

Compliance Evaluation Inspection Report

Westchester County - Yonkers

Joint Wastewater Treatment Plant

Yonkers, New York

November 15, 2022



Written by:

X James
Sullivan

Digitally signed by James
Sullivan
Date: 2022.12.21
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Enforcement Officer
ECAD-CAPSB-CAS USEPA R2

Approved by:

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Date: 2022.12.22 08:28:23
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Chief - Compliance Assurance Section
ECAD-CAPSB-CAS USEPA R2

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COMPLIANCE EVALUATION INSPECTION REPORT

U.S. Environmental Protection Agency, Region 2
Enforcement and Compliance Assurance Division
290 Broadway, 21st floor
New York, New York 10007-1866

Locational Information

Facility Name: Westchester County - Yonkers Joint Wastewater Treatment Plant
Facility Address: 1 Fernbrook Street, Yonkers, NY 10705
Latitude & Longitude: 40.918520; -73.909160

ICIS & other Program ID Codes as appropriate

FRS: 110039562327
ICIS: 3400043879
Program: NYR000167155

Sector Information

Federal Facility: No
SIC: 4952 - Sewerage Systems
NAICS: 22132 - Sewage Treatment Facilities

Environmental Sensitivity Information

Potential Flood-Prone Area: Yes (See Appendix B: FEMA Flood Map)
Sole Source Aquifer: No (See Appendix C: Sole Source Aquifer Map)
Potential EJ Concerns: Yes (See Appendix D: EJ SCREEN)

Inspection Information

Date of Inspection: November 15, 2022
Inspector(s): Jim Sullivan

Facility Representative(s):

Name	Title	Phone	Email
John Lennon	Plant Supervisor	914-231-2847	Jxl9@westchestergov.com
Jimmy Gabbmonte	ISO Coordinator		
Erwin Vazquez	Maintenance Supervisor		
Steve Elie-Pierre	Director – Wastewater Treatment	914-813-5437	scep@westchestergov.com

Corrections/Updates for EPA Databases:

Database has incorrect latitude and longitude coordinates. They should be corrected from 40.909806; -73.8915 to 40.918520; -73.909160.

Table of Contents

1. INTRODUCTION.....	5
2. FACILITY TOUR	5
3. RECORD REVIEW.....	6
4. REGULATORY CONCERNS	7
5. SCREENING CONCERNS	8
6. ENVIRONMENTAL ASSISTANCE	8
APPENDICES:.....	9
A: Photographs.....	9
B: FEMA Flood Map	9
C: Sole Source Aquifer Map	9
D: EJ Screen	9

1. INTRODUCTION

On November 15, 2022, the Region 2 Office of the Environmental Protection Agency (EPA) inspected the Westchester County - Yonkers Joint Wastewater Treatment Plant located at 1 Fernbrook Street in Yonkers, New York. The purpose of this inspection was to evaluate the facility's compliance with the Resource Conservation and Recovery Act (RCRA) requirements for hazardous waste management. A screening for other environmental and worker safety aspects was also conducted during the time on-site via the U.S. EPA Region 2 Inspector's Multi-Media Checklist. The inspection was unannounced.

I arrived at the Yonkers Joint Wastewater Treatment Plant (Yonkers Joint WWTP) and entered the main entrance. From there I was directed to Mr. Erwin Vazquez, Maintenance Supervisor. Mr. Vazquez brought me to Mr. John Lennon, the Plant Supervisor's office. As I described what areas I would need to see, and records that would have to be located, Mr. Lennon had the individuals that would be needed summoned to his office or placed on speakerphone. I informed the Yonkers Joint WWTP representatives that I had a camera and would likely be taking pictures. Thus, if there were any areas that contained confidential business information, they should let me know prior to my taking the picture. The facility representatives indicated that this should not be a problem at the Yonkers Joint WWTP.

The Yonkers Joint WWTP is located along the east bank of the Hudson River and provides primary and secondary treatment for 80-million gallons per day of wastewater generated throughout Westchester County (See, Figure #1 in Section 2 below). The plant is designed to take significantly larger inflow on account of portions of the collection system being combined sewers.

