

REPORT OF INDUSTRIAL STORMWATER COMPLIANCE EVALUATION INSPECTION (CEI)

At

River City Recycling

6030 S. 60th Street

Omaha, NE 68117

NDEE Authorization: ISW-202200916, NDEE Facility ID: 17690

On

May 16, 2023

By

U. S. ENVIRONMENTAL PROTECTION AGENCY

Region 7: Enforcement and Compliance Assurance Division (ECAD)

1.0 INTRODUCTION

I performed an Industrial Stormwater Compliance Evaluation Inspection (CEI) at the River City Recycling facility in Omaha, Nebraska on May 16, 2023. The inspection was authorized by Section 308(a) of the Federal Water Pollution Control Act, as amended. This narrative report and attachments present the findings and observations made during the Industrial Stormwater CEI.

2.0 PARTICIPANTS

River City Recycling

Scott Hughbanks, President Spectracom, Inc D/B/A River City Recycling

Email: scott@rcr-metro.com

Joe Hughbanks, Facility Contact

Nebraska Department of Environment and Energy (NDEE)

Charlie DeShazer (no longer employed by NDEE)

U.S. Environmental Protection Agency (EPA):

Hannah Lewis, Life Scientist (913) 551-7679

Email: lewis.hannah@epa.gov

3.0 INSPECTION PROCEDURES

On May 16, 2023, I arrived unannounced at River City Recycling at 8:30 a.m. and introduced myself to Mr. Scott Hughbanks. I presented my credentials, introduced Charlie DeShazer, and explained the scope and purpose of the inspection. Scott introduced his son, Joe Hughbanks, who operates the facility alongside his father. I informed Scott and Joe that I would be conducting the Industrial Stormwater inspection under the authority of Section 308(a) of the Federal Water Pollution Control Act to evaluate the facility's compliance status with the requirements of the Clean Water Act and with the NDEE National Pollutant Discharge Elimination System (NPDES)

General Permit NER920000. The General Permit is issued by the NDEE to authorize stormwater discharges from industrial activities. I explained that the inspection would consist of a review of facility operations, required records, the Stormwater Pollution Prevention Plan (SWPPP), and a visual inspection of the facility. I stated that I would document my findings and observations by making photocopies, taking photographs and/or videos, and obtaining statements from facility staff.

Prior to entering the facility, I conducted a visual reconnaissance of the facility, searching for areas of concern observable from the public roads such as discharges, drainage patterns, flow directions, distance and direction of nearest perennial waters, visual condition of perennial waters, facility location, and layout. The facility is located on S. 60th Street with City of Omaha's Al Veys Park forming most of the west border and Papio Valley Auto Parts forming the north border of the facility. Blood Creek is located south of the facility and flows west into Big Papillion Creek.

I completed my inspection, and I summarized the findings and recommendations with Scott and Joseph during the exit meeting. I made them both aware of their confidentiality rights and provided them a Confidential Business Information (CBI) Notice. I provided a copy of the CBI Notice to Scott which has not been returned to me. I also provided and explained a Notice of Preliminary Findings (NOPF) during the exit meeting (attachment 4). No samples were taken during the inspection. Thirty-three photographs were taken during the inspection (attachment 2). An Industrial Storm Water Worksheet was also completed (attachment 1).

4.0 FACILITY DESCRIPTION

4.1 Facility Operations

River City Recycling operates on approximately 19 acres as a waste transfer station, recycling facility, and wood processing facility. The facility operations include the following activities: receive and transfer commercial waste; store and shred tires; store glass for transfer; drain freon from appliances; store and transfer appliances; store and grind asphalt shingles; store, mulch, and dye tree material; store and transfer waste concrete; store and transfer soil; store and grind pallets; refuel vehicles and equipment; and rinse vehicles and equipment. Commercial waste is transferred to a City of Omaha landfill. Shredded tires are used by the landfill for alternate daily cover. Glass is sold to Ripple Glass for reuse. Freon drained from appliances is sold for reuse while the appliances are sent to a scrap yard. Ground up shingles can be sold to supplement a small portion of the asphalt mixture for new asphalt pavement. Waste concrete can be used as road base material. After the tree material and pallets are mulched and dyed, it is sold to the public. The facility's Notice of Intent includes Standard Industrial Classification (SIC) 5093: Scrap and Waste Recycling. Based upon the above listed activities, SIC 2499: Wood Products, Not Elsewhere Classified would likely apply as well.

