



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): 09/23/2021
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Compliance Monitoring
Site/Facility Name: Estes Express Lines
Permittee(s): Estes Express Lines
Site/Facility Operator: Lowell Kass, Terminal Manager
(Lowell.Kass@estes-express.com)
(215) 244-0888
Site/Facility Address: 4095 Blanche Road
Bensalem, PA 19020
Latitude: 40.102710 **Longitude:** -74.928950
County/Parish: Bucks County
Permit Number: PAR800133
NAICS Code: 484121 **SIC:** 4213
Unique Project #: 3E21WN054A

Site/Facility Representative(s): **Point of Contact**
James E. Wellons, III, Senior Project Manager ☐
Phone: (704) 302-4399 Email: JWellons@smeinc.com
Richard E. Sacks, P.G., Senior Manager, IES ☐
Phone: (610) 828-3078 Email: RSacks@iesengineers.com

EPA Inspectors:
Ingrid Hopkins
Phone: (215) 814-5437 Email: Hopkins.Ingrid@epa.gov
Amanda Pruzinsky
Phone: (215) 814-5456 Email: Pruzinsky.Amanda@epa.gov

Report Preparer	<i>Ingrid H. Hopkins</i>	12/22/2021
Signature/Date	Report preparer name/(& mail code if EPA Inspector) Preparers' address	Date
Supervisor	<i>Peter Gold</i>	12-22-2021
Signature/Date	Enter Supervisor's Name and Mail Code	Date

Unique Project#: 3E21WN054A

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I. Introduction

On September 23, 2021, an inspection team composed of staff from the U.S. Environmental Protection Agency (“EPA”) Region III (hereinafter, “EPA Inspection Team”) conducted a Compliance Evaluation Inspection of the Estes Express Lines facility (hereinafter, “the facility”). The purpose of the inspection was to ascertain the facility’s compliance with the Clean Water Act (CWA) and to verify compliance with the site’s National Pollutant Discharge Elimination System (NPDES) Permit No. PAR800133 (hereinafter, the “Permit”) and applicable State and Federal regulations. The requirements at Appendix L of the PAG-03 apply to stormwater discharges associated with industrial activity from Land Transportation facilities and Petroleum Bulk Stations and Terminals as identified by the following SIC Codes: 4011, 4013, 4111-4173, 4212-4231, 4311 and 5171. A copy of the Permit is found at Attachment 1.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the facility at 9 a.m. for the inspection. Inspectors met with the following facility representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region III Inspectors and Contractors			
Ingrid Hopkins	U.S. EPA, Region 3	(215) 814-5437	Hopkins.Ingrid@epa.gov
Amanda Pruzinsky	U.S. EPA, Region 3	(215) 814-5456	Pruzinsky.Amanda@epa.gov
Site/Facility Representatives			
Lowell Kass	Estes Express Lines	(215) 244-0888	Lowell.Kass@estes-express.com
James Wellons	SME, Inc.	(704)302-4399	JWellons@smeinc.com
Richard E. Sacks	IES, Engineers	(610) 828-3078	RSacks@iesengineers.com

Ingrid Hopkins and Amanda Pruzinsky displayed their credentials to the facility representatives at the outset of the inspection, and explained the purpose of the inspection was to ascertain the facility’s compliance with its Permit. A copy of the Permit is provided in Appendix A. The EPA Inspection Team informed the site representatives that any information that they deemed to be confidential business information (“CBI”) should be identified to EPA representatives during the inspection and it would be handled as CBI according to EPA’s CBI procedures.

B. Weather and Precipitation Conditions

During the inspection, weather was cloudy and 84 degrees. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in the Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches) ¹
Philadelphia/Mt. Holly	September 18, 2021	0
Philadelphia/Mt. Holly	September 19, 2021	0
Philadelphia/Mt. Holly	September 20, 2021	0
Philadelphia/Mt. Holly	September 21, 2021	0
Philadelphia/Mt. Holly	September 22, 2021	0
Philadelphia/Mt. Holly	September 23, 2021	0.02

II. Site/Facility Activity

Estes Express Lines operates an industrial activity that includes long distance trucking, palletized shipping and over-the-road trucking. One hundred employees manage the 24-hour operation, sans weekends.