According to the facility representatives no hazardous waste is generated at this location. Their normal solid waste streams are digester biosolids, which are taken by Casella Waste Systems, Inc. for landfilling. In the past, sludge may have been used for land application as a soil amendment in agriculture; however, that is not done anymore. Screenings from their bar rack is either sent to Spectraserve of South Kearny, New Jersey or burned at Westchester County's Charles Point Waste-to-Energy Facility located in Peekskill, New York. Oily rags and electronic waste are sent to the Household-Material Recovery Facility (H-MRF) located at the County's Grasslands Campus in Valhalla, New York. There is a 30-yard roll-off that receives scrap metal from the plant. That roll-off is taken to the County's Material Recovery Facility (MRF) in Yonkers. The facility also collects biogas from its digesters and sends the gases to an on-site cogeneration plant. The Yonkers Joint WWTP has several 1-megawatt MWM V16 engines running on biogas and generating power.

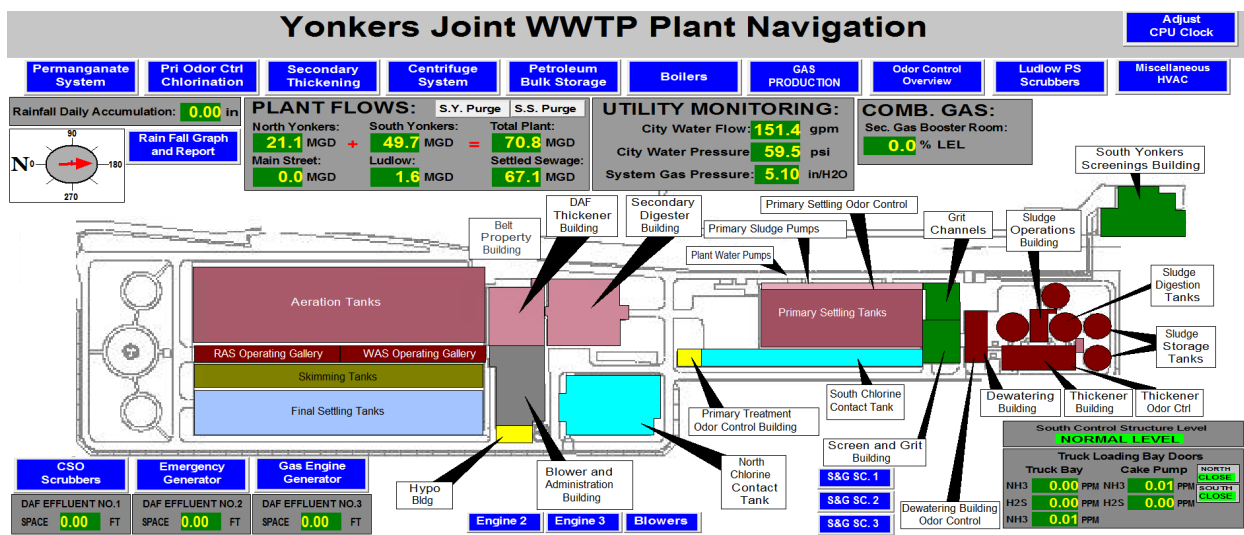
2. FACILITY TOUR

I requested to inspect any area where hazardous or certain solid waste, such as used oil, universal waste, and other industrial waste, are generated. We initially headed to the electrician shop to view the storage of universal waste lamps. There were numerous universal waste lamps found that were not in containers, as well as lamps that were in open containers and lacking "Universal Waste" labels (See, Photograph #2). These lamps are packaged into Grainger-supplied mailing

boxes and sent out to a recycling facility.

Next, we proceeded to the machine shop where a Safety Kleen Model 16 parts washer is in use and used oils are generated from the machining of parts (See, Photographs #3 and #4). Used parts washer fluid is picked up by Clean Harbors and taken to the Safety Kleen facility in Linden, New Jersey where it is reclaimed via distillation. The used oils are sent to Enviro Waste Oil Recovery of Mahopac, New York. The used oils are taken from the machine shop via small containers and consolidated in a 500-gallon fiberglass tank located on the ground floor of the nearby co-generation room (See, Photograph #6). The used oil tank is Tank #19 on the facility's New York State Petroleum Bulk Storage registration certificate. Tank#19 is in secondary containment, and there is a "Used Oil" sign on the wall, but not on the tank, which is a requirement. The smaller containers used to transport the used oil to Tank #19 also do not have "Used Oil" labels. Within the same secondary containment curbing is a new horizontal steel tank that has not yet been put into service.

Figure 1 – Plant Layout



3. RECORD REVIEW

According to the E-manifest database there has only been one manifest emanating from the Yonkers Joint WWTP in the past three years. It was 16.8 tons of a "Waste Environmentally Hazardous Substance, Solid, N.O.S. (Lead)" waste (i.e., RCRA waste code D008) shipped on 1/25/2021 via manifest 006293269GBF to Clean Earth of North Jersey located in Kearny, New Jersey for stabilization prior to landfill. IWT Transport (NJR986628162) was the transporter.

