



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

Re: **Notice of Violation**
Allen County
Industrial Storm Water
CSX Lima RIP Track
Facility ID No. 2GR01667

November 6, 2012

Mr. Carl Gerhardstein
AVP Environmental Systems & Sustainability
CSX Transportation, Inc.
500 Water Street - J 275
Jacksonville, Florida 32202

Dear Mr. Gerhardstein:

On August 28, 2012, Justin Williams and I inspected CSX Lima RIP Track, located at 401 East Robb Avenue, Lima (photos taken). The purpose of our visit was to evaluate compliance of the site with the National Pollutant Discharge Elimination System (NPDES) permit for storm water discharges associated with industrial activity (a.k.a. Multi-Sector General Permit, or MSGP). Authorization to discharge under the MSGP was granted March 7, 2012. Mr. Don Camper and Mr. Ricky Morrow were present to provide information. As a result of the inspection, I have the following comments:

1. The facility is a railyard with a Repair In Place (RIP) track. Minor car repair occurs along with engine fueling. It has a primary SIC code of 4011, Railroads, Line-Haul Operating. Industrial activities with potential exposure of pollutants to storm water include: car repair, fueling, material transfer and outside storage of the garbage dumpsters (had lids), and material (metal) storage.
2. A Storm Water Pollution Prevention Plan (SWP3) was available onsite. It was recently updated and the cover was dated 2012. The signature with the certification statement must include a date. The specific Pollution Prevention Team members/titles must be provided, not just the department name. The site map was missing required information, such as: noting where car repairs occur; showing the direction of flow, the drainage area(s), and the outfall(s) for the car repair area and the engine fueling area, and the locations of garbage dumpsters, the diesel generator, and spill response materials. *The missing details are a violation of Section 5 of the permit.*

Details on the required contents of a SWP3 can be found in the current permit at: http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx. A template for developing a SWP3, sample record keeping forms, and a sample Annual Report form for the MSGP can also be found at the above web page. I recommend reviewing the MSGP Sections 1 through 7 pertaining to all facilities. Section 8 Subpart P describes specific Best Management Practices (BMPs) required for your industry.

3. There were no storm water discharges during my inspection. Discharge monitoring is required by the permit and has not yet been performed. The facility is required to perform a Quarterly Visual Assessment. This is a grab sample from each outfall (some exceptions are noted in the permit) that must be taken each calendar quarter. Samples must be assessed for color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, and other obvious indicators of pollution. *Failure to conduct and document quarterly visual assessments of your discharge is a violation of Section 4.2.1 and 4.2.2 of the permit.* You must begin quarterly visual assessments immediately. Samples are to be collected within the first 30 minutes of discharge and on discharges that occur at least 72 hours from the previous discharge. Sampling must be conducted from each permitted outfall, unless you document in your SWP3 that you have met the conditions for one of the exceptions listed in the permit (inactive/unstaffed facility, substantially identical outfalls, etc.). Videos showing how to perform sampling may be viewed at: http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx. Additional sampling guidance can be found at: http://www.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf.

The NPDES permit requires that the SWP3 describe and ensure implementation of storm water controls. These controls must address several different components of facility operations that are listed in the permit. Storm water control implementation issues were noted for the following facility operations:

4. Good Housekeeping - This item requires BMPs that result in the maintenance of a clean, orderly facility. Light bulbs (some broken) were found on the ground south of the Used Oil Cabinet. *This is a violation of Part 2.1.2.2 of the permit.* This area needs to be tidied up and any solid waste properly disposed.

Please make sure all outside bins and roll-offs containing material are covered or ensure the containers are leak proof. It should be noted under the MSGP, Section 2.2.1, permittees are required to minimize exposure of materials by locating them inside or protecting with a storm resistant shelter. Industrial materials do not need to be enclosed or covered if storm water runoff from affected areas will not be discharged to receiving waters.

5. Inspections- The MSGP requires at least quarterly routine documented inspections of all areas of the facility where industrial activities or materials are exposed to storm water and of all storm water control measures used to comply with this permit. At least one inspection must occur when storm water is discharging from your site. The SWP3 did not identify who the qualified personnel would be who would conduct inspections. *This is a violation of Section 5 of the permit.* The SWP3 shall identify qualified personnel to inspect designated equipment and areas and specify inspection frequency. Tracking or follow-up procedures shall be used. Inspections shall be documented and records shall be maintained. The reports need to include specific observations of the outfall structure/discharge, when the last measurable precipitation event occurred, and the size of the event.
6. Comprehensive Site Compliance Evaluation - The Annual Comprehensive Evaluation did not include the certification statement from the permit. *Please be sure to review Part 7 and Appendix I to ensure that all required areas are reviewed during inspections and that observations are recorded.*

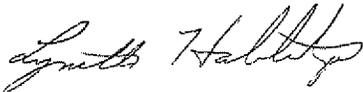
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7. Employee Training – The Multi-Sector General Permit requires at least annual employee training of all employees who work in areas where industrial activities or materials are exposed to storm water, or who are responsible for implementing activities necessary to meet the conditions of this permit (e.g. inspectors, maintenance personnel). It was reported that annual employee training is conducted using a DVD and tracked using PeopleSoft. The records were not available onsite. *This is a violation of Part 5.4 of the permit.*

8. Sediment and Erosion Control and Management of Runoff - Sufficient ground cover had not been established around the Engineering Building to control erosion. In two locations, one just south of Engineering Building and the other southwest of Used Oil Cabinet, runoff was starting to form a channel. These drainage paths need to be stabilized. *The failure to detail specific issues and implement measures to limit erosion is a violation of Section 2.1.2.5. of the permit.* Measures need to be taken to stabilize the soil and prevent erosion. These may include reseeding with mulch, using temporary rolled erosion control products to stabilize soils until vegetation is established, or using materials that can handle higher shear stress such as turf reinforcement matting.

Within 30 days of the date on this letter, please submit to this office **written notification** as to the actions taken or proposed to address the compliance issues. Your response should include the dates, either actual or proposed, for the completion of the actions. It must also include a written certification that the requested changes to the SWP3 have been made. If there are any questions, please contact me at 419-373-3009.

Sincerely,



Lynette M. Hablitzel, P.E.
Division of Surface Water
Storm Water Section

/jlm

ec: Joe M. Gearing, Engineering Division of Public Works, City of Lima
Tracking