



Environmental  
Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

February 7, 2011

RE: PINNEY DOCK & TRANSPORT  
OHIO EPA PERMIT 3IN00171  
ASHTABULA CITY, ASHTABULA COUNTY  
COMPLIANCE EVALUATION INSPECTION

Mr. Rick Seaman, Terminal Manager  
Kinder Morgan Terminals, LLC – Pinney Dock  
1149 East 5<sup>th</sup> Street  
Ashtabula, OH 44004

Dear Mr. Seaman:

On February 3, 2011, a site inspection was conducted at the above referenced facility at 1149 East 5<sup>th</sup> Street (State Route 531), City of Ashtabula, Ashtabula County. The inspection was conducted by John Schmidt of this office. The following represented Kinder-Morgan Terminals during the inspection:

- Rick Seaman, Terminal Manager at Pinney Dock/Kinder Morgan
- Mark Tonkovich, EHS Ohio Valley Region Kinder Morgan
- Dennis Ottaviani, Veolia Water America
- Brad Biro, Superintendent at Pinney Dock/Kinder Morgan
- Jeremy Korth, MIT Pinney Dock/Kinder Morgan

The purpose of the inspection was to evaluate the facility's compliance status with respect to the terms and conditions of the facility's National Pollutant Discharge Elimination System (NPDES) permit and in conjunction with the renewal of said permit. The last compliance inspection was conducted on November 12, 2009.

Industrial process waste water is limited to an industrial treatment system to treat ground water from legacy contamination at the site. Groundwater is collected in a sump and pumped to a 3,000 gallon gravity separator, pH is adjusted with hydrochloric acid (HCl), microfiltration with a micron screen, air stripping, microfiltration with a 10 micron screen, activated carbon absorption unit, and final discharge to Lake Erie via Outfall 001. Flow through this system is approximately 5 gpm.

Storm water runoff collected from the 310 ac facility used to store incoming and outgoing materials. Coke, coal, gravel, and iron ore are stored outside, with magnisite stored under roof. Storm water is regulated under general storm water permit OHR000004. For purposes of this inspection, piers are numbered from east to west as Piers 1, 2, 3, 4, and 5. Pier 1 is paved and contains structures, and contains no open stock piles. Storm water from Pier 1 discharges directly to Lake Erie as sheet flow. Pier 2 contains various stockpiles, with storm water directed to a 200,000 gallon evaporation pond and discharged through Outfall 001. Pier 3 directs storm water to a 75,000 gallon detention/evaporation pond prior to discharge through Outfall 002. Piers 4 and 5 have a series of sediment traps with sufficient storage to contain storm water in conveyance channels.

Sanitary waste is limited to employee restrooms and locker rooms, and is collected and flows to sanitary sewers owned by the City of Ashtabula.

### **Observations**

The following observations were made during the inspection.

1. The industrial plant was not operating at the time of the inspection, due to the cold weather and lack of flow from the ground water collection system. Flow through the plant is approximately 5 gpm.
2. The plant was found in overall satisfactory condition. Plant equipment was found reasonably clean and operational.
3. Mr. Seaman indicated that the evaporation pond was dredged approximately 2 years prior to the February 3<sup>rd</sup> inspection.
4. A log book of repairs and observations is maintained at the WWTP. The wastewater plant is operated by Veolia Water North America under contract to Kinder-Morgan. Dennis Ottaviani performs routine operations at the WWTP, monitors the facility, and performs the sampling. Veolia submits the electronic discharge monitoring report (eDMR) through Ohio EPA's Web-based application. Most analytical work is sent to Microbac Laboratories for analysis.
5. The sampler was not in use at the time of the inspection, as the plant was not operating. Mr. Myers noted that the sampler collects a 24-hour time-based composite sample.
6. The final discharge was not observed due to a lack of flow.
7. Documents inspected during the site visit include a portion of the spill control and countermeasure plan (SPCC) that addresses storm water that contains some elements of a storm water pollution prevention plan (SWPPP), and appears to have been updated on November 20, 2010. The latest annual site certification inspection was conducted on December 16, 2010. Employee training on the SWPPP was conducted on October 22-23, 2010.

### **NPDES Permit Compliance Review**

Kinder Morgan Terminals, LLC – Pinney Dock operates the Pinney Dock WWTP under Permit 3IN00171\*CD A review of the electronic discharge self-monitoring reports (eDMRs) received by Ohio EPA for the period November 1, 2009 through January 1, 2011 indicates apparent noncompliance of the terms and conditions of your NPDES permit as identified below:

#### **Limit Violations**

No limit violations were noted for the reporting period reviewed.

#### **Reporting Violations**

No reporting code or reporting frequency violations were noted for the reporting period reviewed.

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Compliance Schedule Violations

No compliance schedule violations were noted for the reporting period reviewed. There is no compliance schedule in your existing NPDES permit.

Other Violations

The following additional violation is noted in a review of Ohio EPA files and your NPDES permit:

1. Ohio EPA notes that your NPDES renewal application identifies the applicant and owner as Kinder Morgan Terminals, LLC – Pinney Dock, while the current NPDES permit identifies the permit holder as Pinney Dock and Transport, LLC. Pursuant to Part III, Item 19 of your NPDES permit, Pinney Dock and Transport, LLC shall notify the succeeding owner (Kinder Morgan Terminals, LLC) or successor of the existence of this permit by letter and providing Ohio EPA a copy of this letter, and provide Ohio EPA with a written agreement between the parties acknowledging the date that liabilities for compliance will be assumed by the new owner. I have attached a transfer of ownership form which must be completed and returned to Ohio EPA. During the inspection you provided me with the application to transfer the NPDES permit, and no additional information is needed at this time.

**NPDES Permit Renewal Status**

Ohio EPA is in receipt of your NPDES renewal application for the above referenced facility and is processing the application. During the inspection, you provided me with a revised form 1 as requested. We also discussed terminating the general permit for storm water and amending the NPDES permit application to include storm water (revising Form 1, new Form 2F). You indicated that you plan to amend the NPDES renewal to include storm water.

Based on the above information, Kinder Morgan Terminals, LLC is considered to be in substantial compliance with the terms and conditions of the NPDES permit for its Pinney Dock Facility in Ashtabula, OH. Ohio EPA looks forward to a copy of the revised Form 1 and Form 2F to incorporate storm water into the permit renewal.

If you have any questions or comments regarding this inspection, please feel free to contact me at (330) 963-1175.

Respectively,



John M. Schmidt P.E., R.S.  
Environmental Engineer  
Division of Surface Water

JMS/mt

File: Industrial/Pinney Dock & Transport, LLC/P/C