The Yonkers Joint WWTP representatives had no direct knowledge of this shipment. Their conjecture was that this waste emanated from the Hawthorne Receiving Manhole located at 161 Broadway, Hawthorne, New York when it was cleaned out. They believe that when that waste tested positive for the RCRA characteristic of lead, someone from the County needed an EPA ID number to use for the associated manifest, so they used Yonkers Joint WWTP's EPA ID number.

In a follow up e-mail on this issue, Mr. Steve Elie-Pierre, Director of Wastewater Treatment, indicated that the waste shipment was initiated by a Westchester County contractor, Green Mountain Pipeline, who was hired by Westchester County to clean sewer lines at various locations in Hawthorne, New York. Typically, the sewer grit removed from this type of cleaning activity is non-hazardous; however, when this grit was sampled by the receiving facility, Clean Earth of North Jersey, it turned out to be hazardous for lead (i.e., a D008 waste). The receiving facility contacted the contractor and the County and informed them they would need an EPA ID number for the site.

The truck containing the sewer grit was emptied into a roll-off box that was staged at the Department of Transportation Right of Way (DOT ROW) just east of the Hawthorne Receiving Manhole (See, Photograph #7). Westchester County then hired Arcadis to manage the waste profiling and a new EPA ID number request. However, a Generator Notification Form requires an address, which neither the sewer lines, the DOT ROW, or the Hawthorne Receiving Manhole has. Since flow from the Hawthorne sewer lines eventually makes its way to the Yonkers Joint WWTP, and with limited time to dispose of the grit, the Yonkers Joint WWTP EPA ID number was used.

Several years ago, Yonkers Joint WWTP was formally certified under ISO 1400.1. Although management has elected not to maintain the certification, many of the standard operating procedures associated with the original environmental management system remain in place. There is a group of employees that are HAZWOPER trained and the facility conducts on-site spill drills, as well as off-site, over-road spill drills. There are spill kits throughout the facility and drain covers kept near storm drains. Those storm drains are on a periodic cleaning schedule. Two employees are certified in New York State's Petroleum Bulk Storage and Chemical Bulk Storage Programs, and they conduct the daily inspections of the tanks on-site. There are five underground storage tanks at the facility, which are monitored by Veeder Root leak detection systems. On-site employees have training on these systems and American Petroleum Equipment & Construction Company, Inc. (APECCO) is the contractor for all underground storage tank issues.

4. REGULATORY CONCERNS

Based on observations made during the inspection and/or a review of records related to the inspection, the following RCRA hazardous waste regulatory concerns were identified:

REGULATORY, STATUTORY OR PERMIT REFERENCE	FIELD OBSERVATION
In accordance with 6 NYCRR 374-3.2 (d)(4)(i), a small quantity handler of universal waste must contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.	At the time of the inspection, universal waste lamps were stored uncontainerized or in open containers (<u>See</u> , Photograph #2).

REGULATORY, STATUTORY OR PERMIT REFERENCE	FIELD OBSERVATION
In accordance with 6 NYCRR 374-3.2 (e)(5), a small quantity handler of universal waste must clearly label or mark each [universal waste] lamp or a container or package in which such lamps are contained with one of the following phrases: Universal Waste-Lamp(s), or Waste Lamp(s), or Used Lamp(s).	At the time of the inspection, at least one container of universal waste lamps was not labeled or marked clearly with one of the following phrases: Universal Waste-Lamp(s), or Waste Lamp(s), or Used Lamp(s) (<u>See</u> , Photograph #2).
In accordance with 6 NYCRR 374-2.3 (c)(4)(i), every container and aboveground used oil tank used to store used oil at a generator facility must be clearly labeled or marked with the words "Used Oil." In addition, every aboveground tank used to store oil at a generator facility must be labeled with the design capacity and working capacity of the tank.	At the time of the inspection, Tank #19, a 500-gallon used oil tank, and several small containers in the Machine Shop were not clearly labeled or marked with the words "Used Oil."
In accordance with 6 NYCRR 372.2(a)(3)(i), a generator must not offer for transportation hazardous waste without having received an EPA identification number as defined in section 370.2(b) of this Title. (To obtain an EPA identification number, use the Notification of Regulated Waste Activity form [EPA Form 8700-12], available at https://www.epa.gov/hwgenerators/instructions-and-form-hazardous-waste-generators-transporters-and-treatment-storage)	On or about January 25, 2021, Westchester County had shipped hazardous waste (D008) from the DOT ROW on manifest tracking number 006293269GBF but used the EPA identification number of the Yonkers WWTP rather than one associated with the point of generation.

