



NPDES Compliance Inspection Report

Lang Street Facility

Anchorage, Alaska

NPDES Tracking Number:

AKR06AA82

Inspection Date: 9/29/2023

Prepared by:

CJ Langlois

U.S. Environmental Protection Agency, Region 10

Enforcement & Compliance Assurance Division

Water Enforcement & Field Branch

Field, Data & Drinking Water Enforcement Section

Inspector Signature/Date:

Langlois, Curmit



Digitally signed by Langlois, Curmit

Date: 2024.02.21 12:26:03 -08'00'

Supervisor Signature/Date:

PETER CONTRERAS



Digitally signed by PETER CONTRERAS

Date: 2024.02.21 10:26:54 -08'00'

Contents

I.	Facility Information	3
II.	Inspection Information	4
III.	Permit Information	4
IV.	Background	4
V.	Inspection Chronology	5
VI.	Opening Conference.....	5
VII.	Laboratory Inspection.....	6
VIII.	Site Review.....	6
VII.	File Review.....	7
IX.	Areas of Concern.	7
X.	Closing Conference.....	8

Attachment A – Site Maps

Attachment B – Photograph Log

Attachment C – Notice of Violation

[Unless otherwise noted, all details in this inspection report were obtained from conversations with Mr. Benjamin Lamirand, a review of facility documents, and/or from observations made during the inspection.]

I. Facility Information

Facility Name: Lang Street Facility

Facility Owner/Operator: Owner – Granite Construction Company
Operator – Matt Hampton, Materials Manager
Granite Construction Company

Physical Address: 10805 Lang Street
Anchorage, Alaska 99515

Mailing Address: 10805 Lang Street
Anchorage, Alaska 99515

Lat/Long: 61.1226332° N, 149.8763131° W

Facility Contacts: Benjamin Lamirand, Environmental Engineer &
Compliance Monitoring
Lang Street Facility
Cell: (907) 227-2247
Direct: (907) 267-5281
Email: Benjamin.Lamirand@gcinc.com

David Laster, Compliance Monitoring
Lang Street Facility
Cell: (907) 350-0790
Email: David.Laster@gcinc.com

Permit Number: AKR06AA82

SIC Code: 2951 – (Asphalt Paving Mixtures and Blocks)

Receiving Water: Campbell Creek Watershed & an MS4
(Municipality of Anchorage)

II. Inspection Information

Inspection Date: September 29, 2023

Inspectors: CJ Langlois
EPA Region 10, ECAD / WEFB / FDDWES
Phone: 206-553-2739

Arrival Time: 11:00 p.m.

Departure Time: 12:55 p.m.

Weather: Mostly Cloudy, 45° F

Purpose: To evaluate compliance with the requirements of the Clean Water Act (CWA) and the Alaska Pollutant Discharge Elimination System (APDES) permit, Sector D1, for Stormwater Discharges Associated with Industrial Activity in Alaska.

III. Permit Information

On February 20, 2020, the Alaska Department of Environmental Conservation (DEC) issued the Alaska Pollutant Discharge Elimination System (APDES) permit for Stormwater Discharges Associated with Industrial Activity Permit (MSGP) for facilities in the state of the Alaska, general permit #AKR060000. Lang Steet Facility falls under Sector D (Asphalt Paving and Roofing Materials and Lubricants Manufacturing) 1 (Covered Stormwater Discharges) of the APDES. The facility submitted their NOI (Notice of Intent) in time and was approved to discharge on June 16, 2020. The permit became effective on May 13, 2020, and will expire on March 31, 2025.

IV. Enforcement Background

The Alaska Department of Environmental Conservation issued an NOV (Notice of Violation) on November 15, 2018. “The Department alleges that beginning on or about June 17, 2015, and continuing up until October 10, 2018, at Anchorage, Alaska, Granite Construction Inc. did unlawfully fail to comply with the conditions of the Alaska Pollutant Discharge Elimination System (APDES) permit. The following issues were discovered as part of file reviews and an on-site inspection on October 10, 2018:”

1. “Benchmark water quality sampling has yet to be performed despite guidance from DEC sent by email on July 13, 2017.”
2. “Quarterly visual assessments have not been collected.”
3. “Effluent samples have not been collected annually as outlined in Table 7-1 and 11.D.4-1.”