The facility's physical address is 6030 South 60th Street, Omaha, Nebraska 68117. The latitude and longitude are 41.1957, -96.0077, respectively. Scott stated that the facility has 30 employees, and that the facility runs 8 hours a day, Monday – Friday with some Saturdays. See attachment 3 for the facility layout, photo locations, and stormwater flow patterns. Stormwater generally flows east or southwest to the property boundaries. The SWPPP identifies three potential stormwater outfalls at the facility.

Regulatory History

NDEE issued NPDES General Permit NER920000 to the facility on October 26, 2022 (attachment 7). The facility was authorized to discharge stormwater from industrial activities under General Permit NER910000 from May 24, 2017 until October 25, 2022, when the facility's authorization was reissued under NER920000 (attachment 6). NDEE has no records on inspecting the facility. The City of Omaha, as part of the Municipal Separate Storm Sewer System (MS4) program, contracted with E & A Consulting Group, Inc to determine the facility's compliance with General Permit NER910000 on August 23, 2022. E & A's inspection report includes compliance issues pertaining to the SWPPP implementation and permit requirements that the facility needed to correct. A copy of E & A Consulting Group's report is included within attachment 8.

5.0 FINDINGS AND OBSERVATIONS

On May 16, 2023, I conducted an Industrial Stormwater inspection to determine whether River City Recycling was in compliance with their General Permit. The weather conditions at the time of the inspection were warm and clear. According to the High Plains RCC Climod website, less than 0.25" of rain had fallen in the area during the 14 days prior to the inspection. Scott and Joe accompanied me during the visual inspection of the facility, permit requirements review, and onsite records review.

5.1 Stormwater Pollution Prevention Plan (SWPPP)

The NPDES General Permit NER920000 requires the facility to have a SWPPP that meets Section 5 of the permit. I was provided a complete copy of the SWPPP. Later, Scott emailed me an electronic version of the SWPPP (attachment 8). The SWPPP is dated September 28, 2022. I noted the SWPPP was not being fully implemented. Upon further review of the SWPPP after the inspection was complete, I noted some issues with the SWPPP.

There are two 550-gallon aboveground storage fuel tanks and one 250-gallon tote of diesel exhaust fluid, but the SWPPP only includes one 550-gallon aboveground storage fuel tank. Material storage is not accurate, see Summary section below.

The SWPPP includes three stormwater outfalls. Outfall 1 is located in a vegetated ditch south of the asphalt shingle storage and processing area (photos 8-10, 15-21, 23). It receives runoff mostly from asphalt shingles area, waste concrete piles, soil piles, and tree material piles but also some runoff from the appliance and glass storage areas.

Outfall 2 is located outside the facility's property in the ditch along S. 60th Street and appears to be utilized as a "substantially identical outfall." Outfall 2 receives runoff from the S. 60th Street and Papio Valley Auto Parts plus at least 3 other outfall points which are labeled on the facility layout map as outfalls 4-6 (attachment 3). Outfall 4 includes runoff from tires, tire shredding, mulch, mulch dyeing, glass collection dumpster, and paper/plastic collection dumpsters. The discharge point is fairly flat which would be difficult for representative sample collection during small rainfall events (photos 11-13, 22, 24, 26-28). Outfall 5 includes runoff from the weigh station, main office, transfer station, appliances pile, waste trailer parking, fuel station, and

equipment rinsing (photos 1-3, 29-30). Lastly, outfall 6 includes runoff from the transfer station, fuel and diesel exhaust fluid (DEF) station, waste trailer parking, and transfer station (photos 1, 4-5). Based upon the information above, outfalls 4, 5, and 6 are not substantially identical and should not be combined into one outfall sample point, currently noted in the SWPPP as outfall 2.

Outfall 3 is a sanitary sewer inlet to Omaha's publicly owned treatment works. It receives runoff from the south side of the commercial waste transfer building where empty dumpsters are stored and loading occurs.

