NPDES Inspection Report – Wastewater Treatment Facility

National Database Information	
Inspection Date: August 23, 2023	Inspection Type: CEI – Wastewater Treatment Facility
Entry/Exit Time: Opening Conference: 08:30 am-10:30 am, August 22, 2023 Site Review: 9:06 am-10:48 am, August 23, 2023	NPDES ID Number: NDG589410
NAICS Code: 221320	Inspection ID: 202308_NDG5890410
Lead inspector and affiliation: Brit Rustad / EPA Region 8	
Inspector and affiliation: Akash Johnson / EPA Region 8	

Facility Location Information	
Site/Facility Name & Location: Ojibwa Millennium School Wastewater Treatment Facility Lat/Long: 48° 48' 38.30" N, 99° 46' 49.14" W Rolette County, ND 58316	Email Report to: Kenny Azure, Director, TMPUC puckenny@utma.com

Contact Information	
	Name(s)/Title
Facility Contacts:	Kenny Azure / Director / TMPUC / present for part of opening conference
	Eric Thomas / Operator / TMPUC / present during opening and closing conferences as well inspections
	Harold Bruce / Operator / TMPUC / present during opening and closing conferences as well as inspections
	Tyler Timmons / Tribal Utility Consultant / IHS / present during the opening and closing conferences as well as inspections
Person/Company meeting definition of "Operator"	Turtle Mountain Public Utilities Commission (TMPUC)
Authorized Official(s) (Per NOI?)	Kenny Azure / Director / TMPUC / present for part of opening conference

Permit Information		
Is the permit on site and available? Did not evaluate; EPA emailed a copy to TMPUC after the inspection	Lagoon Category: No Discharge	Monitoring Frequency: N/A
Effective Date: 11/1/2022	Expiration Date: 3/31/2027	Is the Facility under a compliance schedule? No
Is correct contact information indicated on ICIS? Yes	Indicate correct contact information: N/A	
Receiving Water(s): Wolf Creek		

Regulatory Inspector's source of information: Notice of Intent for the permit, ICIS, ECHO, and facility representatives

Areas Evaluated During Inspection		
Permit	**Self-Monitoring Program**	Pretreatment
Records	Compliance Schedule	Pollution Prevention
Facility Site Review	Laboratory	Stormwater
Effluent/Receiving Waters	**Operations and Maintenance**	Combined Sewer Overflow
Flow Measurement	Sludge Handling/Disposal	Sanitary Sewer Overflow

Report Review and Signature		
Drafter Name	Draft Date	Contact Information
BRIT RUSTAD Digitally signed by BRIT RUSTAD Date: 2023.12.11 08:29:44 -07'00'	**September 11, 2023**	**U.S. EPA Region 8 Denver, Colorado rustad.brit@epa.gov (303) 312-6885**
Reviewer Name	Draft Date	Contact Information
Akash Johnson	**November 27, 2023**	**U.S. EPA Region 8 Denver, Colorado johnson.akash@epa.gov (303) 312-6067**
Management Reviewer Name/Signature/Date		Contact Information
EMILIO LLAMOZAS Digitally signed by EMILIO LLAMOZAS Date: 2023.12.08 15:07:29 -07'00'		**U.S. EPA Region 8 Denver, Colorado llamozas.emilio@epa.gov (303) 312-6407**
Emilio Llamozas, NPDES and Wetlands Enforcement Section Supervisor		

Inspection Narrative and Site Description

1.0 Introduction

The inspection was conducted at the Ojibwa Millennium School wastewater treatment facility (facility; WWTF) located in Rolette County, North Dakota, to evaluate compliance with the facility's National Pollutant Discharge Elimination System (NPDES) permit. The EPA is responsible for implementing the NPDES program in Indian Country within the State of North Dakota. The inspection was announced approximately one month prior to the inspection to coordinate logistics for the inspection.

On the morning of August 22, 2023, U.S Environmental Protection Agency (EPA) inspectors Brit Rustad and Akash Johnson (collectively, "we") met with Turtle Mountain Public Utilities Commission (TMPUC) representatives Kenny Azure, Director, and with Harold Bruce and Eric Thomas, Operators. We were also joined by Indian Health Service (IHS) representative Tyler Timmons, Tribal Utility Consultant. We presented our credentials and had an opening conference in the TMPUC office where we explained the purpose of the inspection and discussed the design, operation, and CWA and NPDES compliance of multiple WWTFs operated by the TMPUC, including the subject facility. After the opening conference, we proceeded to conduct site reviews of the WWTFs operating by the TMPUC, including the subject facility, for the remainder of August 22, 2023 and part of August 23, 2023. Throughout the inspection, we noted our observations in bound checklists. Photographs taken during the inspection are included in the attached photo log.

2.0 TMPUC Operations

During the opening conference when discussing all facilities, representatives indicated that daily checks on all lift stations are performed but that lagoon cells were not inspected on at least a weekly basis. They also stated that weekly inspection logs are not being kept. Facility representatives stated that jetting of lines is done on an as needed basis rather than per a set schedule. Lastly, there has not been any sludge removal or depth testing done recently at any of the lagoons operated by TMPUC.

The TMPUC operates a regional water treatment plant and distribution system which provides water to multiple communities and users across the region. At the time of the inspection, the TMPUC employed eight operators and various managerial and administrative support staff. The majority of TMPUC operations are dedicated to the provision of potable water, but all operators perform both water and wastewater duties as needed.

TMPUC customers, rates, and finances were briefly discussed during the opening conference. Water and wastewater fees were collected separately, and different flat fees were assessed for regular residential, Tribal elder residential, and commercial users. Kenny indicated a portion of TMPUC's annual budget was subsidized by federal and/or Tribal sources.