5. SCREENING CONCERNS

There were no concerns identified based on a screening for environmental, safety and health aspects via the U.S. EPA Region 2 Inspector's Multi-Media Checklist.

6. ENVIRONMENTAL ASSISTANCE

Based on the observations made during the inspection, the facility should consider the following resources to increase their understanding and compliance with applicable environmental requirements and/or go 'beyond compliance' to reduce its overall environmental footprint:

- Review the New York State Department of Environmental Conservation's publication entitled "Managing Your Hazardous Waste, A GUIDE FOR SMALL BUSINESSES IN NEW YORK," which has an excellent description of the very small quantity generator requirements (called a conditional exempt small quantity generator in the document). This publication can be found at: https://www.dec.ny.gov/docs/materials_minerals_pdf/nyshazwasteguide.pdf
- Bookmark the virtual Hazardous Waste Portal, which catalogs over 800 hazardous waste compliance resources, including guidebooks, fact sheets, reports, checklists, web sites, contacts, and regulations. Various features are available to assist users in finding the best guidance materials and answers to specific questions. The Hazardous Waste Portal can be found at: <https://www.hazwasteportal.org/>

- Bookmark the virtual Local Government Environmental Assistance Network (LGEAN), which provides local governments with user-friendly information on compliance with federal environmental regulations, funding strategies, and tools for advancing healthy and sustainable communities. LGEAN can be found at: <https://www.lgean.net/>

APPENDICES:

A: Photographs

B: FEMA Flood Map

C: Sole Source Aquifer Map

D: EJ Screen

Appendix A: INSPECTION PHOTOS

Photograph #1 – Primary tank odor control building in foreground, administrative building in background