The SWPPP and both General Permits require routine facility inspections, quarterly visual assessments, and annual comprehensive inspections. During the inspection, I requested inspection records from 2020 to the date of the inspection. Scott provided the first quarter inspection report for 2023. He stated he did not have any additional inspection reports for the period requested (NOPF 1). In the response submitted by Scott on June 15, 2023, proof of a quarterly inspection report conducted on May 26 was included (attachment 5).

Sampling and monitoring of stormwater discharges is required by the SWPPP and both General Permits. Both General Permits include required monitoring and sampling in Section 6. During the inspection, I requested sampling and monitoring documentation for 2020 through 2023 from the facility, but Scott stated he did not have any of the requested documentation. This finding is noted in the Summary of this report.

The SWPPP and both General Permits also require the facility to conduct SWPPP training at least annually and maintain records of SWPPP trainings that the facility has performed. I requested training records from 2021 through 2023. No training had been conducted or documented (NOPF 2). In the response submitted by Scott on June 15, 2023, proof of training conducted on June 7 and 8 was included (attachment 5).

5.2 Other Visual Observations

During the facility tour, I observed the stormwater flow paths throughout the facility, the three stormwater outfalls included in the SWPPP, and additional outfalls (photos 1-33). Stormwater flowing through outfall 1 flows west along a vegetated ditch to Big Papillion Creek. Stormwater flowing through outfalls 2 through 6 and stormwater from the far north section of the property travels south along a vegetated ditch to Blood Creek which flows southwest to Big Papillion Creek. I observed Blood Creek flowing during the inspection (Photos 31-33). Discharge was not occurring from the facility at the time of the inspection nor was there flow in the ditches surrounding the facility.

I observed equipment rinsing being conducted near the weigh station (photos 29, 30). Runoff from this area flows to outfall 5. Although no discharge was occurring, there was evidence of previous discharge events at this outfall.

There was a lack of good housekeeping along the perimeter of the facility and the internal ditch between the asphalt shingles area and the waste concrete area (NOPF 3). The north boundary had soil/rubble mixture piled against and on top of the barricade allowing stormwater to bypass the control structure (photos 20, 21). Asphalt shingles were present in the internal ditch (photos 15-

17). In the response submitted by Scott on June 15, 2023, proof of material piles moved away from the north boundary barricade was included (attachment 5).

The DEF and Mulch Magic® dye totes stored outdoors did not have structural control measures to contain spills and prevent discharge (photos 5, 24). Spilled dye was present on the concrete. This finding is included in the Summary of this report. Table 5.0 of the SWPPP lists best management practices at the colored mulch processing area to be “secondary containment and dry absorbents to manage and clean leaks.”

6.0 SUMMARY

A NOPF was discussed with Scott and Joe during the exit meeting. A copy of the NOPF was provided to Scott at that time. The findings from the NOPF are listed below. Scott submitted a response to the NOPF (attachment 5) on June 15, 2023.

1. Not conducting site inspections, sampling, and comprehensive inspections: NPDES General Permit Section 4
2. No training records for 2023, 2022, and 2021: NPDES General Permit 2.1.2.9
3. Lack of good housekeeping along perimeter: SWPPP 3.1.2

Additional findings were made after the inspection was complete.

4. The SWPPP is not up to date: material storage and stormwater outfalls are missing.
5. Three outfalls, described in this report as outfall 4, 5, and 6, are not substantially identical and should not be combined into one sample collection location. These three outfalls should be added to the SWPPP.
6. Sampling as required in Section 6 of both the General Permits has not been conducted.
7. The facility should add spill containment controls to the areas where totes of dye and DEF are stored.
8. The facility should implement control measures at the equipment rinsing station.

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ATTACHMENTS:

1. Industrial Storm Water Worksheet (6 pages)
2. Digital Image Log (36 pages)
3. Photo Locations Map and Facility Layout Map (2 pages)
4. NOPF (1 page)
5. NOPF Response (15 pages)
6. NPDES General Permit NER910000 (205 pages)
7. NPDES General Permit NER920000 (126 pages)
8. SWPPP (74 pages)