3.0 Facility Description and Site Review

The facility is permitted as a no discharge facility, under the EPA Region 8 Lagoon General Permit (Permit) for North Dakota. According to the Notice of Intent (NOI) for Permit coverage:

- The facility now serves 560 students and 125 faculty at the school as well as 80 employees at the manufacturing plant, a hotel and its associated residences, a seasonal recreation area and the tribal administration building.
- The lagoon system was originally built in 2004 and that in Fall of 2022 the old cell #1 was combined with the old cell #2 and an additional cell was constructed. There is also a wetland cell, but it was unclear during the inspection if the wetland cell had an outlet, discussed further below.

The facility is a two-cell lagoon system with an additional wetland cell. The table below has the operating volume for all three cells as indicated in the NOI.

Cell ID	Area (acres)	Operating Volume (MG)
Cell 1	8.5	13.8
Cell 2	6.65	13
Wetland Cell	5	3.26
Total	20.15	30.4

Eventually, the TMPUC plans to redirect wastewater that is currently flowing to the Shell Valley WWTF into this lagoon as well.

Between the opening conference and inspection of the subject facility, we inspected several other WWTFs operated by the TMPUC. Upon arriving at the facility, we proceeded to drive around the lagoon to evaluate berm integrity and the facility's discharge status. There was some vegetation and cattails beginning to grow on the insides of the berm cells which had reached over six inches in height (photo 484). We observed the gate valve between cell 2 and the wetland cell which was closed at the time. No water was evident in the wetland and we did not verify if there was an outfall from the wetland.

After inspecting the lagoons we drove to each of the lift stations. According to TMPUC operators, the Fleet Farm/West, Manufacturing, and Midpoint/Center Site lift stations conveyed wastewater from one portion of the collection system into the lagoon, and the School lift station conveyed wastewater directly into the lagoon.

To view the lift stations we first drove to the School lift station which did not have a perimeter fence or gate and also had its second pump manually turned off (photos 487-488). TMPUC operators were not sure why pump 2 was not in operation. TMPUC operators also indicated ownership and operatorship responsibilities pertaining to this lift station were not clear; they indicated the lift station was not visited during TMPUC daily rounds, but the school called TMPUC operators when the lift station alarmed. TMPUC operators indicated the most common alarm was either high or low level, both of which could usually be resolved by a reset.

Next was the Midpoint/ Center Site lift station which had recently been constructed (photos 491-492). We noticed that the lift station trash basket was not functioning as intended, as wastewater was bypassing the trash basket upon entering the wet well (photo 490).

Next, we visited the Manufacturing lift station which was operating on only one pump (photo 495). Operators stated one of the pumps had been removed for service approximately 1-2 weeks previously.

Lastly, we inspected the Fleet Farm/ West lift station where the variable frequency drive (VFD) fail light was illuminated for pump 2 and the pump hours were not similar; pump 2 hours were less than pump 1 hours. (photo 501). Operators indicated they were not sure the cause of the VFD failure light or whether both pumps were operational.

At the end of our inspections on August 23, 2023, we held a brief closing conference with Eric Thomas, Harold Bruce and Tyler Timmons where preliminary findings were discussed. Later in the day on August 23, 2023, the EPA sent an email to Kenny Azure with the preliminary findings from the inspection and some resources for using NetDMR.

Findings, Corrective Actions and Recommendations

Finding #1: Weekly lagoon inspections were not being conducted.
Weekly lagoon inspections were not being conducted. The inspectors provided the facility representatives with a lagoon inspection report template form (Appendix D of the Permit) that the facility representatives could use to document the weekly lagoon inspections.

Permit requirement:
Part 6.5.1 of the Permit states, "On at least a weekly basis, unless otherwise modified by written approval from EPA, the Permittee shall inspect its wastewater treatment facility. Permission for less frequent inspections must be requested in writing by the Permittee and may be granted on a case-by-case basis where appropriate (e.g. a lagoon located in a remote area where access is a problem during the winter and compliance issues are not present), at the discretion of EPA. The Permittee shall maintain a notebook/logbook recording all information obtained during the inspection using indelible ink pens (or inspection logs may be kept in electronic format in accordance with proper record-keeping procedures) and in sufficient detail so that decision logic may be traced back, once reviewed. At a minimum, the notebook/logbook shall include the following (see Appendix D of this Permit for an Example Lagoon Inspection Form):
6.5.1.1. Name of facility and permit number;
6.5.1.2. Date and time of the inspection;
6.5.1.3. Name of the inspector(s);
6.5.1.4. The facility's discharge status;
6.5.1.5. The flow rate of the discharge, if occurring;
6.5.1.6. Determine if a discharge is occurring, has occurred since the previous inspection, and/or if a discharge is likely to occur before the next inspection. (Note: If a discharge has occurred or is likely to occur before the next inspection, perform the appropriate monitoring and reporting requirements in Sections 3 and 5.4 of this Permit if not already done.);
6.5.1.7. If there is any leakage through the dikes;
6.5.1.8. If there are any animal burrows in the dike;
6.5.1.9. If there is any erosion of the dikes (e.g., rills, cracks or other structural indications of erosion);
6.5.1.10. If there are any rooted plants, including weeds or trees growing in the water;
6.5.1.11. If the vegetative growth on the dikes need mowing (i.e. no greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system);
6.5.1.12. Visual observation for visible sheen, floating oil, floating solids and foam;
6.5.1.13. Visual observation to check for evidence of illicit septic dumping;

