scrap processors) 1629 (Heavy Construction, n.e.c.) 3743 (Railroad Equipment)
Facility Contacts:	Rick Franklin Owner/President Office Phone: 541-451-1275 Email: rick@rfc-nw.com Darryl Robinson Environmental Manager Office Phone: 541-451-1275 x309 Email: darryl@rfc-nw.com
Permit Number:	ORR607180
ODEQ File Number:	117391
Receiving Water:	Albany Santiam Canal → South Santiam River

II. Inspection Information

Inspection Date:	December 17, 2021
Inspector:	Raymond Andrews, Inspector EPA Region 10, ECAD /FDDWES Phone: 206-553-4252

Arrival Time:	9:00 AM
Departure Time:	1:00 PM
Weather:	Overcast, 40°F
Purpose:	To determine facility compliance with the Oregon 1200-Z General National Pollutant Discharge Elimination System (NPDES) permit and the Clean Water Act.

III. Permit Information

Rick Franklin Corporation ("Facility") is permitted under the Oregon 1200-Z National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Discharge Permit ("Permit"). The Facility's current permit, NPDES permit # ORR607180, became effective on July 1, 2021, and will expire on June 30, 2026. The facility is permitted under Sector N (Scrap and Waste Material) of the Permit for its activities under Standard Industrial Code (SIC) 5093, and Sector AB (Transportation Equipment, Industrial or Commercial Machinery) for its activities under SIC 3747.

IV. Background

Rick Franklin Corporation, located at 101 Industrial Way in Lebanon, Oregon, is owned and operated by Rick Franklin.

ODEQ last inspected the facility in March 2017. There were no major findings during the inspection.

The facility has never been issued a compliance order or penalty for industrial stormwater violations.

V. Inspection Chronology

This was an announced inspection. On December 6, 2021, I emailed Mr. Darryl Robinson, Facilities Manager, and stated I would be conducting a compliance inspection of the Rick Franklin Corporation facility in Lebanon, Oregon.

I conducted an opening conference, which included an interview of Mr. Rick Franklin, President, and Mr. Robinson, followed by a records review, a site inspection, and a closing conference.

VI. Opening Conference

I arrived at the facility at 9:00 am. I presented my credentials to Mr. Franklin and Mr. Robinson.

I explained the purpose of the inspection was to determine compliance with the Oregon Department of Environmental Quality's (ODEQ) 1200-Z permit and the Clean Water Act (CWA).

(The following information was obtained through personal observations, conversation with Mr. Franklin and Mr. Robinson, and a review of the Stormwater Pollution Control Plan (SWPCP) and other documents.)

The facility has been in operation at its current location since 1978. It operates Monday through Friday from 7:00 am until 5:00 pm, and has approximately 36 full time employees.

Per the facility's Stormwater Pollution Control Plan (SWPCP), the site covers approximately 32.23 acres with approximately 4.19 acres (≈ 13%) impervious to rainfall due to coverage by building and asphalt. Approximately 28.04 acres (≈ 87%) is pervious and covered by a combination of gravel, bare soil, and vegetation.

According to usclimatedata.com, Lebanon, Oregon, receives average annual precipitation of 46.42 inches. November is the wettest month with average precipitation of 7.69 inches, while August is the driest month with average precipitation of 0.62 inches.

The facility's primary operations include heavy construction equipment, truck and vehicle maintenance, rail car salvage, and metal recycling.

Large metal objects are cut into smaller pieces and shipped offsite for recycling.

The facility conducts industrial activities on the southern 10 acres of the property. Out-of-service railroad cars are stored, dismantled, and salvaged in the central portion of the industrial area. Railroad fuel cars are temporarily stored on railroad sidings.

Vehicle and equipment maintenance, fueling, and washing are conducted on-site in the southwest portion of the site. Three fuel tanks are located on a concrete slab with a perimeter stub wall for secondary containment. The secondary containment pad isolates the fueling area from the site and includes a drain and an emergency shut-off valve.