Photograph #2 – Universal waste storage



Photograph #3 – Machine shop



Photograph #4 – Parts washer in machine shop



Photograph #5 – Cogen plant



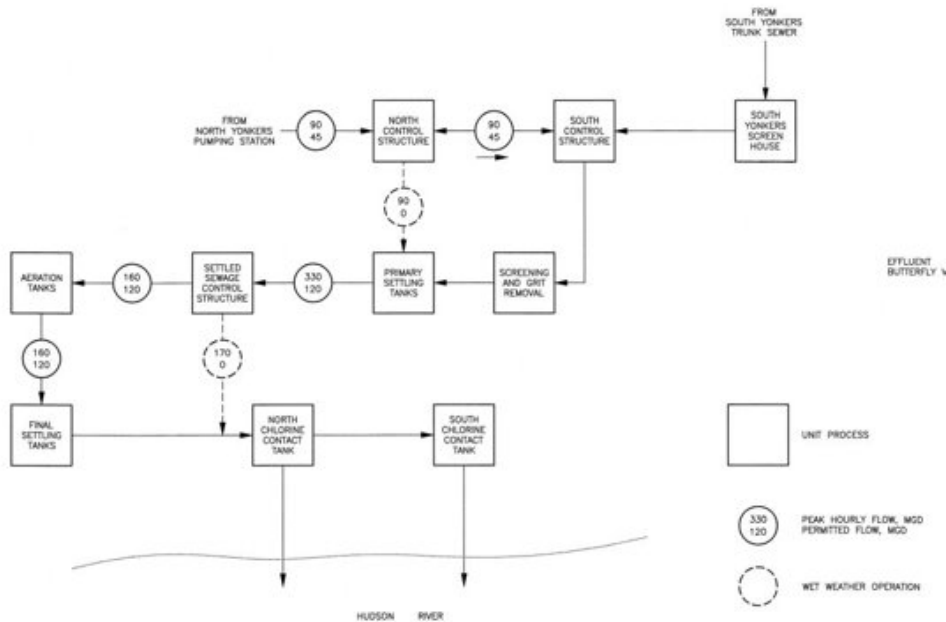
Photograph #6 – Used oil tank



Photograph #7 – Cogen plant

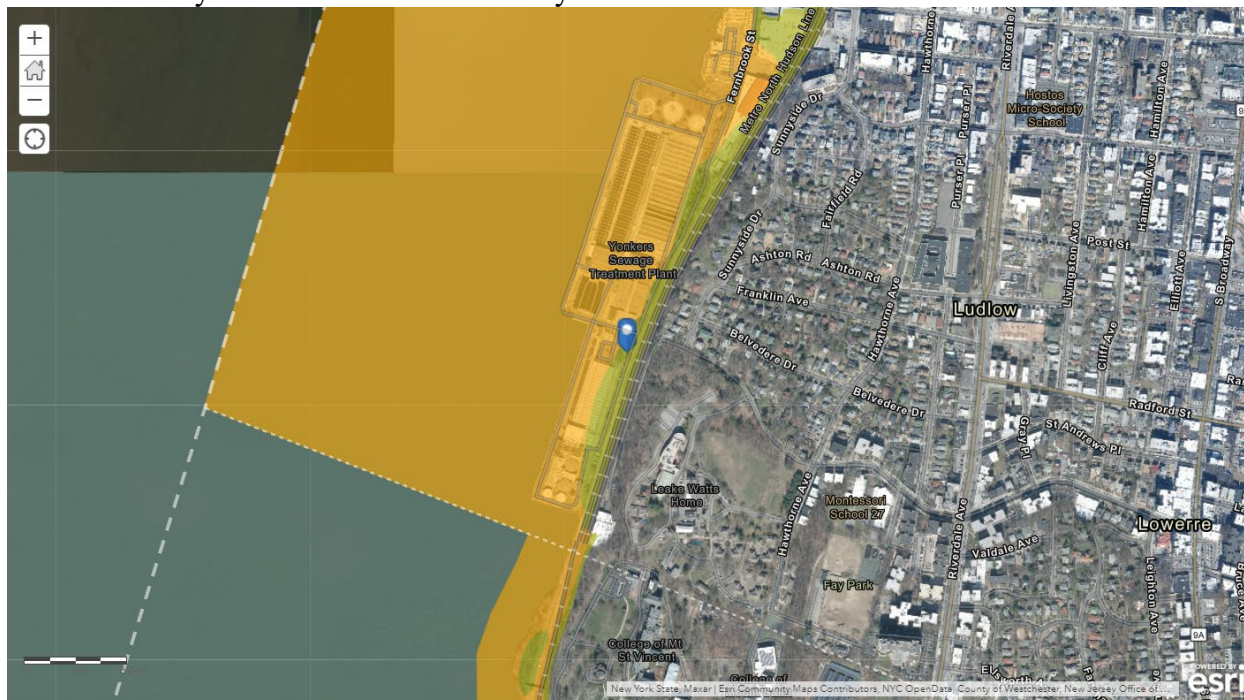


Photograph #8 – Plant flow diagram

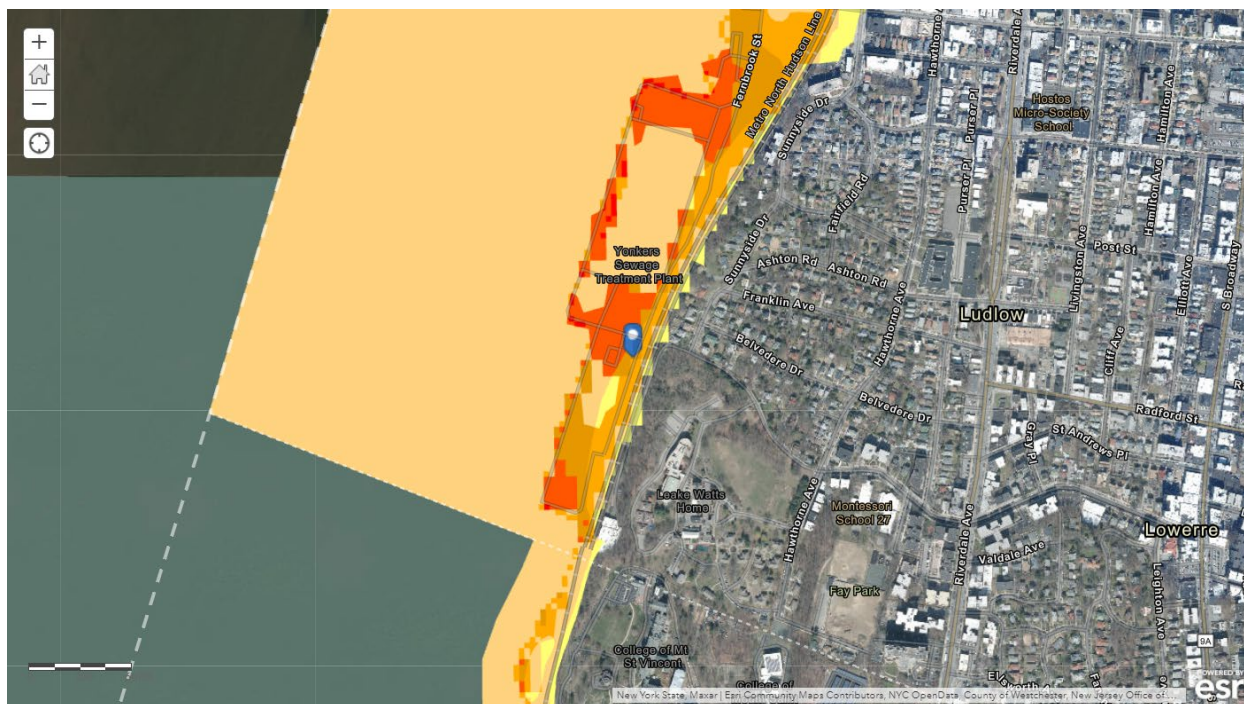


Appendix B: Federal Emergency Management Agency (FEMA) 100 Year Flood Zone and EPA's Region 2 Composite Flood Risk Layer

Facility Name: Westchester County - Yonkers Joint Wastewater Treatment Plant