6.5.1.14. List the date scheduled for operation and maintenance procedures to be undertaken at the wastewater treatment facility;
6.5.1.15. Identification of operational and/or maintenance problems, and a determination of whether proper operation and maintenance procedures are being undertaken at the frequency necessary to maintain working operations and the overall treatment and collection systems of the wastewater treatment lagoon system;
6.5.1.16. Recommendations, as appropriate, to remedy identified problems;
6.5.1.17. A brief description of any actions taken with regard to problems identified;
6.5.1.18. Overall visual observations to identify potential concerns with the "health" of the lagoon system (e.g., water is cloudy, water coloration concerns (e.g. red, black, grey, dark blue-green and cloudy), etc.); and
6.5.1.19. Other information, problems identified, or observations, as appropriate.
The Permittee shall maintain the notebook/logbook in accordance with required record-keeping items listed above and shall make the log available for inspection, upon request, by authorized representatives of the U.S. Environmental Protection Agency or the applicable Tribe(s) (see Appendix A for list of Tribes).
Problems identified during the inspection (including, but not limited to, those associated with this section of the Permit) shall be corrected at the time of inspection, if possible. If they cannot be corrected at the time of the inspection, the inspector must identify a corrective action to remedy the problem(s), as well as a timeline for completion of the remedy. Corrective actions to remedy problem(s) shall be in line with (and addressed through) proper operation and maintenance (Section 6.6 of this Permit.). All problems identified during inspections, as well as associated corrective actions and timelines, shall be documented in the inspection log."

Part 5.9 of the permit states, "The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Permit, and records of all data used to complete the application for the Permit, for a period of at least three years from the date of the sample, measurement, report or application. Records of monitoring required by the Permit related to sludge use and disposal activities must be kept at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the EPA at any time. Data collected on site, data used to prepare the DMR, copies of DMRs, and a copy of this NPDES Permit must be maintained on site."

Corrective Action:
Ensure that lagoon inspections are conducted on a weekly basis and documented in accordance with the permit. Ensure that inspection reports are kept in accordance with the recordkeeping requirements of the permit. Provide the EPA and IHS with a description of the corrective actions taken to address this finding.

Finding #2: No O&M manuals were available.
The permittee did not have copies of operations and maintenance (O&M) manuals and were not properly tracking O&M activities.

Permit requirement:
Part 6.6.1 of the Permit states, "For Permittees not previously covered under the Region 8 General Permit for Wastewater Lagoon Systems in Indian Country, the Permittee shall, as soon as reasonable and practicable, but no later than six (6) months after the effective date of this Permit, do the following as part of the operation and maintenance program for the wastewater treatment facility:
6.6.1.1. Have a current O & M Manual(s) that describes the proper operational procedures and maintenance requirements of the wastewater treatment facility;
6.6.1.2. Have the O & M Manual(s) readily available to the operator of the wastewater treatment facility and require that the operator become familiar with the manual(s) and any updates;
6.6.1.3. Have a schedule(s) for routine operation and maintenance activities at the wastewater treatment facility; and,
6.6.1.4. Require the operator to perform the routine operation and maintenance requirements in accordance with the schedule(s).
For Permittees renewing coverage under this Permit, the Permittee is expected to have the above listed items (Sections 6.6.1.1. thru 6.6.1.4., which were part of the requirements under the previous Region 8 General Permit for Wastewater Lagoon Systems in Indian Country) completed prior to the coverage date under this Permit. These Permittees shall ensure that each of the items listed above are updated and maintained as part of the operation and maintenance program for the wastewater treatment facility.
In addition to the operation and maintenance items in the manual for the lagoon system, ALL Permittees shall do the following maintenance, at a minimum:
The Permittee shall maintain a log in either paper (e.g. bound notebook) or electronic format containing a summary record of any daily operation and maintenance activities at the wastewater treatment lagoon facility and collection system, that is to be updated on each day operation and maintenance activities are performed. At a minimum, the log shall include the following information:
6.6.1.5. Date and time;
6.6.1.6. Name and title of person(s) making the log entry;
6.6.1.7. Name of the persons(s) performing the activity;
6.6.1.8. A brief description of any operations and maintenance activity performed on the wastewater treatment lagoon system;
6.6.1.9. The Permittee shall ensure that necessary action to promptly correct the problem of leakage through the dikes is taken and documented in the maintenance log;
6.6.1.10. The Permittee shall ensure that necessary action to promptly remove burrowing animals from the dikes is taken and documented in the maintenance log;
6.6.1.11. The Permittee shall ensure prompt repair of damage to dikes caused by burrowing animals and/or erosion and documentation of all actions in the maintenance log;
6.6.1.12. The Permittee shall ensure removal of rooted plants, including weeds and trees, from the water on a regular basis or as needed and documentation of all actions in the maintenance log; and
6.6.1.13. The Permittee shall ensure that the dikes are kept mowed on a regular basis during the growing season or as needed (i.e., vegetation not greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system) and that documentation of all actions taken are recorded in the maintenance log.
6.6.1.14. Other information, as appropriate."

Corrective Action:
Implement an operations and maintenance program in accordance with the permit. Ensure that maintenance logs are kept in accordance with the recordkeeping requirements of the permit. Provide the

EPA and IHS with a description of the corrective actions taken to address this finding as well as relevant O&M documents from sections 6.6.1.1. thru 6.6.1.4.

Finding #3: There was vegetation growing inside and around the cells.
Vegetation and cattails had begun to reach a height greater than six inches on the inside of the cell berms (photo 484).

Permit requirement:
Part 6.6 of the Permit states, "The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this Permit.
The Permittee shall do the following as part of the operation and maintenance program for the wastewater treatment facility…
6.6.1.12. The Permittee shall ensure removal of rooted plants, including weeds and trees, from the water on a regular basis or as needed and documentation of all actions in the maintenance log; and
6.6.1.13. The Permittee shall ensure that the dikes are kept mowed on a regular basis during the growing season or as needed (i.e., vegetation not greater than 6" tall or any height that may interfere with monitoring, operation and maintenance of the system) and that documentation of all actions taken are recorded in the maintenance log..."

