



**Environmental  
Protection Agency**

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

August 29, 2012

RE: CUYAHOGA COUNTY  
BEDFORD  
INDUSTRIAL STORM WATER  
CARR BROTHERS INC  
PERMIT NO: 3GR01186

**NOTICE OF VIOLATION**

Ms. Amy Rickelman  
Carr Brothers, Inc.  
7177 Northfield Road  
Bedford, OH 44146

Dear Ms. Rickelman:

On July 26, 2012, Robert Hrusovsky, Division of Surface Water, conducted an inspection of your facility, located at 7177 Northfield Road, Bedford, Ohio to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Industrial Activity. Also from the Ohio EPA, Division of Surface Water, Mandy Razzano and Nate Bruce were present during the inspection. As a representative of Carr Brothers Incorporated, Sandy Carr and you were present during the inspection. Mr. Hrusovsky noted the following violations of the NPDES permit:

**Permit Violations:**

1. **Failure to implement sufficient control measures and best management practices (BMPs).** This is a violation of Part 2.1.2 of the NPDES permit and ORC 6111.04 and 6111.07.
  - a. The sediment traps, i.e., sediment runoff ponds on the north part of the property, were completely filled in with sediment (Figures 1 & 2). Carr Brothers has not maintained them in a functional condition. Please be aware that Part 2.1.2.3 of the NPDES permit requires you to maintain all control measures and make any needed repairs as expeditiously as possible. The sediment traps must be cleaned out to restore their capacity to store and settle sediment. Further, we noted that the sediment traps are not designed per the specifications contained in *Rainwater and Land Development, Ohio's Standards for Stormwater Management, Land Development and Urban Stream Protection* (Ohio Department of Natural Resources, 2006). Ohio EPA recommends that the sediment traps be designed per these specifications and include both a sediment storage volume and a dewatering volume (see attached).
  - b. It appears that concrete wash water may be tracking into the ponds. Wash water is process wastewater and is not authorized to discharge under your storm water permit. Process wastewater resulting from washing trucks, mixers, transport buckets, forms, or other equipment must be authorized under a separate NPDES permit, be recycled or otherwise be prevented from discharging from the site. Ohio EPA believes wash water is flowing through the sediment traps and down into Tinkers Creek to the north (Figure 3). Ms. Razzano took a water sample at the confluence with Tinkers Creek where the traps would discharge (Figure 4). She found that pH was 12.46, which exceeds Ohio Water Quality Standards

contained in Ohio Administrative Code (OAC) 3745-01. OAC 3745-01 indicates that pH must be between 6.5 and 9.0. Process wastewater must be segregated from storm water runoff and be properly collected and disposed or managed.

- c. Various concrete ad-mixtures are stored inside the Boiler Room building. A few spills were noticed from unloading the ad-mixtures. A drain is in the center of the room, containing a sump pump, and it is unknown where the water is pumped. Keep drip pans under the valves of the ad-mixture containers. Any spills must be cleaned up immediately. A spill kit must also be kept in the room, clearly labeled, in the case of a spill. The Storm Water Pollution Prevention Plan (SWPPP) must contain spill response procedures and employees must be trained on those procedures. Carr Brothers must investigate where the drain in the center of room discharges and ensure that there are no illicit discharges to the storm sewer system from this drain. See enclosure titled *Do You Know Where Your Floor Drains Go?* (Ohio EPA, March 2010) for options and guidance.
  - d. Similarly, oil has leaked onto the floor inside the vehicle maintenance building (Figure 5). There are two drains inside the building. It is unknown to where the drains connect. Carr Brothers must investigate where these drains discharge and ensure that there are no illicit discharges to the storm sewer system from these drains. Ohio EPA recommends the drains be permanently capped to eliminate this pathway for pollutant discharge. When a leak occurs, place a drip pan under the leak to catch contaminants. Keep a spill kit in the area so to immediately clean any oil spills when they occur. Clean up spills immediately, ensure the SWPPP contains spill response procedures, and train employees in those procedures.
  - e. There are two scrap dumpsters at the facility. The dumpsters contain oily motor parts and other scrap. The dumpsters must be kept covered with lids or tarps to prevent the collection of storm water and the formation of leachates.
2. **Failure to update the Storm Water Pollution Prevention Plan (SWPPP).** This is a violation of Part 5 of the NPDES permit and ORC 6111.04 and 6111.07. An updated SWPPP was to be implemented within 180 days after the effective date (January 1, 2012) of the new NPDES permit #OH000005. Your SWPPP must be updated to meet the new requirements of the new NPDES permit. Information about the new permit, including fact sheets which highlight changes to permit conditions can be found on our website at [http://www.epa.ohio.gov/dsw/permits/GP\\_IndustrialStormWater.aspx](http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx).
  3. **Failure to provide a site map of the facility.** This is a violation of Part 5.1.2 of the NPDES permit and ORC 6111.04 and 6111.07. A site map must be provided in your SWPPP that shows the direction of storm water flow (using arrows), locations of all existing structural control measures, the locations of all storm water conveyances (ditches, pipes, swales), etc. A full list of requirements for the site map can be found in Part 5.1.2 of the NPDES permit.
  4. **Failure to conduct monthly routine facility inspections.** This is a violation of Part 4.1 of the NPDES permit and ORC 6111.04 and 6111.07. In the facility's SWPPP, routine facility inspections are to be conducted on a monthly basis. Routine facility inspections must be conducted in all areas of the facility where industrial materials or activities are exposed to storm water, and to all control measures used for storm water protection. All inspection reports must be kept with your SWPPP.
  5. **Failure to conduct employee training.** This is a violation of Part 2.1.2.9 of the NPDES permit and ORC 6111.04 and 6111.07. You shall train all employees who work in areas where industrial materials or activities are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of the NPDES