The facility is located within a FEMA 100-year flood zone area.



The facility is located within an "extreme, high, moderate" composite potential risk area based on the EPA's Region 2 Composite Flood Risk layer.

Appendix C: Sole Source Aquifer Map

Facility Name: Westchester County - Yonkers Joint Wastewater Treatment Plant



The facility is not located within a Sole Source Aquifer area.

EJScreen Report (Version 2.1)

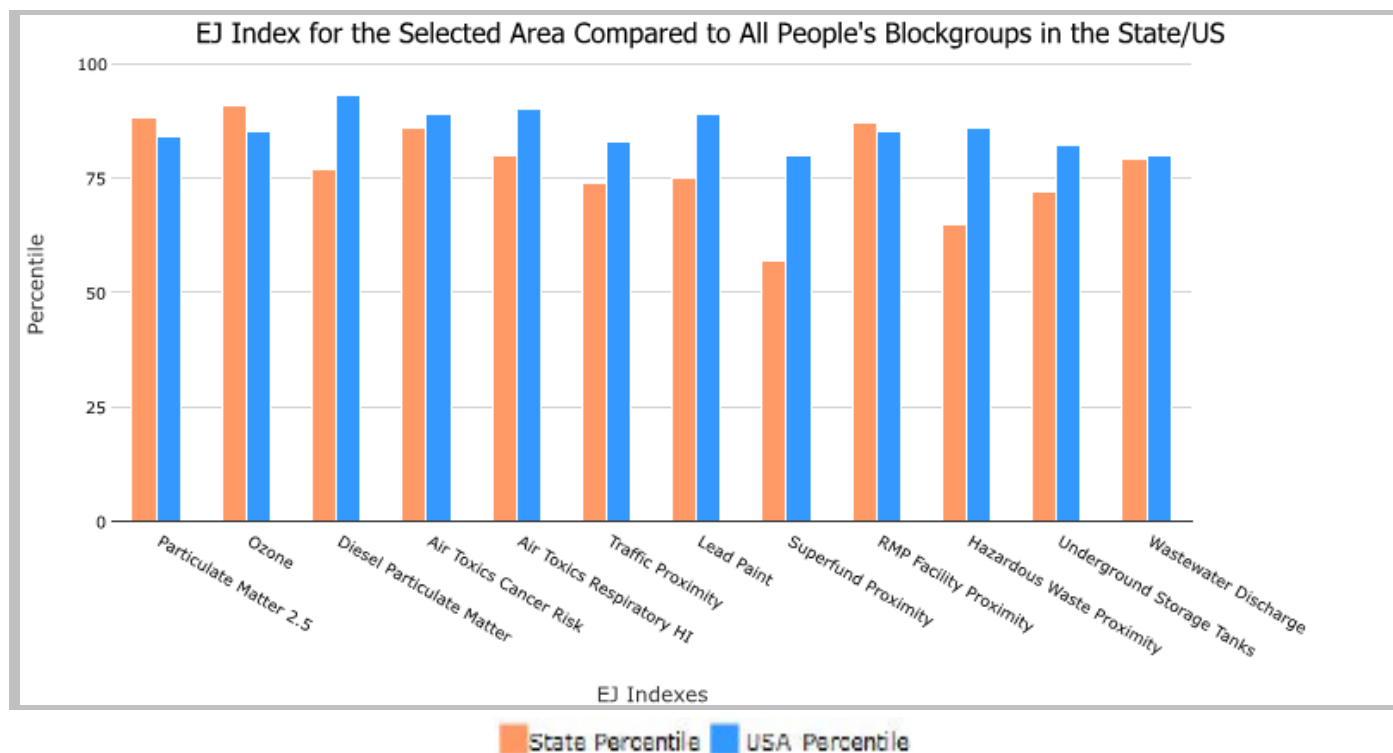
1 mile Ring Centered at 40.918519,-73.909160, NEW YORK, EPA Region 2