Corrective Action:
Remove the overgrown vegetation on the inside of the berms in all cells in accordance with Part 6.6 and relevant subparts of the Permit. Submit to the EPA and IHS a description of corrective actions taken as well as photos of the cells after the vegetation has been removed.

Finding #4: Several lift stations were either missing fences, gates and/ or signs.
The School lift station did not have any fence or barrier around the lift station (photo 488). The Midpoint/Center Site lift station did not have signs posted (photo 492).

EPA Guidance:
EPA has developed guidance manuals on the proper operation and maintenance of lagoons. One of the guidance materials is called "Principles of Design and Operations of Wastewater Treatment Pond Systems for Plant Operators, Engineers, and Managers" (August 2011, EPA/600/R-11/088).
https://www.epa.gov/sites/production/files/2014-09/documents/lagoon-pond-treatment-2011.pdf

This guidance manual indicates on page 9-20 that:

"To discourage use of the ponds for recreation, the entire area should be fenced and warning signs displayed."

Permit requirement:
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Recommendation:
Ensure that fences, gates and signs are maintained to prevent unauthorized access and entrance.

Finding #5: SCADA would stop calling operators phones after a certain period of time.
According to TMPUC operators, SCADA call-out functionality from the lift stations timed-out and would stop calling-out to operator phones after a limited period of time.

Permit requirement:
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Corrective Action:
Ensure that the SCADA software is functioning as intended so that any warnings can be addressed as soon as possible. Provide the EPA and IHS with a description of the corrective actions taken to address this finding.

Finding #6: The School lift station had deficiencies noted.
The "Seal Fail" lights were illuminated for both pumps at the School lift station (photo 487).

Permit Requirement:
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maintenance program for the wastewater treatment facility:
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6.6.1.2. Have the O & M Manual(s) readily available to the operator of the wastewater treatment facility and require that the operator become familiar with the manual(s) and any updates;
6.6.1.3. Have a schedule(s) for routine operation and maintenance activities at the wastewater treatment facility; and,
6.6.1.4. Require the operator to perform the routine operation and maintenance requirements in accordance with the schedule(s).
For Permittees renewing coverage under this Permit, the Permittee is expected to have the above listed items (Sections 6.6.1.1. thru 6.6.1.4., which were part of the requirements under the previous Region 8 General Permit for Wastewater Lagoon Systems in Indian Country) completed prior to the coverage date under this Permit. These Permittees shall ensure that each of the items listed above are updated and maintained as part of the operation and maintenance program for the wastewater treatment facility."

Corrective Action:
Diagnose the reason for the Seal Fail warning lights displayed on the panels and make necessary repairs. Provide the EPA and IHS with photos and a description of the corrective actions taken to address this finding.

Finding #7: Lift station trash basket deficiencies noted.
At the Midpoint/ Center Site and the Fleet Farm/ West lift stations the trash baskets were not capturing influent as designed and many solids were flowing directly into the wet well (photo 490).

Permit Requirement:
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Corrective Action:
Ensure that trash baskets are functioning as intended at the Midpoint/ Center Site and the Fleet Farm/ West lift stations. Provide the EPA and IHS with photos and a description of the corrective actions taken to address this finding.

Finding #8: Lift station pump deficiencies noted.
At the Manufacturing lift station only one pump was installed/ operational (photo 495). At the School lift station pump 2 was not in service, although it appeared installed and operational (photo 487).

Permit Requirement:
Part 6.6 of the Permit states, "The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this Permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a Permittee only when the operation is necessary to achieve compliance with the conditions of this Permit.
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Corrective Action:
Ensure that two operational pumps are installed and running at lift stations. Evaluate if pump 2 at the School lift station should be placed into service and, if not, explain why this cannot be accomplished.

Provide the EPA and IHS with photos and a description of the corrective actions taken to address these findings.

Finding #9: Fleet Farm/ West lift station had a deficiency noted.
At the Fleet Farm/ West lift station the VFD fail light was illuminated for pump 2 (photo 501).

Permit Requirement:
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Corrective Action:
Diagnose the reason for the VFD Fail warning light displayed on the panel and make necessary repairs. Provide the EPA and IHS with photos and a description of the corrective actions taken to address this finding.

Finding #10: It was unclear who had ownership of the School lift station.
It was unclear whether any written agreement existed between the TMPUC and the Ojibwa Millennium School outlining ownership and operatorship responsibilities for the School Lift Station.

Permit requirement:
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The Permittee shall do the following as part of the operation and maintenance program for the wastewater treatment facility:
6.6.1. For Permittees not previously covered under the Region 8 General Permit for Wastewater Lagoon Systems in Indian Country, the Permittee shall, as soon as reasonable and practicable, but no later than six (6) months after the effective date of this Permit, do the following as part of the operation and maintenance program for the wastewater treatment facility:
6.6.1.1. Have a current O & M Manual(s) that describes the proper operational procedures and maintenance requirements of the wastewater treatment facility;
6.6.1.2. Have the O & M Manual(s) readily available to the operator of the wastewater treatment facility and require that the operator become familiar with the manual(s) and any updates;
6.6.1.3. Have a schedule(s) for routine operation and maintenance activities at the wastewater treatment facility; and,
6.6.1.4. Require the operator to perform the routine operation and maintenance requirements in accordance with the schedule(s).
For Permittees renewing coverage under this Permit, the Permittee is expected to have the above listed items (Sections 6.6.1.1. thru 6.6.1.4., which were part of the requirements under the previous Region 8 General Permit for Wastewater Lagoon Systems in Indian Country) completed prior to the coverage date under this Permit. These Permittees shall ensure that each of the items listed above are updated and maintained as part of the operation and maintenance program for the wastewater treatment facility."