Items stored outdoors with potential exposure to stormwater include empty drums, recycling containers, scrap metal dumpsters, steel pipe, rebar, equipment, and vehicles. Empty drums are covered or cleaned and stored with closed bungs and are turned upside down. Drums are stored along the east side of the facility's shop at the southern end of the facility. Vendors pick up empty drums at regularly scheduled intervals.

Vehicle and equipment maintenance, fixed fueling, mobile-fueling, and washing are conducted on-site. Fewer than eight vehicles or pieces of equipment are cleaned per week. No engines, transmissions, or undercarriages are washed. Vehicle washing is conducted on a wash pad located north of the main buildings. Wash water is collected in a sump. Overflow is discharged to the storm sewer system. The facility transports and stores rock, soil, compost, and bark products on-site, mainly in the northern areas.

Per the Schedule B.12.a of the 1200-Z permit, facilities "must inspect areas where industrial materials or activities are exposed to stormwater and areas where stormwater control measures, including infiltration devices, mass reduction measures, structures, catch basins, and treatment facilities are located. Inspections must include an evaluation of control measures consistent with the

SWPCP requirements. Inspections must include observations of all discharge points…" Monthly inspections are performed by Darryl Robinson, Facility Manager.

In May 2020, the facility submitted a *Tier II Mass Reduction Waiver Request & Stormwater Pollution Control Plan Revision* for exceeding the geometric mean of the statewide benchmark for total suspended solids (TSS), copper (Cu), zinc (Zn) and lead (Pb) at monitoring point 002 in the 2014 – 2015 monitoring period. The waiver request and plan revision were developed by:

Aquarius Environmental, LLC
2117 NE Oregon Street, Suite 502
Portland, Oregon 97232
(503) 828-0265
www.aquariusenv.com

Per the Tier II waiver request, the facility proposed to achieve zero stormwater discharge from the site by using a series of infiltration bioswales to allow stormwater time to fully infiltrate and prevent runoff from reaching surrounding surface waterbodies.

The facility completed the bioswale expansion by August 2020. The facility started monitoring stormwater during the 2019 – 2020 to determine if the goal of full stormwater retention on-site had been achieved. The facility determined the goal had been met.

The facility has eight drainage basins (DB), numbered 1 – 8. Each DB has an associated discharge point. Only drainage basis 2 and 4 are monitored. Per the 1200-Z permit, Schedule B.7.c.i, each discharge point must be monitored unless the "Discharge point serves an area without exposure of stormwater to industrial activities." Drainage basins 1, 3, and 5 - 8 do not serve areas of the facility where industrial activity comes into contact with stormwater. Drainage basins 2 and 4 are monitored due to industrial activity having contact with stormwater.

VII. Laboratory Inspection

The facility's two monitored discharge points, MP 001(Drainage Basin 2) and MP 002 (Drainage Basin 4), both have statewide and sector specific benchmark monitoring requirements. The statewide benchmark parameters are pH, total suspended solids (TSS), total copper (Cu), total lead (Pb), and total zinc (Zn). The sector specific monitoring parameters are chemical oxygen demand (COD) and total aluminum (Al).

When the new iteration of the Oregon 1200-Z permit became effective, all monitoring waivers expired. No knew monitoring waivers will be approved until the facility has conducted four quarters of sampling under the new permit requirements.

The facility has not collected stormwater samples in over 12 months due to the facility's water retention upgrades discussed in the previous section of this report.

The facility does not maintain an in-house laboratory. When sampling is conducted, the facility samples for pH, all other monitored parameters are analyzed by:

Apex Laboratories, LLC
6700 Southwest Sandberg Street
Tigard, Oregon 97223
(503) 718-2323

VIII. File Review

The permit requires documentation be retained for a minimum of three years.