Approximate Population: 45,382

Input Area (sq. miles): 3.14

County - Yonkers Joint Wastewater Treatment Plant (The study area contains 1 blockgroup(s) with z

Selected Variables	State Percentile	USA Percentile
Environmental Justice Indexes		
EJ Index for Particulate Matter 2.5	88	84
EJ Index for Ozone	91	85
EJ Index for Diesel Particulate Matter*	77	93
EJ Index for Air Toxics Cancer Risk*	86	89
EJ Index for Air Toxics Respiratory HI*	80	90
EJ Index for Traffic Proximity	74	83
EJ Index for Lead Paint	75	89
EJ Index for Superfund Proximity	57	80
EJ Index for RMP Facility Proximity	87	85
EJ Index for Hazardous Waste Proximity	65	86
EJ Index for Underground Storage Tanks	72	82
EJ Index for Wastewater Discharge	79	80



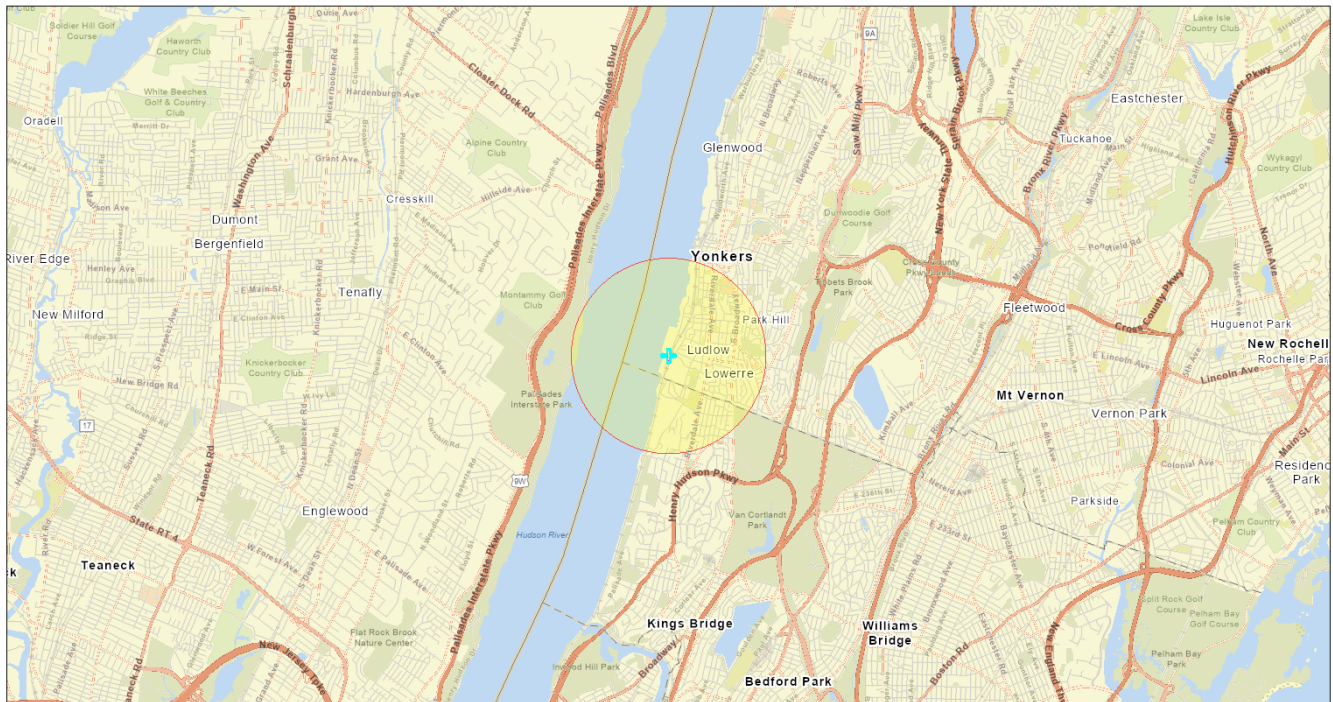
This report shows the values for environmental and demographic indicators and EJSCREEN indexes. It shows environmental and demographic raw data (e.g., the estimated concentration of ozone in the air), and also shows what percentile each raw data value represents. These percentiles provide perspective on how the selected block group or buffer area compares to the entire state, EPA region, or nation. For example, if a given location is at the 95th percentile nationwide, this means that only 5 percent of the US population has a higher block group value than the average person in the location being analyzed. The years for which the data are available, and the methods used, vary across these indicators. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJSCREEN documentation for discussion of these issues before using reports.