During the inspection, the EPA Inspection Team observed the original trailer parking lot, sampling points 001 and 002, shop maintenance building, fuel shed, trailer, fueling station and various on lot inlets and monitoring wells. The inspection observations were made pursuant to the requirements of the Permit. The observations from the inspection are described in detail below in the Observations section. Photographs were taken throughout the inspection by Ingrid Hopkins, and are provided in Attachment 2.

III. Observations

Observation #1

Requirement:

Part B.1 of the permit requires “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances), including BMPs that are installed or used by the permittee to achieve compliance with the terms and conditions of this General Permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls such as appropriate quality assurance procedures. The permittee shall properly operate and maintain backup or auxiliary facilities or similar systems installed by the permittee, as necessary to achieve compliance with the terms and conditions of this General Permit. (25 Pa. Code §§ 92a.3(c), 92a.41(a) and 40 CFR § 122.41(e))

¹ Source: NOAA National Climatic Data Center (<http://www.ncdc.noaa.gov/>).

Observation:

Site representatives indicated that a UST fill cap cover was destroyed by a snowplow in March 2021 (See Photo: DSCN2745.jpg). The estimated delivery date for the replacement fill cap cover was July 2021. Delivery of the fill cap cover has been delayed due to the COVID-19 pandemic and its replacement has not been documented at the time of the inspection report.

Observation #2

Outfall Maintenance

Requirement:

Part C.1 of the permit requires the permittee is authorized to discharge stormwater associated with industrial activity from its site, alone or in combination with authorized non-stormwater discharges, through the outfalls identified in the NOI submitted for coverage under this General Permit.

Observation:

The site discharges stormwater from two outfalls. According to the site map provided by the facility representatives, Outfall 001 discharges at the northernmost area of the site at the property fence line (See Photo DSCN2734.jpg); Outfall 002 is in the southern corner of the site (See Photos DSCN2375.jpg and DSCN2376.jpg). Mostly obscured by trailers at the loading dock, the EPA Inspection Team observed five (5) on lot, storm grate inlets that ultimately lead to Outfall 002.

- Storm grate inlet #1 is located outside the Overage Shortage and Damages (OSD) warehouse was observed to be laden with sediment and vegetation. (Photographs DSCN2750.jpg and DSCN2751.jpg)
- Storm grate inlet #2 is located outside of the active loading dock at berth/terminal #2 an oily substance was entrained in a puddle that was observed at the inlet. (Photo: DSCN2753.jpg)
- Storm grate inlet #3 is located outside the active loading dock at berth/terminal #9 and appeared to be laden with sediment trash and debris. (Photo: DSCN2754.jpg)
- Storm grate inlet #4 is located outside the active loading dock at berth/terminal #45 and appeared to be impacted by trash, sediment, and debris. Photos: DSCN2755.jpg and DSCN2756.jpg)
- Storm grate inlet #5 is located outside of active loading dock at berth/terminal #20 and appeared to be impacted by trash, sediment, and debris. (Photo: DSCN2757.jpg)

Observation #3

Good Housekeeping

Requirement:

Part II.C of the permit requires the permittee shall perform good housekeeping measures in order to minimize pollutant discharges.

Observation:

Oil stay dry was applied on oil spills/stains but was not removed for disposal. In other locations, stay dry was not used at all. A waste receptacle was stationed at the fueling island, where the EPA Inspection Team noted trash disbursed in the immediate area, including a discarded bag of stay dry. (Photos: DSCN2787.jpg; DSCN2788.jpg; DSCN2789.jpg; and DSCN2790.jpg)

The EPA Inspection Team observed disturbed soil along the trailer parking lot fence line at Wells Drive and Blanche Road. (Photo: DSCN2741.jpg). The EPA Inspection Team also observed 5 on lot storm grate inlets in this area that appeared laden with sediment and debris. These inlets ultimately discharge to Outlet 002. (See Also Observation #2)

Observation #4

Routine Inspections

Requirement:

Part II.C.III, Routine Inspections requires that the permittee shall visually inspect the following areas and BMPs on a semi-annual basis (calendar periods), at a minimum: 1. Areas where industrial materials or activities are exposed to stormwater; 2. Areas identified in the Preparedness, Prevention and Contingency (PPC) Plan required in Part C IV as potential pollutant sources; 3. Areas where spills or leaks have occurred in the past three years; 4. Stormwater outfalls and locations where authorized non-stormwater discharges may commingle; and 5. Physical BMPs used to comply with this General Permit. At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring.