I reviewed the following records and documents:

- Stormwater Pollution Control Plan (SWPCP) – dated September 30, 2021
- SWPCP Site Maps
- Permit Reissuance Letter – dated May 17, 2021
- Tier II Mass Reduction Waiver Request & SWPCP Revision – dated May 27, 2020
- Monthly Facility Inspection Reports – January 2019 through December 2021
- Discharge Monitoring Reports (DMRs) – 1Q 2019 – 4Q 2021
- Annual Employee Training Records – 2019 through 2021

The SWPCP contained all required elements. The DMRs and annual employee training records were in order.

IX. Site Inspection

Attachment A contains an aerial map and diagrams diagram provided by the facility.
Attachment B contains photos used in this inspection report and a complete photo log.

Following the records review, Mr. Robinson took me on a tour of the site.

Once we stepped out of the office, I observed the site was generally flat with a slight grade to facilitate stormwater flowing from the south end of the property to the north end where the stormwater is held in one of six bioswales for infiltration. Should any of the bioswales overflow, a grab sample is collected at the point of overflow. The facility is enclosed within a chain-link perimeter fence that is electrified during non-work hours.

I told Mr. Robinson I wanted to see the diesel storage tanks that were mentioned in the opening conference. From the office, we walked west to the tanks. The facility has three diesel storage tanks, two 3,200 gallon tanks and one 8,000 gallon tank (**Photos 1 & 2**). All three tanks are double-walled and held in secondary containment.

From the storage tanks, we turned slightly north and came to bioswale 1, MP001 (**Photos 3 & 4**). We continued north and came to bioswale 2, MP002 (**Photo 5**). Bioswales 1 and 2 are adjacent to the Albany-Santiam Canal.

I observed heavy equipment stored under cover (**Photos 6 – 8**). The yard, as can also be seen in photos 6 – 8, has puddles of water from a recent rainfall event but no water flowing at the time of the inspection.

We continued walking north to bioswale 3 (**Photos 9 – 12**). Photo 9 shows a white PVC pipe that drains stormwater into the bioswale. Also in the photo is a catch basin to the right of the pipe. There are six catch basins around the site to collect stormwater. The culvert seen in Photo 11 goes underground and drains the stormwater to a perforated pipe to facilitate disbursement and infiltration. Bioswale 3 is long and adjacent to both the Albany-Santiam Canal and the Canal Overflow Slough.

We walked north past the chain-link fence to the storage yard that stores rail cars, scrap steel, and rock, soil, finished compost and bark products. We turned east. Once we got to the edge of the property, we turned south. Walking south, I observed bioswales 5 (**Photo 13**), bioswale 4 (**Photo 14**), and bioswale 6 (**Photo 15**).

None of the facility's six bioswales were discharging at the time of inspection.

After we finished observing the bioswales, we walked back west so I could look at the oil/water separator and filtration system (**Photos 16 – 18**). The round manhole covers for the oil/water separator can be seen near frame in photo 16 and on the right in photo 17. Mr. Robinson explained that all stormwater collected by the site's catch basins is directed to the oil/water separator.

After the stormwater completes its cycle through the oil/water separator, it is pumped to the blue stormwateRx™ unit by the lift station shown directly in front of the filtration unit in photo 18 and 19. The stormwater enters the filtration unit through the pipe on the left side of the image. The stormwater percolates up through the media bed. The water then flows through a perforated PVC pipe, situated above the filtration media which distributes water across the length of the filtration unit. The stormwater infiltrates the sand filtration media. As the filtration unit starts to fill, the water level rises and, under normal conditions, the water exits the filtration unit when the water level reaches the lower pipe on the right side of the unit. The filtration unit is also equipped with an overflow bypass in case of excessive rainfall. The bypass is the upper pipe on the right side of the unit. Once the water exits the filtration unit, it flows underground to one of the bioswales where it can evaporate or continue to infiltrate.