1 mile Ring Centered at 40.918519,-73.909160, NEW YORK, EPA Region 2

Approximate Population: 45,382

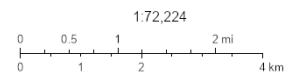
Input Area (sq. miles): 3.14

County - Yonkers Joint Wastewater Treatment Plant (The study area contains 1 blockgroup(s) with 2



December 21, 2022

✚ Westchester County - Yonkers Joint Wastewater Treatment Plant



NYC OpenData, County of Westchester, New Jersey Office of GIS, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, USDA

Sites reporting to EPA

Superfund NPL	0
Hazardous Waste Treatment, Storage, and Disposal Facilities (TSDF)	0

EJScreen Report (Version 2.1)



1 mile Ring Centered at 40.918519,-73.909160, NEW YORK, EPA Region 2

Approximate Population: 45,382

Input Area (sq. miles): 3.14

County - Yonkers Joint Wastewater Treatment Plant (The study area contains 1 blockgroup(s) with 2

Selected Variables	Value	State Avg.	%ile in State	USA Avg.	%ile in USA
Pollution and Sources					
Particulate Matter 2.5 ($\mu\text{g}/\text{m}^3$)	9.03	7.86	82	8.67	63
Ozone (ppb)	43.2	41.5	79	42.5	59
Diesel Particulate Matter* ($\mu\text{g}/\text{m}^3$)	0.772	0.637	61	0.294	95-100th
Air Toxics Cancer Risk* (lifetime risk per million)	39	29	96	28	95-100th
Air Toxics Respiratory HI*	0.49	0.39	74	0.36	90-95th
Traffic Proximity (daily traffic count/distance to road)	450	870	53	760	64
Lead Paint (% Pre-1960 Housing)	0.58	0.54	49	0.27	78
Superfund Proximity (site count/km distance)	0.07	0.24	29	0.13	55
RMP Facility Proximity (facility count/km distance)	0.81	0.52	81	0.77	70
Hazardous Waste Proximity (facility count/km distance)	2.2	6	40	2.2	72
Underground Storage Tanks (count/km ²)	10	7.7	70	3.9	89
Wastewater Discharge (toxicity-weighted concentration/m distance)	0.021	4	65	12	75
Socioeconomic Indicators					
Demographic Index	60%	35%	80	35%	83
People of Color	80%	45%	77	40%	83
Low Income	41%	29%	74	30%	69
Unemployment Rate	8%	6%	76	5%	76
Limited English Speaking Households	19%	8%	86	5%	92
Less Than High School Education	21%	13%	79	12%	81
Under Age 5	6%	6%	61	6%	58
Over Age 64	17%	17%	56	16%	57

*Diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index are from the EPA's Air Toxics Data Update, which is the Agency's ongoing, comprehensive evaluation of air toxics in the United States. This effort aims to prioritize air toxics, emission sources, and locations of interest for further study. It is important to remember that the air toxics data presented here provide broad estimates of health risks over geographic areas of the country, not definitive risks to specific individuals or locations. Cancer risks and hazard indices from the Air Toxics Data Update are reported to one significant figure and any additional significant figures here are due to rounding. More information on the Air Toxics Data Update can be found at: <https://www.epa.gov/haps/air-toxics-data-update>.

For additional information, see: www.epa.gov/environmentaljustice

EJScreen is a screening tool for pre-decisional use only. It can help identify areas that may warrant additional consideration, analysis, or outreach. It does not provide a basis for decision-making, but it may help identify potential areas of EJ concern. Users should keep in mind that screening tools are subject to substantial uncertainty in their demographic and environmental data, particularly when looking at small geographic areas. Important caveats and uncertainties apply to this screening-level information, so it is essential to understand the limitations on appropriate interpretations and applications of these indicators. Please see EJScreen documentation for discussion of these issues before using reports. This screening tool does not provide data on every environmental impact and demographic factor that may be relevant to a particular location. EJScreen outputs should be supplemented with additional information and local knowledge before taking any action to address potential EJ concerns.