permit. Training must be conducted at least annually or more frequently if employee turnover is high.

In addition to these violations, we noted the following:

**General:**

1. This site is the location of Carr Brothers Incorporated, a facility that operates a ready mixed concrete batch plant as described by Standard Industrial Classification (SIC) Code 3273: Concrete, Gypsum, and Plaster Products. Industrial activities at this site are categorized under Sector E2.
2. Sheet flow of storm water flows north into a series of sediment runoff ponds (sediment traps) before flowing into Tinkers Creek to the north.
3. It is unknown where the floor drains in the vehicle maintenance building and the Boiler Room building connect to.

**Monitoring:**

1. Quarterly visual assessments of all storm water discharges are to be conducted once every calendar quarter as required in Part 4.2 of the NPDES permit. You shall collect a sample from each outfall and conduct a visual assessment of each of these samples. You shall visually inspect the sample's color, odor, clarity, oil sheen, etc. All inspection reports must be kept with your SWPPP. Your first quarterly visual assessment must be conducted in the third quarter of 2012, which runs from July 1 to September 30. The results of your quarterly visual monitoring are to be kept with the SWPPP and made available to Ohio EPA upon request.
2. This facility is also subject to benchmark monitoring for Total Suspended Solids (TSS). A total of at least four samples must be taken over the first 12 quarters (Year 1 – 3) of the permit term. Samples must be taken such that each quarter of the calendar year is represented, unless there is a quarter that your facility is always inactive and unstaffed. Results must be submitted to Ohio EPA within 30 days of receiving results from the laboratory and are to be submitted using Ohio EPA's online electronic discharge monitoring report (eDMR). For assistance in setting up an account and submitting data, please contact Jamie Roberts in our Central Office at (614) 644-2054.

**Action Items:**

- Discontinue the discharge of the sediment runoff ponds into Tinkers Creek as long as it is co-mingled with process wastewater and has a pH above 9.0. Process wastewater must be contained onsite or authorized under a different NPDES permit and discharged accordingly.
- Place drip pans under ad-mixture valves and add a spill kit in the Boiler Room building.
- Cover scrap dumpsters with lids or tarps.
- Clean up oil spills in the vehicle maintenance building, use drip pans and add a spill kit.
- Determine where the floor drains in the Boiler Room and Maintenance Building discharge and manage accordingly.
- Update SWPPP.
- Provide a site map of the facility in your SWPPP.
- Begin conducting monthly routine facility inspections.
- Begin conducting and documenting employee training at least once per year.
- Begin conducting quarterly visual assessments of all storm water discharges.
- Begin benchmark monitoring and submit results within 30 days of receiving lab results.

CARR BROTHERS INC  
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You are directed to provide me with a letter of response indicating the actions you will take to address the concerns and violations noted above. A copy of the updated SWPPP should accompany your letter. Please provide me with a letter of response and updated SWPPP no later than September 21, 2012.

If you should have any questions concerning this letter, feel free to contact me at (330) 963-1145 or by e-mail at [dan.bogoevski@epa.state.oh.us](mailto:dan.bogoevski@epa.state.oh.us).

Sincerely,



Dan Bogoevski  
District Engineer  
Division of Surface Water

DB/cs

cc: Clint Bellar, Service Director, City of Bedford  
Laura Travers, Cuyahoga County Board of Health

ec: Mandy Razzano, Ohio EPA, DSW, NEDO

CARR BROTHERS INC.  
City of Bedford  
Cuyahoga County  
Photos Taken: July 26, 2012  
By: Bobby Hrusovsky, Ohio EPA, DSW, NEDO



Figure 1  
Sediment runoff ponds filled with sediment.



Figure 2  
Last sediment runoff pond before discharging into stream.



Figure 3  
Sediment runoff pond discharge.



Figure 4  
Mandy Razzano's sample location.



Figure 5  
Oil leaks in vehicle maintenance building.