The facility has since satisfied the requirements of the NOV.

V. Inspection Chronology

This was an unannounced inspection. On September 29, 2023, I arrived at the facility at 11:00 a.m. I walked into the facility’s office where I met with a gentleman that phoned Mr. Benjamin Lamirand to inform him of the inspection. Mr. Lamirand showed up about 20 minutes after the phone call. I then presented my credentials to Mr. Lamirand and provided my business card along with a Small Business Administration (SBA) form to him. I started off with an opening conference explaining the reason for my visit and the scope of the inspection. Mr. Lamirand answered all my questions and I was not denied access to any area of the facility. The inspection at the facility lasted until approximately 12:55 p.m.

VI. Opening Conference

I began the inspection with an opening conference in the facility’s office and explained the scope of the inspection. I handed over an SBA (Small Business Administration) form, a business card, and commenced a file review.

Lang Street Facility is located in the southern part of Anchorage, Alaska, and has been in operation since 2012. This facility produces Hot Mix Asphalt, which is the combination of 95% sand, gravel, and stone that are held together by asphalt cement (a petroleum product). Activities at the facility include the production of Hot Mix Asphalt, loadout of the asphalt, and facility maintenance. Typical operating hours are from 7 a.m. – 5 p.m., Monday through Saturday. There are two to five employees working for facility throughout the year.

The nearest body of water is Campbell Creek which is approximately 1.6 miles to the northwest. Approximately 2.25 acres of land are exposed to stormwater. Stormwater does not drain directly into this watershed but instead initially enters an MS4 operated by the Municipality of Anchorage. The majority of the facility grounds are paved. The western portion of the site is sloped so that water is channeled to an in-ground filtration system, via a storm drain (**Photo 1**) and is then pumped to a rock outfall that eventually flows into the MS4 (**Photo 2**) located on Lang St. The MS4 empties into the Campbell Creek Watershed. The eastern side of the site flows northward and infiltrates into vegetation. The particular facility/site experiences extreme weather with irregular stormwater discharges because frozen conditions exist from mid-October until mid-April. Due to these conditions, quarterly benchmark monitoring has been modified.

- Quarter 1: March 1 – June 30
- Quarter 2: June 1 – July 31
- Quarter 3: August 1 – September 30
- Quarter 4: October 1 – December 31

VII. Laboratory Inspection

Lang Street Facility sends off their samples to be analyzed by SGS in Anchorage, Alaska. The facility monitors for Total Suspended Solids (TSS), pH (potential of hydrogen), and Oil and Grease. There were a total of 8 effluent violations for TSS since February 1, 2019. The exceeded percentage for each violation is considerable. Please refer to Figure 1.

Effluent Violations											
Violation Code	Monitoring Period End Date	Limit Set	Parameter	Mon. Loc.	Seas. ID	SNC Group	EA Identifier	Value Type/ Stat. Base	Reported Value/Units	% Exceed.	Limit Value/ Units
E90	01/31/2024	001-A	00530 - Solids, total suspended	T	1	1		C2 MO AVG	101 mg/l	573%	<=15 mg/l
E90	01/31/2024	001-A	00530 - Solids, total suspended	T	1	1		C3 DAILY MX	101 mg/l	339%	<=23 mg/l
E90	01/31/2023	001-A	00530 - Solids, total suspended	T	1	1		C2 MO AVG	299 mg/l	1,893%	<=15 mg/l
E90	01/31/2023	001-A	00530 - Solids, total suspended	T	1	1		C3 DAILY MX	299 mg/l	1,200%	<=23 mg/l
E90	01/31/2022	001-A	00530 - Solids, total suspended	T	1	1		C2 MO AVG	100 mg/l	567%	<=15 mg/l
E90	01/31/2022	001-A	00530 - Solids, total suspended	T	1	1		C3 DAILY MX	100 mg/l	335%	<=23 mg/l
E90	01/31/2021	001-A	00530 - Solids, total suspended	T	1	1		C2 MO AVG	93.7 mg/l	525%	<=15 mg/l
E90	01/31/2021	001-A	00530 - Solids, total suspended	T	1	1		C3 DAILY MX	187 mg/l	713%	<=23 mg/l

Figure 1 - Effluent Violations

VIII. Site Review

Mr. Lamirand led me on a tour of the facility. Site maps appear in **Attachment A** and a photograph log appears in **Attachment B**.