Corrective action:
Coordinate with the Ojibwa Millennium School to ensure the lift station is being operated and maintained in accordance with Permit requirements. It is recommended the TMPUC enter into a written agreement with the school to clarify ownership/operatorship responsibilities for this lift station. Provide the EPA and IHS with a description of the corrective actions taken to address this finding.

Finding #11: It was unknown whether an outlet from the wetland cell exists or if it is part of the treatment system.
During the inspection, the valve between Cell 2 and the constructed wetland cell was closed and no water was flowing into the wetland cell (photo 486). It is unknown whether an outlet from the wetland cell exists. The maps provided in the NOI do not indicate that the wetland cell is part of the system and do not show an outfall, however in the narrative section a wetland cell is quantified.

Permit requirement:
Appendix F of the Permit states,

> "• A map and/or diagram showing the location of the lagoon system, existing or potential discharge points, and the receiving waterway. Label discharge points by outfall number. All maps and diagrams should be submitted on 8.5" by 11" paper. It is acceptable to use a photocopy of the appropriate part of a 7.5 minute USGS quadrangle map with the necessary information added as appropriate, or satellite or aerial internet images.
> …

• A line drawing (flow diagram) of the current treatment system. Show all treatment units and existing or potential discharge points. Label the discharge points with outfall numbers;"

Corrective Action:
If water is ever directed into the wetland cell, the presence and status of any valve that could potentially release water from the wetland cell should be known. Also, ensure that maps, NOI and O&M documents reflect the exact location of all potential discharge points. Provide the EPA and IHS with photos of the wetland outfall if it exists, as well as an updated site map indicating its location.

Finding #12: The characteristics of wastewater received from the manufacturing center was not known.
The Ojibwa Millennium School Wastewater Treatment Facility now receives wastewater from the manufacturing center, but the characteristics of that wastewater are not known.

Permit Requirement:
Part 6.11 of the Permit states, "Industrial Waste Management:
6.11.1. Wastewater treatment facilities covered under the Permit either meet the definition of a publicly owned treatment works (POTW) as defined in 40 CFR § 403.3 or, if the facility does not meet the definition of a POTW (e.g. because of ownership; not owned by a State, Tribe or other type of "municipality" as defined in 40 CFR § 122.2), the waste treated and type of treatment have been determined to be significantly similar to that of a POTW. The Permittees have the responsibility to protect the permitted wastewater treatment lagoon facility from pollutants which would inhibit, interfere, or otherwise be incompatible with operation of the treatment works including interference with the use or disposal of sewage sludge.
6.11.2. General and Specific Prohibitions: Pretreatment Standards (40 CFR § 403.5) developed pursuant to Section 307 of the Act require that the Permittee shall not allow, under any circumstances, the introduction of the following pollutants to the wastewater treatment lagoon system from any source of non-domestic discharge:
6.11.2.1. Any other pollutant which may cause Pass Through or Interference.
6.11.2.2. Pollutants which create a fire or explosion hazard in the wastewater treatment lagoon system, including, but not limited to, waste streams with a closed cup flashpoint of less than sixty (60) degrees Centigrade (140 degrees Fahrenheit) using the test methods specified in 40 CFR § 261.21;
6.11.2.3. Pollutants which will cause corrosive structural damage to the wastewater treatment lagoon system, but in no case discharges with a pH of lower than 5.0 standard units, unless the treatment facilities are specifically designed to accommodate such discharges;
6.11.2.4. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the wastewater treatment lagoon system, or other interference with the operation of the wastewater treatment lagoon system;
6.11.2.5. Any pollutant, including oxygen demanding pollutants (e.g., BOD5), released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with any treatment process of the wastewater treatment lagoon system;
6.11.2.6. Heat in amounts which will inhibit biological activity in the wastewater treatment lagoon system resulting in Interference, but in no case heat in such quantities that the temperature at the wastewater treatment lagoon system exceeds forty (40) degrees Centigrade (104 degrees Fahrenheit) unless EPA, upon request of the wastewater treatment lagoon system, approves alternate temperature limits;
6.11.2.7. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that