X. Areas of Concern

At the time of inspection, I found the following areas of concern:

A. Site Map

Schedule A.10.b.i.6 of the Permit states must include and clearly label "paved areas and buildings within each drainage area…"

The site map shows three buildings, labeled I, J, and K, positioned end-to-end. The labels were not identified at the bottom of the map in number two of "Notes" as other structures had been identified.

B. Monthly Inspection Reports

1. Schedule B.12.a of the Permit states the permittee must, on a monthly basis, "inspect areas where industrial materials or activities are exposed to stormwater and areas where stormwater control measures, including infiltration devices, mass reduction measures,

structures, catch basins, and treatment facilities are located. Inspections must include an evaluation of control measures consistent with the SWPCP requirements.

I found inspection reports for April 2021 through August 2021 were missing.

2. Schedule B.12.i.i of the Permit states the inspection report must include "inspection date and time".

   I found the facility recorded the wrong year of inspection on monthly inspection reports for May, June, and July of 2020.

3. Schedule B.12.i.viii of the Permit states that monthly inspection reports must document "Any corrective action response, source control or maintenance taken or scheduled to remedy problems found."

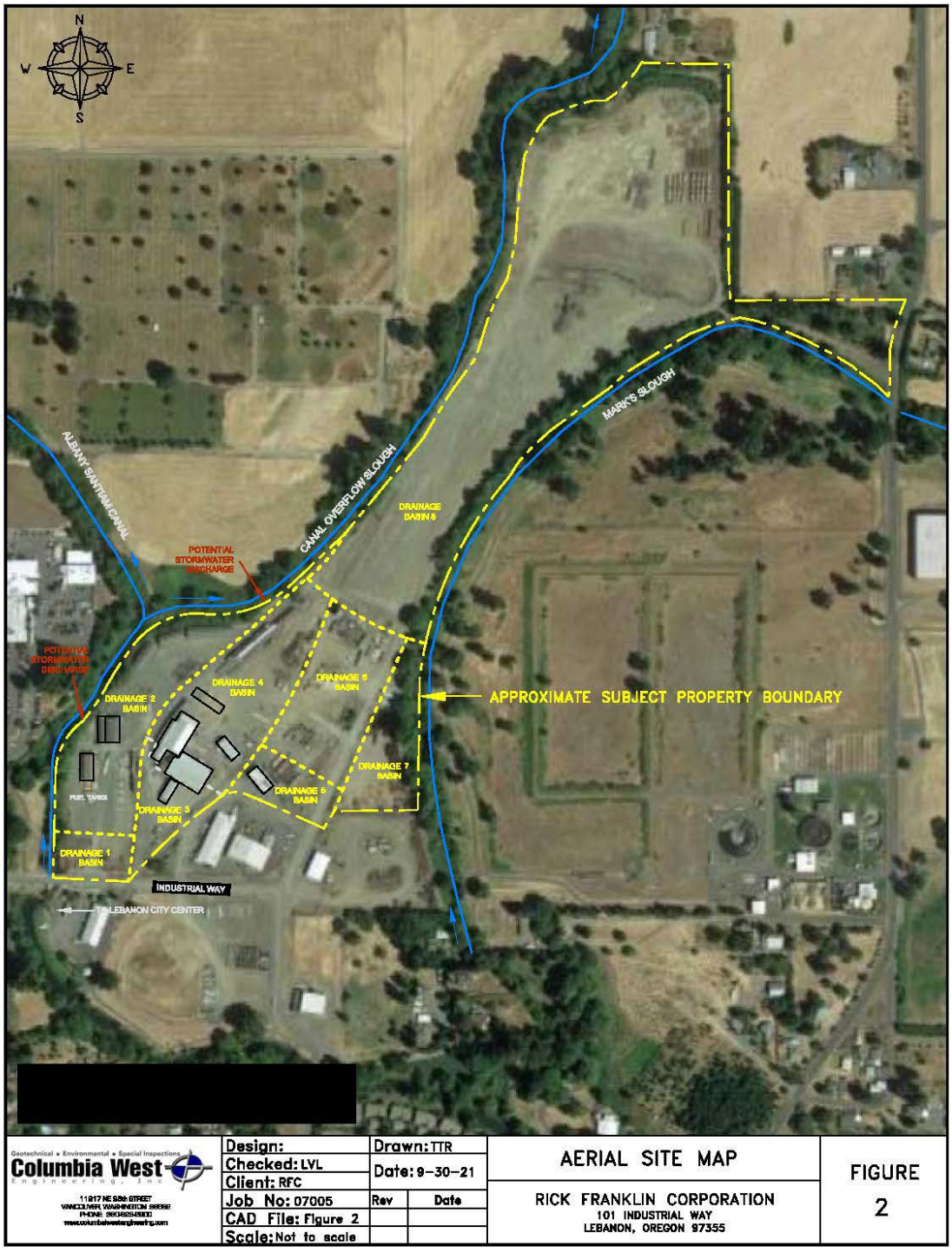
   I found the facility did not record corrective actions taken or scheduled to remedy problems found during monthly inspections.

