



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

June 17, 2013

RE: CUYAHOGA COUNTY
OAKWOOD VILLAGE
INDUSTRIAL STORM WATER
AGMET LLC
3GR01823*EG

Jaime Cleary
Health & Safety Supervisor
Agmet LLC
7800 Medusa St.
Oakwood Village, OH 44146

NOTICE OF VIOLATION

Dear Ms. Cleary:

On May 22, 2013, Ohio EPA conducted an inspection at the Agmet facility located at 7800 Medusa St. Our inspection's purpose was to determine compliance with the Ohio EPA General Storm Water National Pollutant Discharge Elimination System (NPDES) Permit for Industrial Activity #OHR000005. The site's industrial activities are categorized by the Standard Industrial Classification (SIC) Code 5093: Scrap Recycling and Waste Recycling Facilities except Source-Separated Recycling. This corresponds to Subsector N1 in Part 8 of the NPDES permit. This facility processes sludge cakes generated by wastewater treatment processes at metal plating facilities. During the inspection you were represented Agmet LLC. Dan Bogoevski and I represented Ohio EPA.

Storm Water Outfalls

Our records show that general permit coverage for your facility was renewed on November 1, 2012. The Notice of Intent (NOI) submitted by L'Oreal USA to renew coverage and the Site Map indicate that there are only five outfalls from this facility. However, our site inspection indicates that there are six outfalls currently only identified as one at 002 and three outfalls currently only identified as one at 005. Thus, there are twelve (12) total outfalls from this facility. All outfalls must be identified on the NOI. To correct this error, please either submit a revised NOI or a letter to our Central Office acknowledging the additional 7 outfalls. For each outfall, identify the SIC and subsector codes associated with the outfall as well as the latitude and longitude. There are no federal effluent limitations for storm water discharges from this facility. The revised NOI or letter should be sent **within 14 days** of this letter to:

Jason Fyffe
Ohio EPA Division of Surface Water
P.O. Box 1049
Columbus, OH 43216-1049

The NOI can be found on our website at:

http://www.epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx.

It appears that the twelve total outfalls can be reduced to three representative outfalls for purposes of quarterly visual assessment and benchmark monitoring. The SWPPP must identify which outfalls are substantially identical. One outfall within each group of substantially identical outfalls should be selected for benchmark monitoring throughout the term of the general permit. Quarterly visual assessment must be rotated amongst all the outfalls within each group over the term of the general permit.

Monitoring, Recordkeeping and Reporting

Ohio EPA reviewed recordkeeping associated with required site inspections and storm water monitoring. Our inspection revealed the following violations of the NPDES permit:

- **Failure to conduct an annual Comprehensive Site Inspection and complete an Annual Report.** This is a violation of Part 4.3.1 and 7.2 of the NPDES permit and ORC 6111.04 and 6111.07. Agmet LLC was unable to locate an Annual Report summarizing the findings of the comprehensive site inspection and corrective action taken for 2012 or any year prior (this was known as the Comprehensive Site Evaluation in previous generations of the general permit). Agmet LLC is to utilize the Annual Report form located in Appendix I of the NPDES permit and keep a copy of the report with the SWPPP. The report is to be made available to Ohio EPA upon request. A Comprehensive Site Inspection and Annual Report must be completed by October 31, 2013, for the current reporting year.
- **Failure to conduct Quarterly Visual Assessments of storm water discharges and maintain documentation of the results.** This is a violation of Part 4.2.1 and 4.2.2 of the NPDES permit and ORC 6111.04 and 6111.07. For facilities continuing general permit coverage from previous generations, quarterly visual assessments were to begin no later than the third quarter of 2012. Agmet LLC has not conducted any quarterly visual assessments to date. A visual assessment must be conducted every quarter. A sample recordkeeping template is available on the Ohio EPA website at:
http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx.

In addition to these violations, Ohio EPA noted the following:

- The facility is inspected twice per week, however the inspection frequency and the associated report appear to be designed to address hazardous waste rules. We discussed that Routine Facility Inspections are required at least quarterly under the NPDES permit and directed you to review the Sample Recordkeeping Templates available on the aforementioned website.
- The spill log indicates that there have been 40 spill incidents so far this year. We noted that the NPDES permit only requires that significant spills and leaks be documented in the SWPPP. Please refer to Part 5.1.3.3 of the NPDES permit to determine what constitutes a significant spill or leak.
- Agmet LLC has conducted one benchmark monitoring to date. Please note that at least three additional benchmark samples are taken before the end of Year 3 of the NPDES permit, i.e., December 31, 2014. The benchmark monitoring conducted so far reveals exceedences of the benchmark for a number of parameters. For parameters that are hardness-dependent, please be sure to use the hardness of the receiving stream, i.e., Tinkers Creek. Data on the Ohio EPA website indicates that the mean hardness for Tinkers Creek is 265 mg/L.