will cause Interference or Pass Through;
6.11.2.8. Pollutants which result in the presence of toxic gases, vapors, or fumes within the wastewater treatment lagoon system in a quantity that may cause acute worker health and safety problems;
6.11.2.9. Any trucked or hauled pollutants, except at discharge points designated by the wastewater treatment lagoon system; and
6.11.2.10.Any specific pollutant which exceeds a local limitation established by the Permittee in accordance with the requirements of 40 CFR§ 403.5(c) and (d).
6.11.3. For the wastewater treatment lagoon systems covered by this Permit, EPA presently is the Approval Authority for the Pretreatment Program as defined in 40 CFR § 403.3. The mailing address for all reporting and notifications shall be mailed to the addresses indicated in Section 5.6 of the Permit.
6.11.4. Categorical Pretreatment Standards/Point Source Categories: In addition to the general limitations expressed above, more specific Pretreatment Standards have been and will be promulgated for specific industrial categories under Section 301, 306, and 307 of the Act (40 CFR Part 405 et. seq.).
6.11.5. The Permittee must notify the EPA at the address in Section 5.6 and the appropriate Tribe(s) (see list of Tribes in Appendix A of this Permit) of any new introductions by new or existing Industrial Users or any substantial change in pollutants from any Industrial User within sixty (60) days following the introduction or change. Such notice must identify:
6.11.5.1. Any new introduction of pollutants into the wastewater treatment lagoon system from an Industrial User which would be subject to the Point Source Categories listed in 40 CFR Part 405 et. seq. if it were directly discharging those pollutants (i.e. Sections 301, 306, or 307 of the Act); or
6.11.5.2. Any substantial change in the volume or character of pollutants being introduced into the wastewater treatment lagoon system by any Industrial User including but not limited to any Industrial User that discharges an average of 25,000 gallons per day or more of process wastewater to the wastewater treatment lagoon system (excluding sanitary, noncontact cooling and boiler blowdown wastewater), contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the wastewater treatment lagoon treatment system, whose discharge designated by the EPA as having a reasonable potential for adversely affecting the wastewater treatment lagoon system's operation or for violating any Pretreatment Standard or requirements. or other discharges that may cause Pass Through or Interference.;
6.11.5.3. For the purposes of this section, adequate notice shall include information on:
6.11.5.3.1. The identity of the Industrial User;
6.11.5.3.2. The nature and concentration of pollutants in the discharge and the average and maximum flow of the discharge to be introduced into the wastewater treatment lagoon system; and
6.11.5.3.3. Any anticipated impact of the change on the quantity or quality of effluent to be discharged from or biosolids or sludge produced at such wastewater treatment lagoon system.
6.11.6. At such time as a specific Pretreatment Standard or requirement becomes applicable to an Industrial User of the Permittee, the EPA may, as appropriate:
6.11.6.1. Amend the Permittee's NPDES coverage or require the Permittee to apply for an individual permit so EPA can amend the Permittee's NPDES discharge requirements to specify the additional pollutant(s) and corresponding effluent limitation(s) consistent with the applicable national Pretreatment Standards;
6.11.6.2. Require the Permittee to specify, by ordinance, order, or other enforceable means, the type of pollutant(s) and the maximum amount which may be discharged to the Permittee's wastewater treatment lagoon system for treatment. Such requirement shall be imposed in a manner consistent with the program development requirements of the General Pretreatment Regulations at 40 CFR Part 403; and/or,

6.11.6.3. Require the Permittee to monitor its discharge for any pollutant which may likely be discharged from the Permittee's wastewater treatment lagoon system, should the Industrial User fail to properly pretreat its waste. Under this provision, EPA may also require the Permittee to apply for an individual permit with more site-specific monitoring and permitting requirements.
6.11.7. EPA retains, at all times, the right to take legal action against any source of non-domestic discharge, whether directly or indirectly controlled by the Permittee, for violations of a permit, order or similar enforceable mechanism issued by the Permittee, violations of any Pretreatment Standard or requirement, or for failure to discharge at an acceptable level under national standards issued by EPA under 40 CFR chapter I, subchapter N. In those cases where a NPDES permit violation has occurred because of the failure of the Permittee to properly develop and enforce Pretreatment Standards and requirements as necessary to protect the wastewater treatment lagoon system, the EPA shall hold the Permittee and/or Industrial User responsible and may take legal action against the Permittee as well as the Industrial User(s) contributing to the Permit violation."

Corrective Action:
Investigate the potential pollutants as well as the volume which the manufacturing center may be discharging into the Ojibwa Millennium School Wastewater Treatment Facility. Notify the EPA of the following:

- The identity of the Industrial User;
- The nature and concentration of pollutants in the discharge and the average and maximum flow of the discharge to be introduced into the wastewater treatment lagoon system; and
- Any anticipated impact of the change on the quantity or quality of effluent to be discharged from or biosolids or sludge produced at such wastewater treatment lagoon system.

Provide EPA and IHS with the results of such investigation for evaluation.

NPDES Inspection Report – Industrial User

Name of industry and location:	**Control authority / Permit No. / Facility ID:**
Parkway Products 4150 St. Cloud Drive Loveland, CO 80538	South Fort Collins Sanitation District Permit No. PKY21-25 NPDES ID: COPIU0046 Inspection ID: 202504_COPIU0046 Latitude: 40.43462 ˚N, Longitude: -104.98452˚W
Date of visit:	**Time of visit:**
April 2, 2025	9:55 a.m. – 11:55 a.m.
Name(s) / Affiliation of inspector(s):	
Stephanie Passarelli / U.S. Environmental Protection Agency, Region 8 (Lead)	
Althea Wilson / U.S. Environmental Protection Agency, Region 8	
Derik Caudill / Industrial Pretreatment Supervisor / South Fort Collins Sanitation District	
Ryan Palmer / Industrial Pretreatment Specialist / South Fort Collins Sanitation District	
Name / Title / Affiliation of facility contacts:	
Alan Totten / Senior Process Engineer / Parkway Products	

Report Review and Signature		
Drafter Name	Address/Phone Number	Date
STEPHANIE PASSARELLI Digitally signed by STEPHANIE PASSARELLI Date: 2025.08.14 15:44:02 -06'00'	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ECA-W-NW** **Denver, Colorado 80202**	**6/10/25 (original)** **08/14/25 (amended)**
Stephanie Passarelli	**303-312-6803**	
Reviewer Name	Address/Phone Number	Date
Althea Wilson	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ECA-W-NW** **Denver, Colorado 80202**	**6/12/25 (original)**
	303-312-6026	
Supervisor Signature/Name	Address/Phone Number	Date
EMILIO LLAMOZAS Digitally signed by EMILIO LLAMOZAS Date: 2025.08.14 15:38:07 -06'00'	**U.S. EPA Region 8** **1595 Wynkoop Street** **8ECA-W-NW** **Denver, Colorado 80202**	**6/18/2025 (original)** **08/14/2025 (amended)**
Emilio Llamozas	**303-312-6407**	Date

Inspection Description:

On April 2, 2025, U.S. Environmental Protection Agency (EPA) inspectors Stephanie Passarelli and Althea Wilson (jointly referred to as EPA inspectors) and the South Fort Collins Sanitation District (District) inspectors Derik Caudill and Ryan Palmer, conducted an industrial user inspection of Parkway Products, also referred to as Clayens Parkway Loveland, ("Parkway" or "Facility"), in Loveland, Colorado, as part of a pretreatment compliance inspection (PCI) of the District. The District had identified Parkway Products as a Categorical Industrial User (CIU) that did not discharge categorical process waters to the District's sanitary sewer system under Permit Number PKY21-2501 (Permit). The inspection was unannounced, and was conducted to evaluate and clarify the Facility's operations and categorical processes. EPA inspectors led the inspection and the District's inspectors asked clarifying questions as necessary.