Lang Street Facility has a moderate amount of traffic passing through the facility grounds including heavy equipment. Water trucks are used as necessary to reduce dust throughout the facility. A dust suppression system is used at the “bag house” during times of excessive dust. The majority of the site is paved but there are areas of gravel. Most of the dust is coming from the processing of materials on site and is also blown in from adjacent properties. Water stops are utilized to knock off sediment from vehicles leaving the site. These water stops are also used to control and direct flow to an in-ground filter that traps sediment. That stormwater is then pumped to a rock lined outfall (**Photos 3 & 4**) which ultimately drains to the MS4 off of Lang St.

The facility stores various potential pollutants including asphalt oil (**Photo 5**), gear oil, fuels, construction waste, waste oil and hydraulic fluid on-site. Petroleum-based materials and hazardous materials of 5 gallons or more are stored with secondary containment. Two covered sheds are used to store oils and lubricants. Spill kits are readily available in case of spillage. Fueling of vehicles, equipment, and machinery also takes place on-site. Asphalt binder is stored in three 35,000-gallon tanks and in one 20,000-gallon tank. This binder is used to hold the aggregate together. There is a stockpile of used asphalt that is temporarily stored at the facility for recycling. Weekly inspections of the

facility are conducted to address any housekeeping issues that may arise. BMPs are typically inspected quarterly or as necessary.

IX. File Review

I reviewed the following records:

- Monthly Inspections – April through September 2023
- Stormwater Pollution Prevention Plan (SWPPP) – April 15, 2020
- Authorization to Discharge (Alaska Department of Environmental Conservation) – May 2020
- DMR – September 2023
- Lab Report – Q3 2023

X. Areas of Concern

1) Effluent Limitations Based on Effluent Limitations Guidelines

Section 11.D.4. of the permit “identifies effluent limits that apply to industrial activities...” “Compliance with these effluent limits is to be determined based on discharges from these industrial activities independent of commingling with any other wastestreams that may be covered under this permit.”

Table 11.D.4-1: Effluent Limitations Based on Effluent Limitations Guidelines¹

Industrial Activity	Parameter	Effluent Limit
Discharges from asphalt emulsion facilities.	Total Suspended Solids (TSS)	23.0 mg/L, daily maximum 15.0 mg/L, 30-day avg.
	pH	6.5 - 8.5 s.u.
	Oil and Grease	15.0 mg/L, daily maximum
		10 mg/L, 30-day avg.
1. Monitor annually.		

Table 1 - Effluent Limitations Based on Effluent Limitation Guidelines

In the past 5 years, there have been a total of 4 effluent limit violations (**Figure 1**) for “30-day average” and 4 effluent limit violations for “daily maximum” of TSS. It should be noted that these effluent limit exceedances were considerably over the limit.

XI. Closing Conference

A closing conference was held with Mr. Lamirand on the afternoon of September 29, 2023. I stated that no obvious areas of concern were identified over the course of the inspection and gave a brief overview of the post-inspection process. I thanked him for his time and assistance.