Site Inspection

Our inspection of the site revealed the following concerns regarding storm water pollution:

1. Outfall 003 is the discharge from a small concrete storm water pond. We noted that the water in the pond was green and there was a build-up of sediment at the inlet (see Fig 1). The pond receives runoff from the northern end of the Bulk Storage Building (BSB) where dust generated by the Shredder regularly falls outside on the pavement and the western side of the BSB where a drag chain conveyor is located. The water quality function of the pond can be improved by retrofitting the pond to provide extended detention of the Water Quality Volume (WQv) as described in Section 2.6 of the *Rainwater and Land Development* manual, which can be found at the following link:

<http://www.dnr.state.oh.us/tabid/9186/Default.aspx>
2. Dust control needs to be improved on the north side of the BSB. As previously stated, dust regularly falls onto pavement outside the building from processes occurring inside the building. Although some plastic sheeting was installed to control dust and employees sweep up the pavement regularly, this still appears to be a significant source of storm water pollution and further best management practices will likely be required to adequately address this source.
3. The sand stockpile outside of the BSB should be covered to help reduce sediment pollution (see Fig 3). A tarp or Quonset hut storage structure is suggested. **See Figure 3.**
4. The rotary kiln and drag chain conveyer have exposed greasy parts that appear to drain to Outfall 003 and 004. We noted that oil absorbent had been put down to address these leaks, however other measures may be needed to ensure pollutants are not conveyed off-site via storm water.
5. The Product Trench encircles an area where the following activities occur: (a) equipment washing, (b) product loading and (c) product handling. Although it is intended that the Product Trench forms a closed-loop system that results in no discharge of the storm water it collects, it was unclear if this indeed is the case. The capacity of the trench is not known and it appears that if it fills, it would overflow to an outfall. You indicated that you have never observed an overflow to the storm sewer system.
6. Maintenance procedures and schedules must be developed for the storm water pond discharging to Outfall 003 and the “sediment separator” tributary to Outfall 005. You indicated that the storm water pond was cleaned out in Fall 2012, but were not sure when the sediment separator was last cleaned out. It was installed 5 years ago.
7. The yard south of the railroad tracks, where old pieces and parts were being stored, needs vegetated or graveled to reduce sediment pollution (see Fig 4).
8. There is a floor drain in the Maintenance Building. The drain goes to a holding tank and you indicated that it is not connected to the storm sewer system discharging to Outfall 001. The floor drain and holding tank do not appear on the site map and there is no discussion in the SWPPP. The SWPPP should discuss the drain and holding tank and provide an indication of (a) how you determined that there is no connection to the storm water drainage systems from your facility and (b) how you dispose of what collects in the holding tank.

9. We noted a leak from the southernmost door of the Maintenance Building where old equipment is stored. After looking closer at it, it did not seem to be anything harmful, but to prevent any pollution in the future, all stored equipment should be drained before storing or have a drip pan in areas of need.
10. A number of 55-gallon drums and used pallets are stored in the drainage area tributary to Outfall 002. Drums should be stored in secondary containment and pallets should be inspected to ensure that there are no residuals from spills or leaks. If any are observed, those pallets should be moved under cover to prevent exposure to storm water.
11. All waste dumpsters need to be covered with a tarp or lid (see Fig 2).

Please provide me with a letter of response indicating the actions you will take to address the concerns and violations noted above. Please provide me with a letter of response no later than **July 1, 2013**.

If you should have any questions concerning this letter, feel free to contact me at (330) 963-1125 or by e-mail julianna.murphy@epa.state.oh.us.

Sincerely,



Julianna Murphy
Assistant to the District Engineer
Division of Surface Water

JM:ddw

Enclosure

cc: Dana Casidy, President, Agmet LLC
ec: Dan Bogoevski, DSW, NEDO
Jason Fyffe, DSW, CO



Figure 1: Northwest corner of lot retention pond with built up sediment and green water.

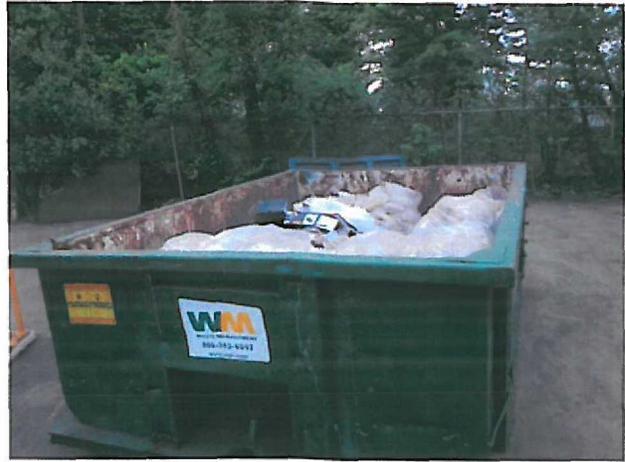


Figure 3: Dumpsters need covered



Figure 2: Sand stock pile needs covered



Figure 4: Vegetate or gravel yard south of railroad