Upon arriving to the Facility at approximately 9:55 a.m., the District introduced the inspectors to Parkway Product's Senior Process Engineer Alan Totten. The EPA inspectors began the opening conference by presenting their credentials. The inspectors then explained the general purpose and procedures of the inspection. During the opening conference, Mr. Totten provided an overview of the Facility's operations, focusing on the processes that generate wastewater and any recent changes to the Facility's production.

Following the opening conference, Mr. Totten accompanied the group of inspectors on a facility walk-through, raw material storage area in the delivery bay. The interior walkthrough focused on the processing of magnesium molded products, chemical and waste storage areas, wastewater production, and the District's access point. To document and record the conversation and inspection observations, the inspectors took notes using bound checklists with questions applicable to the permitted industrial user. Photographs taken during the inspection are included in the attached photo log.

The inspectors conducted a closing conference with Mr. Totten and provided general observations and preliminary findings from the inspection. The EPA and District representatives left the Facility at approximately 11:55 a.m.

1. What does this industry produce?

Parkway is a manufacturer of magnesium molded products for a variety of industries including the aerospace and medical industry. Parkway manufactures several routine products for each industry client.

2. How is the industry classified by the POTW?

The District classified Parkway as a new source Categorical Industrial User (CIU) subject to Nonferrous Metals Forming and Metal powders Point Source Category (40 CFR 471) based on the magnesium thixomolding processes conducted at the facility that utilize magnesium chips to mold manufactured parts identified in 40 CFR 471.20.

The District issued Parkway a non-discharging permit due the wastewaters generated during the molding process (including machine spray identified in 40 CFR 471.25) not being discharged to the Publicly Owned Treatment Works (POTW). The District identified the remaining wastewater streams from vibratory finishing,

finished parts rinsing, and machined parts rinsing as non-regulated wastestreams and noted that they were not subject to 40 CFR 471. Parkway's permit #PKY21-25 explicitly states which wastewaters are prohibited from discharge and which wastewaters are allowed to be discharged to the POTW.

3. Have there been any significant changes in processes or flow?

Mr. Totten indicated several new individual products are being manufactured at the facility through government and military contracts, however the same process lines remain with no new changes being implemented within the past year.

4. What raw materials are used?

The Facility uses the following materials:

- Magnesium chips made from magnesium/aluminum alloy
- Steel dies
- Machining oils
- Cleaning soap and detergents

5. What processes are used to make the product(s)? Indicate any wastes generated and destination of wastes.

Parkway Products produces a variety of molded manufactured products for the aeronautical and medical industry. A thixomolding process is used to form products by starting with magnesium chips loaded in a hopper near the raw materials storage area (Photos 1-3). Depending on the size of product to be produced, magnesium chips are pumped either to one of three large hoppers, or one of four small hoppers, all placed in parallel thixomolding production lines (Photos 11-12). Magnesium chips are heated to a temperature of approximately 600 degrees Celsius to convert them into a molten consistency. An auger injects the molten magnesium under high pressure into preformed steel dies, manufactured off site, and held in place for approximately eight to ten seconds as the magnesium product forms (Photo 9). The dies are sprayed with water soluble die spray to help release the product. Per facility representative, there is no wastestream resulting from spraying the die molds. The spray either evaporates in place due to the high temperatures, or drips onto drip pads which are then disposed of in the trash. An automated arm removes products from the die and places it on conveyer belt where overhead fans help to cool molded products (Photos 10 and 13).

Approximately 90% of molded products proceed through one of five vibratory tumblers to debur or remove sharp edges using a water supply, water-based detergent, and a ceramic media. Following tumbling, products pass through a rinse line, to a rinse bath. Per facility representatives, the 40-gallon rinse bath is filled approximately 1/3 full and discharged three to four times per shift when in use – estimating approximately 10-20 gallons per production day (Photos 14-19). Wastewater streams from the four tumblers in the central production area are collected and discharged through one pipe to a sump pit located in the basement of the facility and then to the sanitary sewer. The sump pit separates solids allowing aluminum and magnesium to settle in the pit. The sump pit is cleaned annually, and any waste is hauled off-site for disposal. The fifth tumbler is located in the northeast corner of the building and used infrequently. Wastewater from this machine is piped separately to the same basement sump pit and then discharged to the sanitary sewer.

Ten Computer Numerical Control (CNC) machines are used to trim products if needed to appropriate specifications The CNC machines have a sump where used oil is collected (Photos 22-23). The used oil is collected and disposed of offsite. The used oil tote and approximately three to four oily water totes are hauled off site by a waste hauler 2-3 times per year. Likewise, any residual scrap material is collected and hauled offsite for recycling. As needed, trimmed magnesium molded parts are rinsed in five-gallons buckets next to each CNC machine. At the end of each shift, the rinse buckets are then discharged to sanitary sewer via the mop sink. The facility representative noted all CNC machines are not in use each day, and rinse buckets are partially full, therefore estimating approximately 8-10 gallons discharged per day.

A portion of products produced are packaged and sent off-site for finishing (powder coating and painting) and returned for inspection and assembly. All products are then packaged and shipped to customers.