XI. Closing Conference

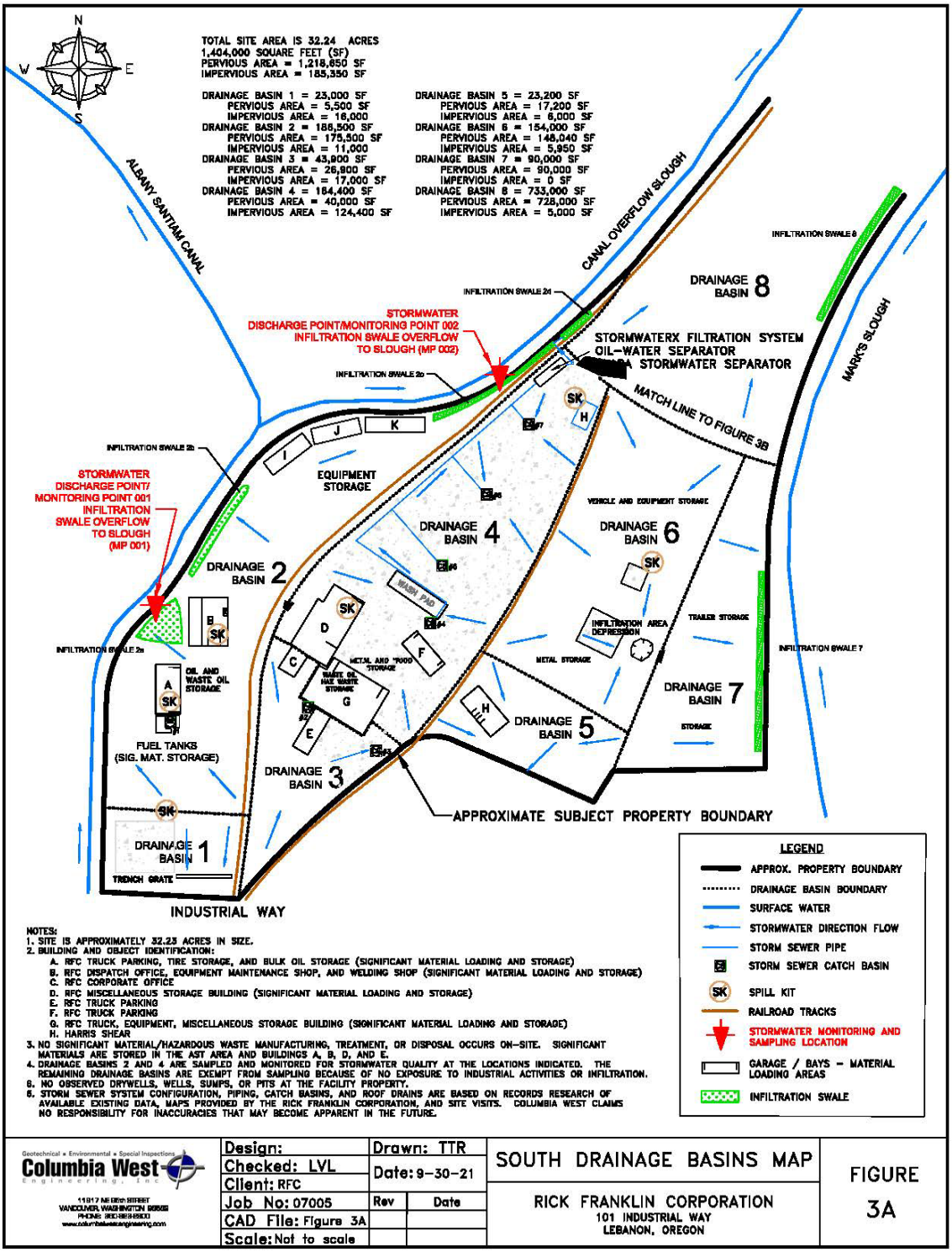
On December 17, 2021, I held a closing conference with Mr. Franklin and Mr. Robinson. We discussed my observations and I gave a brief overview of the post-inspection process. I thanked them for their time and assistance.