Observation:

Facility representatives presented the EPA Inspection Team with a PPC Plan from 2014 that did not appear to capture current site inspection practices and characteristics (Photo: DSCN2731.jpg). On October 5, 2021, Kass Lowell emailed the EPA Inspection Team with

copies of monthly routine visual inspections for the period from January 2021 through September 2021 (See Attachment 4). None of the electronic inspection reports submitted were indicative of having been conducted during a period when a stormwater discharge was occurring.

Observation #5

Preparedness, Prevention and Contingency Plan

Requirement:

Part IV of the permit, Preparedness, Prevention and Contingency (PPC) Plan requires that the permittee shall develop and implement a PPC Plan in accordance with 25 Pa. Code § 91.34 following the guidance contained in DEP's "Guidelines for the Development and Implementation of Environmental Emergency Response Plans" (DEP ID 400-2200-001).

Observation:

Upon inspection, the facility representatives presented the EPA Inspection Team with a PPC Plan dated 2014 (Photo: DSCN2731.jpg). Appended to the plan were routine inspection reports dated between January 2014 and March 2015. Visual inspection reports were documented on March 2004 and July 2004. Site representatives stated that failure to maintain a current PPC Plan was due to management turnover. (See also Observation #6)

Observation #6

Monitoring Requirements

Requirement:

Part IV, Monitoring Requirements of the permit requires that the permittee must monitor and report analytical results for the parameters listed below on Discharge Monitoring Reports (DMRs) for representative outfalls. If the permittee's sampling demonstrates exceedances of benchmark values for two consecutive monitoring periods, the permittee shall submit a corrective action plan within 90 days of the end of the monitoring period triggering the plan.

Observation:

At the time of inspection, facility representatives were unable to provide records of analytical monitoring results for total suspended solids (TSS) and Oil and Grease (O&G). Electronic records of the facility's analytical monitoring were provided to the EPA Inspection Team, by site representative, James E. Wellons, on November 19, 2021 and included records of monthly inspections for the period July 2019 through June 2021. Semi-annual sampling and analyses are conducted by IES Engineers, Inc., Blue Bell, PA. (See Attachment 3).

Review of monitoring data submitted by James E. Wellons for the periods July 2019 through December 2019; January 2020 through June 2020; and July 2020 through December 2020 show benchmark exceedances for three (3) consecutive monitoring periods. There is no available documentation that a plan was developed in accordance with the requirements at PAG-03, Appendix L, IV and/or submitted to the PA Department of Environmental Protection within 90 days of the end of the monitoring period triggering the plan.

Previously, on July 13, 2018 and in accordance with the requirements at PAG-03, Appendix L, IV, IES Engineers prepared a Corrective Action Plan, on behalf of the Facility. The plan detailed particular remedial actions to be implemented in response to TSS benchmark violations at Outfall 001 for the monitoring periods March 2017 and October 2017. The planned corrective actions included:

1. Stabilization of an eroded slope near Outfall 001;
2. Dressing the trailer parking areas with crushed stone;
3. Reseeding areas where soils had been disturbed by vehicular traffic; and
4. Installation of parking stops in the impacted areas.

Facility representatives also stated that its semi-annual analytical monitoring had not been conducted since Hurricane Ida, on September 1, 2021.

Observation #7

Sector Specific BMPs: Vehicle and Equipment Storage

Requirement:

Appendix L Part V.A.1 of the permit requires the permittee to minimize the potential for stormwater exposure to leaky or leak-prone vehicles/equipment awaiting maintenance through implementation of control measures including but not limited to the following: use drip pans under vehicles/equipment; store vehicles and equipment indoors; install berms or dikes; use absorbents; roof or cover storage areas; and clean pavement surfaces to remove oil and grease.

Observation:

Vehicles and trailers are kept outdoors at the loading dock and on parking lots. The EPA Inspection Team observed areas that appeared to be impacted by sediment and fines, oil and grease at, or in proximity to on lot storm grate inlets (See Observation #2 and Observation #4). At the time of inspection, the EPA Inspection Team did not observe BMPs in these areas to minimize or eliminate storm water exposure and/or pollutants discharged during wet weather events.