Additional water is used at the tool cleaning station where the steel dies and tools are cleaned to remove residual materials and oils following forming. The three-part cleaning system (Photos 20 and 21) uses three reservoirs that perform the following in sequence: initial strip of any residue using an alkaline rinse, followed by a clean water rinse, and then a final rinse with the addition of a rust inhibitor. The tools are then place in a dry bath to drain (Photo 20). The tool cleaning process is self-contained and replenished with water. Once depleted, the tanks are disposed of offsite by a waste hauler, hauling off approximately 350 gallons per year.

There are no floor drains on the production floor. In the basement no production occurs, only piping access tunnels for electrical/plumbing/heating services. Wastewater discharged from the tumblers are collected in the basement (Photos 24-25) and collectively pass through a central line to the sump pit (Photo 26), joined also by the cooling tower backwash, which is all then discharged to the sanitary sewer.

6. Where is water used and what is the source of the water (city, well, river, etc.)?

The Facility uses the District's water in its operations previously discussed including process wastewater and sanitary wastewater. Water is used for manufacturing of parts in the thixomolding process, deburring using vibratory tumblers, parts rinse, tool cleaning stations and in the CNC machines.

7. Describe the processes which discharge wastewater.

Please refer to Section 5 and 9 of the inspection report for a description of the processes that discharge wastewater.

In summary processes discharging wastewater include:

- Discharge of vibratory tumbler wastestreams following production. Wastewater is discharged through basement sump pump into sanitary sewer.
- Parts rinse baths following vibratory tumblers, discharged approximately 3-4 times per shift when tumblers are in use (approx. 10-20 gallons/day)
- Parts rinse buckets following CNC machine is discharged through mop sink after each shift. (approx. 8-10 gallons per day)
- Cooling tower filter backwash is discharged directly to sanitary sewer. Cooling tower is used to cool hydraulic processes and various processes throughout the building.

8. Describe the sample location. Are the CA and industry using the same location?

Parkway is designated as a zero-discharge facility and does not currently have a regulated monitoring point.

9. Describe the treatment system in place.

Wastewater resulting from vibratory tumblers and the mop sink passes through a sump pit prior to discharge to the sanitary sewer collecting any residual solids. As noted, the sump pit is cleaned annually with solids hauled off-site by a waste hauler. Manifests documenting this disposal are maintained by the Facility and were requested for submittal by the District during the prior inspection in 2024.

Parkway Products does not conduct any additional treatment of wastestreams prior to discharge to the sanitary sewer.

10. What chemicals are maintained at the facility? How are they stored? Is adequate spill prevention in place?

Chemicals for use in cooling tower maintenance (i.e., pH control, rust inhibitor, and bactericide) are stored adjacent to the cooling tower on secondary containment (Photos 4-5).

Chemicals used for tool cleaning are stored in small quantities in a flammable storage cabinet near the central production area.

Oily water waste totes, spent oil totes, and hydraulic fluid storage drums were stored in the fluid storage area. Totes and drums were observed to be both with and without secondary containment (Photos 6-7). There are no floor drains in the vicinity of the fluid storage area. A slug discharge control plan is not currently required as part of the Facility's Zero Discharge Permit issued by the District.

11. Are any hazardous wastes stored or discharged?

The Parkway Products representatives indicated there were no hazardous wastes stored or discharged from the facility.

FINDINGS, CORRECTIVE ACTIONS, AND RECOMMENDATIONS

The following findings were identified during the inspection. The EPA has requested the District work directly with Parkway Products to resolve any outstanding findings. No response from Parkway Products to the EPA is requested at this time.

Finding 1 – Wastestreams from vibratory finishing and parts rinse are ancillary processes and subject to categorical effluent limitations.

At the time of the inspection, Parkway Products was permitted by the District as a zero-discharge facility. This determination was made by the District since there were no wastestreams discharged from the thixomolding process which is subject to 40 CFR 471 New Source Nonferrous Metals Forming and Metal Powders Point Source Category. However, ancillary operations conducted at the site, including the water sprayed to release

the die mold, vibratory finishing, and CNC parts rinse wastestreams, are also subject to the 40 CFR 471 regulations. These wastewaters were being discharged to the District's sanitary sewer with no treatment, monitoring, or sampling being conducted.

Upon further review of the 40 CFR 471.25 Pretreatment standards for new sources, Guidance Manual for "Aluminum, Copper, and Nonferrous Metals Forming and Metal Powders Pretreatment Standards," and "Developmental Documents for Effluent, Limitations Guidelines and Standards for the Nonferrous and Metal Powders Point Source Category," specific effluent limitations have not been established in Subpart B – Magnesium Forming subcategory for the specific "tumbling" ancillary operations identified. In summary, there are no effluent pretreatment limits for tumbling in 40 CFR part 471 Subpart B.

Permit Requirement

The federal regulations at 40 CFR 471.01(d) state, "Casting is covered by this part when it is performed as an integral part of the metal forming process and takes place at the same plant site at which metals are formed. Such casting will not be regulated under the provisions of Metal Molding and Casting Point Source Category regulations, 40 CFR part 464."

The federal regulations at 40 CFR 471.01(a)(2) state, This part applies to "Ancillary operations performed as an integral part of the forming of these metals, including casting for subsequent forming, heat treatment, surface treatment, alkaline cleaning, solvent degreasing, product testing, surface coating, sawing, grinding, tumbling, burnishing, and wet air pollution control."

There are no effluent pretreatment limits for tumbling in 40 CFR 471 Subpart B.

Corrective Action

There is no corrective action required for this finding since there are no effluent pretreatment limits for tumbling in 40 CFR 471 Subpart B.