ATTACHMENT A

Aerial Image of Site and Diagrams Provided by Facility



Site Diagrams Provided by Facility



NOTES:
1. SITE IS APPROXIMATELY 32.23 ACRES IN SIZE.
2. BUILDING AND OBJECT IDENTIFICATION:
   A. RFC TRUCK PARKING, TIRE STORAGE, AND BULK OIL STORAGE (SIGNIFICANT MATERIAL LOADING AND STORAGE)
   B. RFC DISPATCH OFFICE, EQUIPMENT MAINTENANCE SHOP, AND WELDING SHOP (SIGNIFICANT MATERIAL LOADING AND STORAGE)
   C. RFC CORPORATE OFFICE
   D. RFC MISCELLANEOUS STORAGE BUILDING (SIGNIFICANT MATERIAL LOADING AND STORAGE)
   E. RFC TRUCK PARKING
   F. RFC TRUCK PARKING
   G. RFC TRUCK, EQUIPMENT, MISCELLANEOUS STORAGE BUILDING (SIGNIFICANT MATERIAL LOADING AND STORAGE)
   H. HARRIS SHEAR
3. NO SIGNIFICANT MATERIAL/HAZARDOUS WASTE MANUFACTURING, TREATMENT, OR DISPOSAL OCCURS ON-SITE. SIGNIFICANT MATERIALS ARE STORED IN THE AST AREA AND BUILDINGS A, B, D, AND E.
4. DRAINAGE BASINS 2 AND 4 ARE SAMPLED AND MONITORED FOR STORMWATER QUALITY AT THE LOCATIONS INDICATED. THE REMAINING DRAINAGE BASINS ARE EXEMPT FROM SAMPLING BECAUSE OF NO EXPOSURE TO INDUSTRIAL ACTIVITIES OR INFILTRATION.
5. NO OBSERVED DRYWELLS, WELLS, SUMPS, OR PITS AT THE FACILITY PROPERTY.
6. STORM SEWER SYSTEM CONFIGURATION, PIPING, CATCH BASINS, AND ROOF DRAINS ARE BASED ON RECORDS RESEARCH OF AVAILABLE EXISTING DATA, MAPS PROVIDED BY THE RICK FRANKLIN CORPORATION, AND SITE VISITS. COLUMBIA WEST CLAIMS NO RESPONSIBILITY FOR INACCURACIES THAT MAY BECOME APPARENT IN THE FUTURE.