Observation #8

Sector Specific BMPs: Materials Storage Areas

Requirement:

Appendix L, Part V.A.2 of the permit requires the permit to maintain all material storage vessels (e.g., for used oil/oil filters, spent solvents, paint wastes, hydraulic fluids) to prevent contamination of stormwater and plainly label them (e.g., “Used Oil,” “Spent Solvents”). To minimize discharges of pollutants in stormwater from material storage areas, implement control measures including but not limited to the following: store materials indoors; install berms/dikes around material storage areas; minimize runoff of stormwater to the areas; use dry cleanup methods; and treat and/or recycle collected stormwater runoff.

Observation:

New and used vehicle maintenance fluids such as, hydrologic oil, diesel oil, transmission fluid and motor oil are stored in various volumes inside the maintenance garage, an exterior shed, and a trailer. (Photos: DSCN2772.jpg; DSCN2778; and DSCN2784)

The Overage, Shortage and Damages (OSD) Warehouse operates under the same structure as the loading dock and is adjacent to the maintenance garage. This space is utilized for storing goods and deliverables that have been damaged in transit. Waste is also maintained in the OSD Warehouse, including trash, paint and cleaning fluids for forklifts. Signage is posted at areas designated for hazardous and non-hazardous waste materials. The EPA Inspection Team observed that there were two (2), black unlabeled drums, one with a pump attached (Photo DSCN2765.jpg.). The facility representatives stated the black drums contained cleaning fluids; yellow drums store paint; and blue drums contain trash. Barrels are kept on site for ninety (90) days until a private company is contacted for removal. Waste Recovery Records are found at Attachment #4.

Observation #9

Sector Specific BMPs: Vehicle and Equipment Cleaning and Maintenance

Requirement:

Appendix L, Part V.A.3 of the permit requires the permittee to minimize the contamination of stormwater runoff from all areas used for vehicle equipment cleaning through implementation of control measures including but not limited to the following: perform all cleaning operations indoors; use dry cleanup methods; ensure that all wash water drains to a proper

collection system (i.e., not the stormwater drainage system); treat and/or recycle collected wash water, or other equivalent measures.

Observation:

Vehicle maintenance is conducted inside the maintenance shop/garage (Photo: DSCN2766.jpg). Facility representatives stated that used motor oil is taken offsite by a waste hauler. Waste manifests attesting to this activity were provided by the site representatives for the months April 2021 and June 2021 (See Attachment #4). The shop manager maintains spill kit supplies, including drum mats, oil dry absorbent material, and matting on a roller. The EPA Inspection Team did not identify a floor drain(s) inside the vehicle maintenance shop/garage. There is a trench drain located at the garage door entrance/exit that appeared to be impacted with sediment. (Photo: DSCN2766.jpg and DSCN2777.jpg)

IV. Records Review

During the opening conference, the EPA Inspection Team reviewed documentation including: a Corrective Action Plan, dated June 2018 and a Pollution Prevention and Countermeasures plan (PPC), dated 2014. On October 5, 2021, via electronic mail, Lowell Kass forwarded to the EPA Inspection Team, records of monthly inspections for the period July 2019 through June 2021 and waste manifests for the months of April 2021 and June 2021. On November 19, 2021, James E. Wellons, III provided electronic records of semiannual discharge monitoring reports for the period July 2019 to June 2021.

V. Closing Conference

After the facility walk through, the EPA Inspection Team met with the facility representatives for a closing conference. The EPA Inspection Team shared preliminary observations with the facility. The EPA Inspection Team reiterated to the facility representatives that all preliminary observations discussed were not compliance determinations. Any and all preliminary observations shared were subject to further investigation by EPA upon the additional review of records and documentation. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after EPA reviewed additional materials following the inspection.

The inspection concluded at 12 p.m.

VI. List of Attachments

- Attachment 1: NPDES General Permit for Discharges of Stormwater Associated with Industrial Activities (PAG-03)
- Attachment 2: Estes Express Lines Photo Log
- Attachment 3: Semi-Annual Monitoring Results July 2019 to June 2021
- Attachment 4: Monthly Visual Inspections, Training Records, and Waste Manifests