Attachment A

Site Maps

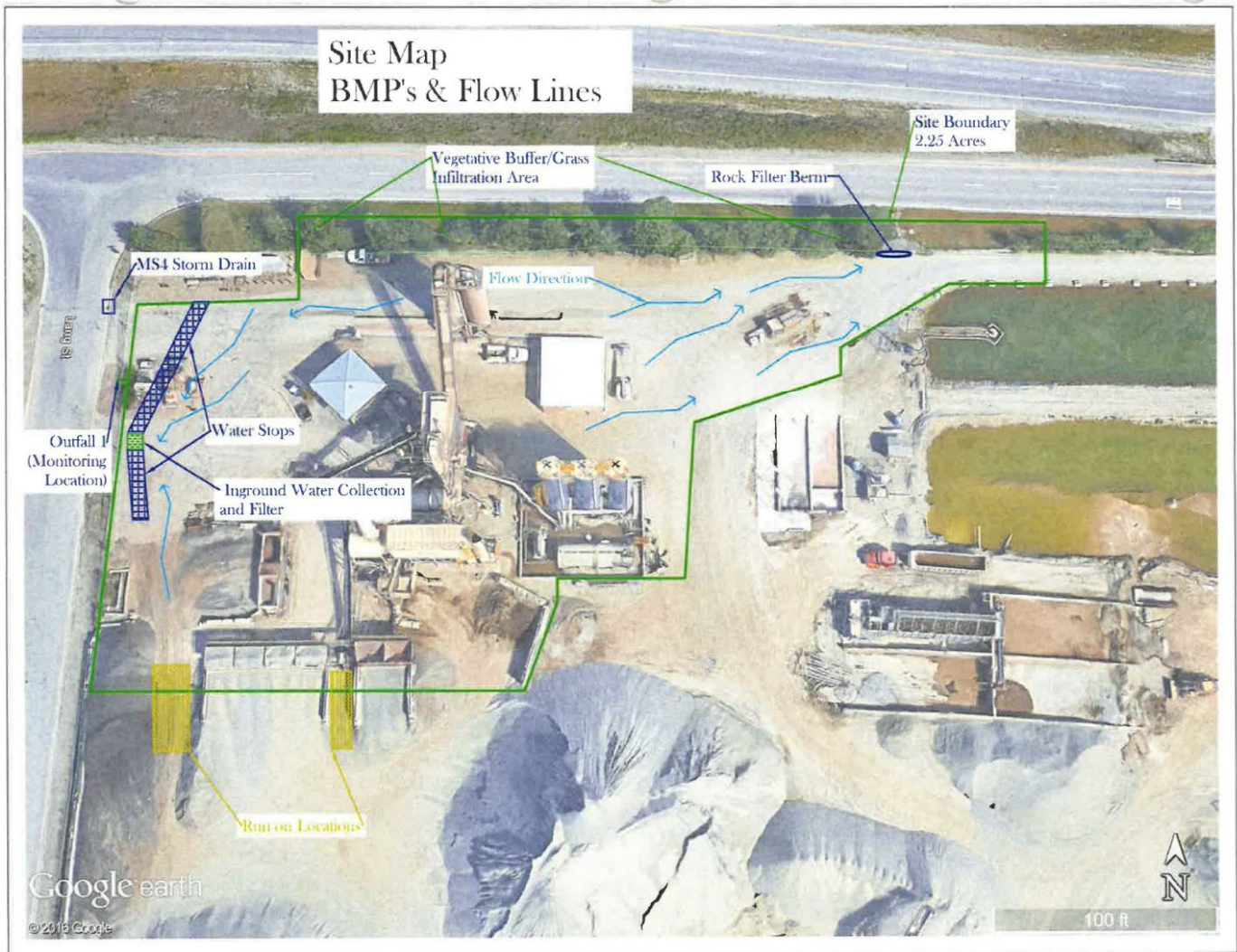


Figure 2 - Site map taken from the facility SWPPP

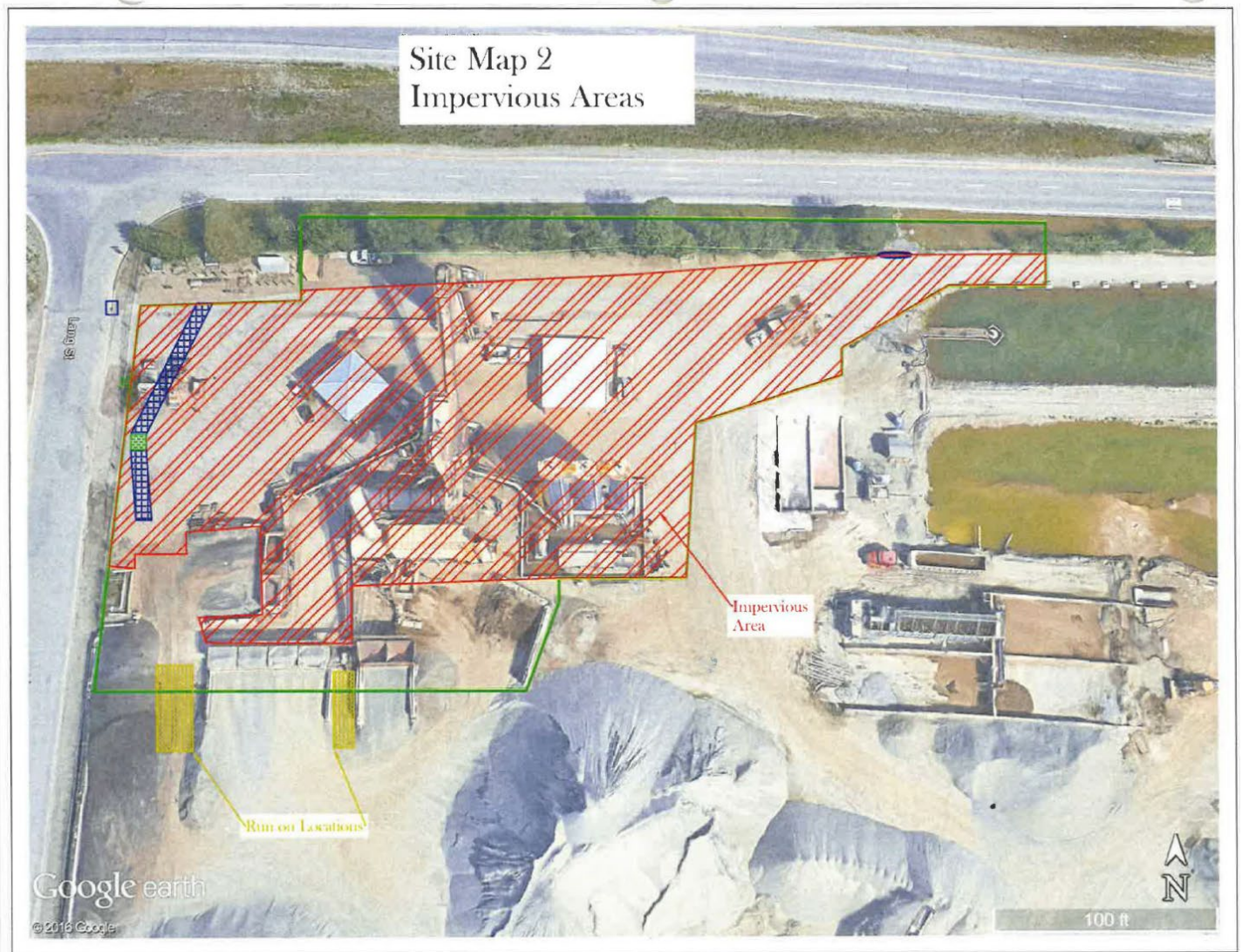


Figure 3 - Site map taken from facility SWPPP

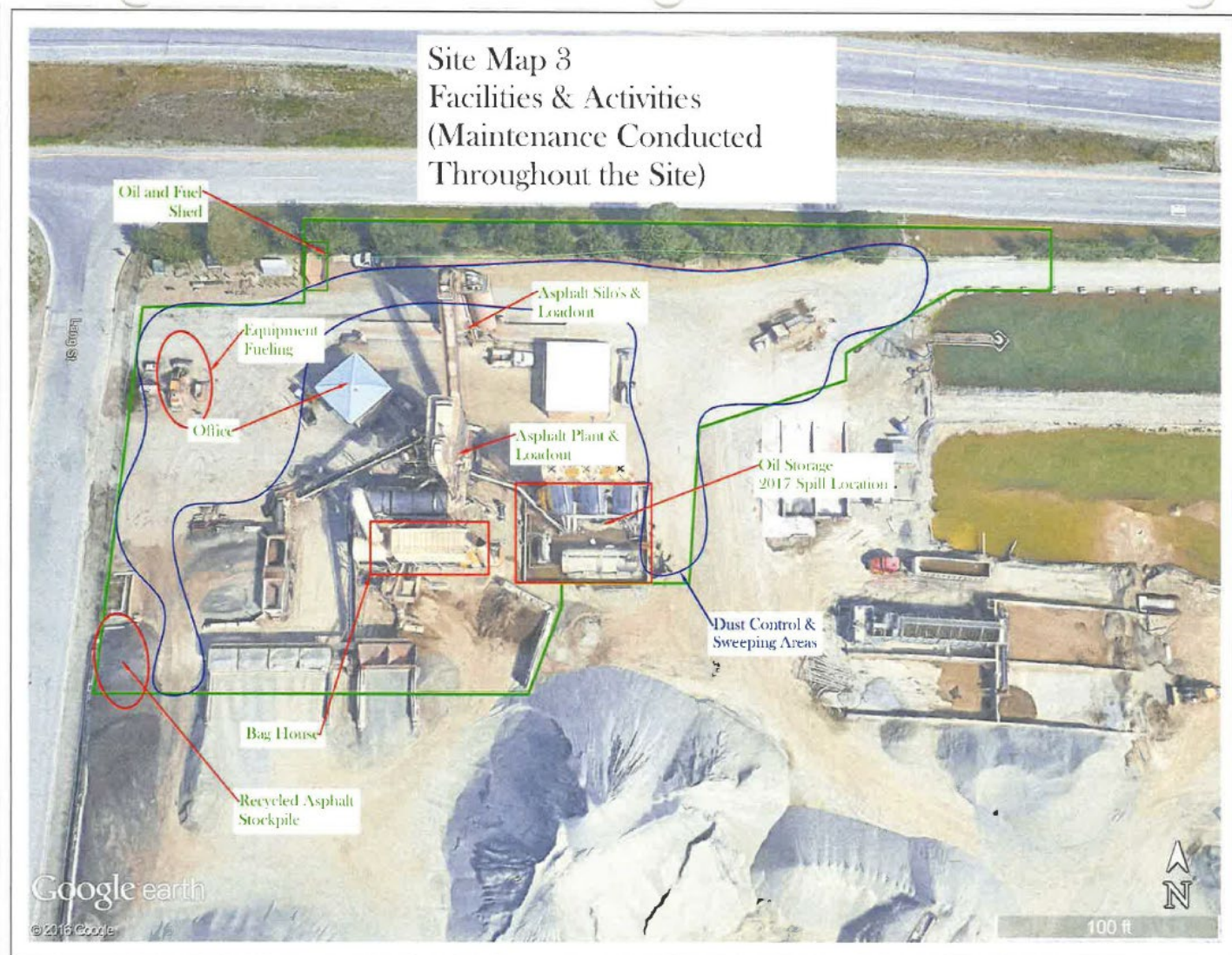


Figure 4 - Site map taken from the facility SWPPP

Attachment B

Photo Log

(Photographs were taken by CJ Langlois on September 29, 2023, with an Olympus Tough TG-6.)



Photo 1 - Storm drain that leads to water pump



Photo 2 - Drain that leads to MS4 along Lang St.



Photo 3 - Rock outfall with sock filter over pipe



Photo 4 - Rock outfall with sock filter over pipe



Photo 5 - Asphalt storage tank and secondary containment

Attachment C



11/15/2018

NOTICE OF VIOLATION

Failure to Comply with Permit Conditions under 18 AAC 83 – Alaska Pollutant Discharge Elimination System Multi-Sector General Permit Authorization Number AKR06AA82.

David Laster , Environmental Engineer
Granite Construction Lang Street Facility
11471 Lang St.
Anchorage, AK 99515

Complaint No. 2018-R1273
File No. 2100.44.118

The Department alleges that beginning on or about June 17, 2015 and continuing up until October 10, 2018, at Anchorage, Alaska, Granite Construction Inc. did unlawfully fail to comply with the conditions of the Alaska Pollutant Discharge Elimination System (APDES) permit.

The following issues were discovered as part of file reviews and an on-site inspection on October 10, 2018:

- 1) Benchmark water quality sampling has yet to be performed despite guidance from DEC sent by email on July 13, 2017.
 - a) Permit part 7.2.1.2 states that “Benchmark monitoring must be conducted quarterly, as identified in Part 7.1.7, for the permittees first four full quarters of permit coverage commencing no earlier than March 1, 2015. Facilities in climates with irregular storm water runoff, as described in Part 7.1.6, may modify this quarterly schedule provided that this revised schedule is reported to DEC when the first benchmark sample is collected and reported, and that this revised schedule is kept with the facility’s SWPPP as specified in Part 5.2.6. When conditions prevent the obtaining of four samples in four consecutive quarters, continue monitoring until achieving the four samples required for calculating the benchmark monitoring average.”
 - b) Regulatory Citation: 18 AAC 83.405(b) Duty to comply.
 - c) Repeat Violation: Yes ☒
 - Letter was sent on July 13, 2017 by Paul Winter, DEC, to David Laster as a follow up to a conversation about how to sample sheet flow. Sampling had still not been performed by October 10, 2018
- 2) Quarterly visual assessments have not been collected.
 - a) Permit part 6.2.1 states, “Once each calendar quarter for the entire permit term, the permittee must collect a storm water sample from each outfall (except as noted in Part 6.2.3) and conduct a visual assessment of each of these samples. These samples are not required to be collected consistent with 40 CFR Part 136 procedures but should be collected in such a manner that the samples are

representative of the storm water discharge. If no discharge occurs during the quarterly visual assessment period, the permittee must still report no discharge for this monitoring period and follow the requirements of Part 7.1.6.”

- b) Regulatory Citation: 18 AAC 83.405(b) Duty to comply.
18 AAC 83.405 (k) Monitoring and records
- 3) Effluent samples have not been collected annually as outlined in Table 7-1 and 11.D.4-1.
 - a) Permit Table 7-1 and Table 11.D.4-1 outline effluent sampling, including annual grab samples tested for Total Suspended Solids, pH, and Oil and Grease Content
 - b) Regulatory Citation: 18 AAC 83.405 (f) Proper operation and maintenance

Such inactions are in violation of your permit.

To address the violation(s) described above, the Department requires that you do the following:

- a. Provide DEC with maintenance requirements for the water filtration barrel that pumps water out of the secondary containment around the hot oil tanks, and gather and analyze a sample of the filtered waste water at first opportunity.
- b. Provide DEC with the method you choose to obtain a representative sample of wastewater from the street drain and gather and analyze a sample of the filtered waste water at first opportunity.

Please respond to this request by no later than **12/31/2018**. Deliverables can be submitted via mail, email, or fax:

Attention:

Andrew Mohrmann

555 Cordova St.

Anchorage, AK 99501

andrew.mohrmann@alaska.gov

Fax: 907.269.4604

Penalties for violation of State statutes and regulations can be quite serious. In a civil action, a person who violates or causes or permits to be violated a provision of this permit may be liable to the State for Substantial monetary damages under AS 46.03.760. Depending on the nature of the violation, you may also be liable for the State's response costs under AS 46.03.822, for spill penalties under AS 46.03.758-759, for administrative penalties under AS 46.03.761, or for other kinds of damages or penalties under other statutes.

In a criminal violation, a person who acts with criminal negligence may be guilty of a Class A misdemeanor. AS 46.03.790. Upon conviction, a defendant who is not an organization may be sentenced to pay a fine not exceeding \$10,000.00 and/or sentenced to a definite term of imprisonment of not more than one year. Upon conviction, a defendant that is an organization may be sentenced to pay a fine not exceeding the greater of \$500,000.00 or an amount which is three times the pecuniary damage or loss caused by the defendant to another or property of another. AS 12.55.035; each day of violation may be considered a separate violation. Alaska laws allow the State to pursue both civil and criminal actions concurrently.

Nothing in this notice shall be construed as a waiver of the State's authority or as an agreement on the part of the State to forego judicial or administrative enforcement of the above-described violation(s) or to seek recovery of damages, cost and penalties as prescribed by law. In addition, nothing herein shall be construed as a waiver of enforcement for past, present, or future violations not specifically set forth herein.

If you have additional questions, I may be contacted at (907) 269-8117, or via e-mail: andrew.mohrmann@alaska.gov.



Andrew Mohrmann, Enforcement Officer
Credential No. R-0103

Check One:

() Personally Served

(X) Sent by Certified Mail

7018 0680 0000 3244 5662

on the 15 day of November, 2018

Enclosure: Inspection Report

cc: Amber Bennett, Environmental Program Specialist, ADEC, w/enclosure
Michael Solter, Environmental Program Manager, ADEC, w/enclosure
Katrina Chambon, Environmental Program Specialist, ADEC, w/enclosure
Richard Cool, EPA, w/enclosure
Tiffany Larson, Environmental Program Specialist, ADEC, w/enclosure