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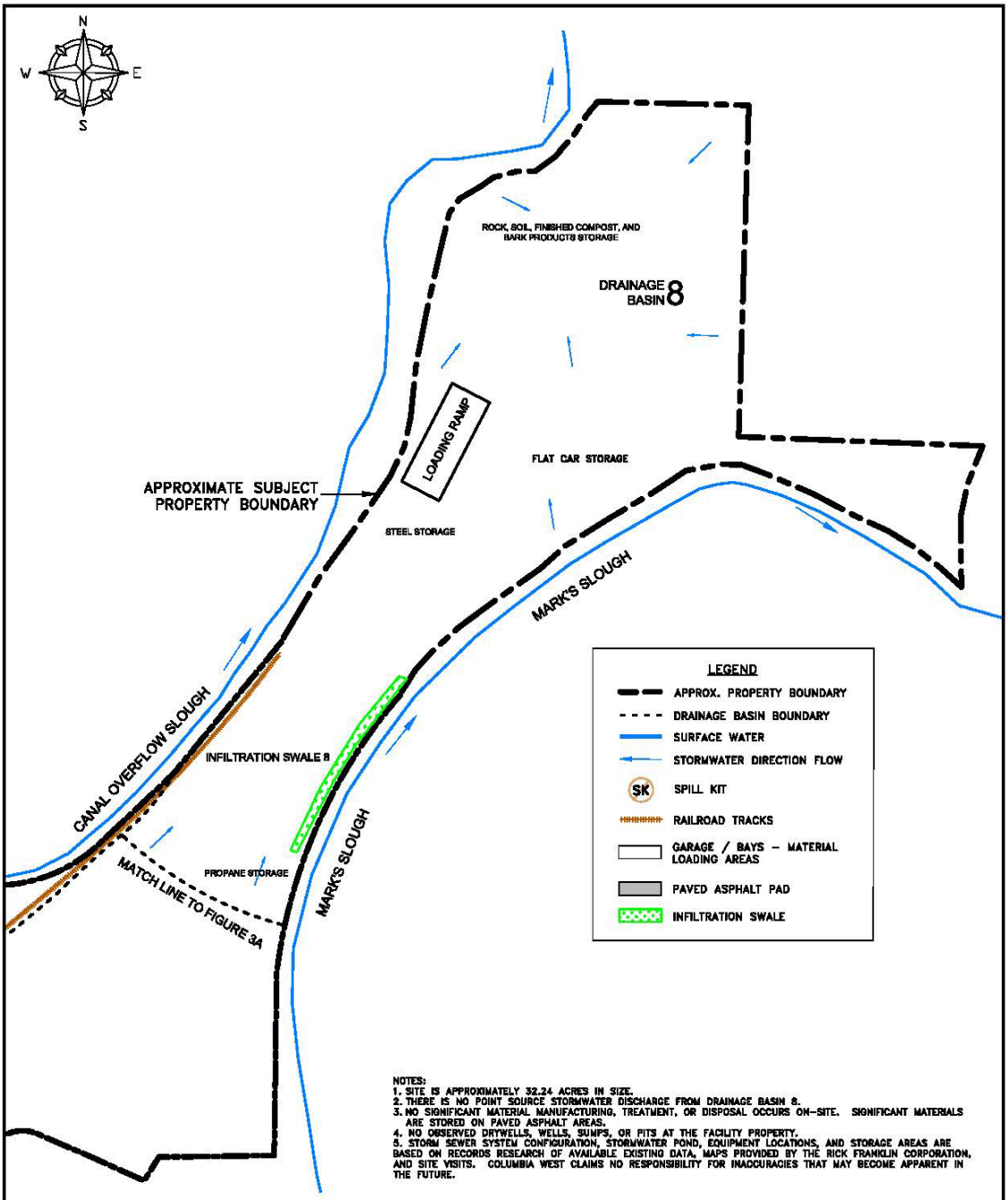
Columbia West Engineering, Inc
11917 NE 95th STREET
VANCOUVER, WASHINGTON 98682
PHONE: (360) 891-9900
www.columbiawestengineering.com

Design:	Drawn: TTR	SOUTH DRAINAGE BASINS MAP	FIGURE 3A
Checked: LVL	Date: 9-30-21		
Client: RFC	Rev	Date	RICK FRANKLIN CORPORATION 101 INDUSTRIAL WAY LEBANON, OREGON
Job No: 07005			
CAD File: Figure 3A			
Scale: Not to scale			



NOTES:
1. SITE IS APPROXIMATELY 32.24 ACRES IN SIZE.
2. THERE IS NO POINT SOURCE STORMWATER DISCHARGE FROM DRAINAGE BASIN 8.
3. NO SIGNIFICANT MATERIAL MANUFACTURING, TREATMENT, OR DISPOSAL OCCURS ON-SITE. SIGNIFICANT MATERIALS ARE STORED ON PAVED ASPHALT AREAS.
4. NO OBSERVED DRYWELLS, WELLS, SUMPS, OR PITS AT THE FACILITY PROPERTY.
5. STORM SEWER SYSTEM CONFIGURATION, STORMWATER POND, EQUIPMENT LOCATIONS, AND STORAGE AREAS ARE BASED ON RECORDS RESEARCH OF AVAILABLE EXISTING DATA, MAPS PROVIDED BY THE RICK FRANKLIN CORPORATION, AND SITE VISITS. COLUMBIA WEST CLAIMS NO RESPONSIBILITY FOR INACCURACIES THAT MAY BECOME APPARENT IN THE FUTURE.

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VANCOUVER, WASHINGTON 98682
PHONE: 360-823-2900
www.columbiawestengineering.com

Design:	Drawn: TTR	NORTH DRAINAGE BASINS MAP	FIGURE 3B
Checked: LVL Client: RFC	Date: 9-30-21		
Job No: 07005	Rev / Date	RICK FRANKLIN CORPORATION 101 INDUSTRIAL WAY LEBANON, OREGON	
CAD File: Figure 3B			
Scale: Not to scale			

ATTACHMENT B

Inspection Photographs and Photograph Log

(Photographs taken by Ray Andrews on December 17, 2021, with a Panasonic DMC-FH25 camera)


Combustible
DIESEL


CATERPILLAR
CATERPILLAR
CATERPILLAR


CATERPILLAR
CATERPILLAR

Photo 18 / P1010144 – stormwateRx™ Filtration Unit

Complete list of photographs taken during the inspection:

- P1010117 – Permit Reissuance Letter, page 1
- P1010118 – Permit Reissuance Letter, page 2
- P1010119 – SWPCP Contact Page
- P1010120 – SWPCP Certification Page
- P1010121 – SWPCP, Drainage Patterns, page 6
- P1010122 – SWPCP, Drainage Patterns, continued, page 7
- P1010123 – SWPCP Monitoring Points Descriptions, page 8
- P1010124 – SWPCP Revision Log
- P1010125 – 8,000 Gallon Diesel Storage Tank, side view
- P1010126 – Diesel Storage Tanks, front view
- P1010127 – Downgrade to Stormwater Treatment
- P1010128 – Bioswale 1 (MP001), photo 1
- P1010129 – Bioswale 1 (MP001), photo 2
- P1010130 – Bioswale2 (MP002)
- P1010131 – Heavy Equipment under cover, photo 1
- P1010132 – Heavy Equipment under cover, photo 2
- P1010133 – Heavy Equipment under cover, photo 3
- P1010134 – Bioswale 3, PVC pipe from Catch Basin, photo 1
- P1010135 – Bioswale 3, photo 2
- P1010136 – Bioswale 3, photo 3
- P1010137 – Bioswale 3, photo 4
- P1010138 – Bioswale 3, photo 5
- P1010139 – Bioswale 5
- P1010140 – Bioswale 4
- P1010141 – Bioswale 6
- P1010142 – Oil/Water Chamber, Round Manhole Covers
- P1010143 – Stormwater Lift Station (front), stormwateRx™ Filtration Unit (rear)
- P1010144 – stormwateRx™ Filtration Unit
- P1010145 – Catch Basin