



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

August 8, 2013

RE: LORAIN COUNTY
CITY OF GRAFTON
INDUSTRIAL STORM WATER
GRAFTON READY MIX
3GR01538*EG

NOTICE OF VIOLATION

Jim Riddell Jr., Owner
Grafton Ready Mix
PO Box 37
Grafton, Ohio 44044

Dear Mr. Riddell:

On July 30, 2013, Ohio EPA conducted an inspection at the Grafton Ready Mix facility located at 1155 Elm Street. 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 #OH000005. The site's industrial activities are categorized by the Standard Industrial Classification (SIC) Code 3273: Concrete, Gypsum, and Plaster Products. This corresponds to Subsector E2 in Part 8 of the NPDES permit. During the inspection, Dean Fullerton and you represented Grafton Ready Mix. I represented the Ohio EPA.

Storm Water Pollution Prevention Plan (SWPPP)

The facility currently has coverage under the Ohio EPA General NPDES Permit 3GR01538*EG. Our records show that the permit for your facility was last renewed June 1, 2012. Part 5 of the NPDES Permit requires one to create and implement a Storm Water Pollution Prevention Plan (SWPPP). During the inspection, your facilities' SWPPP, which was last updated March of 2002, was reviewed. While the facility did have a SWPPP present, it is important to make sure that all necessary parts that are listed in Part 5 of the NPDES Permit are included and followed throughout the site. Failure to do so will result in violations against the NPDES Permit.

Storm Water Outfalls

The Notice of Intent (NOI) submitted by Grafton Ready Mix to renew coverage and the Site Map indicate that there are only one outfall from this facility. However, our site inspection indicates that there are four outfalls. The four outfalls included the following: the recorded outfall at the cement washout pit which drains directly into the neighboring creek (**Figure 2 & 3**), the sheet flow off of the west side of the site into the creek (**Figure 4**), a concentrated flow area on the south west side of the lot (**Figure 5**), and another sheet flow on the southeast area of the lot that flows towards the train tracks (**Figure 7**). You can either eliminate these outfalls by implementing a berm around the perimeter of the site and directing the flow else or by submitting a new NOI accounting for all four outfalls. All outfalls must be identified on the NOI. To correct this error, please either submit a revised NOI or letter to our Central Office acknowledging the additional 3 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:

JIM RIDDELL JR., OWNER
AUGUST 8, 2013
PAGE 2

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.

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 Routine Facility Inspections once per quarter and maintain records of findings.** This is a violation of Part 4.1 of the NPDES permit and Ohio Revised Code 6111.04 and 6111.07. Grafton Ready Mix was unable to produce inspection records to demonstrate compliance with this requirement.
- **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. Grafton Ready Mix 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). Grafton Ready Mix 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 May 31, 2014, 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. Grafton Ready Mix 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.
- **Failure to conduct employee training at least once per year and maintain documentation such as training materials and attendance records.** This is a violation of Part 2.1.2.9 and 7.5 of the NPDES permit and ORC 6111.04 and 6111.07. Grafton Ready Mix was unable to produce training records to demonstrate that any employee training has been conducted. Thus, no employee training was conducted in 2012. Training must be more frequent for business with high employee turnover. Please be aware of training tapes that can be obtained through the Ohio EPA Office of Compliance Assistance and Pollution Prevention (OCAPP) by contacting Tamara Girard at (330) 963-1282 as well as presentations available at www.epa.gov/npdes/training.

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

- The Comprehensive Site Evaluation had not yet been completed for reporting year June 1, 2013 to May 31, 2014. You were reminded that the inspection must be completed by May 31, 2014, and an Annual Report documenting your findings and corrective action must be completed and kept with the SWPPP. The Annual Report is to be completed using the form in Appendix I of NPDES Permit #OHR000005. Please submit a copy of the Annual Report for the reporting year June 1, 2013 to May 31, 2014, with your response to this Notice of Violation.
- There were no incidences of significant spills or leaks reported in the spill log. Our observation of the site indicates that there is significant potential for such incidences to occur and many oil stains were observed on the ground. Please note that any release of petroleum-based product of 25 gallons or more on the ground or a spill that results in a sheen on a water of the state is a reportable quantity and must be listed as a significant spill or leak.
- Grafton Ready Mix has conducted benchmark monitoring for the 2nd quarter (2Q) of 2012. They have conducted benchmarking for previous quarters, but they were for the years before the permit was renewed. Please note that at least four benchmark samples must be taken before the end of Year 3 of the NPDES permit, i.e., December 31, 2014. At least one benchmark sampling must be taken during each of the quarterly monitoring periods stipulated in Part 6.1.7 of the NPDES permit. Your facility is required to test for Total Suspended Solids. For parameters that are hardness-dependent, please refer to Appendix J for how to determine the hardness value of the receiving stream. Results of benchmark monitoring must be reported to Ohio EPA within 30 days of receiving results from the lab. Results must be reported using Ohio EPA's e-DMR system. Information on setting up an account is available at www.epa.ohio.gov/dsw/edmr/eDMR.aspx.
- Grafton Ready Mix's assigned sector code (E2) has a requirement of an annual effluent limitation monitoring. During the inspection lab results were presented from the years of 2009, 2010, 2011, and 2012. You are required to monitor runoff from asphalt emulsion facilities one per year for compliance with the effluent limitations located in Part 8.E.5 of the NPDES permit. Parameters that must be sampled are total suspended solids (TSS), and pH. The data collected must be reported to the Ohio EPA's e-DMR no later than 30 days after receiving results from your testing lab. The following link is where you can submit the data:

<http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx>

Storm Water Pollution Prevention Plan (SWPPP)

The SWPPP was reviewed as part of this inspection. The following deficiencies were noted in the SWPPP:

- A. The Site Map required by Part 5.1.2 of the NPDES permit indicates that there is one storm water outfall from the facility: the concrete washout pit on the west side of the site. These two outfalls discharge to an unnamed tributary of Tinkers Creek which runs via culvert through the facility. During our inspection, we noted three other outfalls that were discussed previously. Grafton Ready Mix must either (a) update the SWPPP to include the previously-unidentified outfalls or (b) eliminate storm water discharges to the unidentified outfall and redirect flow to one of the identified outfalls.

- B. Part 5.1.5.2 of the NPDES permit requires the SWPPP to document your procedures for conducting benchmark monitoring, routine facility inspections, quarterly visual assessments and comprehensive site inspections. We noted the following errors in storm water monitoring requirements within the SWPPP narrative.
- C. Part 5.1.1. of the NPDES Permit required you to form and include the names of your Storm Water Pollution Prevention Team. Their individual responsibilities should also be included. This team is responsible for assisting the facility manager in developing and revising the facility's SWPPP as well as maintaining control measures and taking corrective actions where required. Each member shall have ready access to a copy of the SWPPP.
- D. We noted that the SWPPP was not signed. Part 5.1.7 of the NPDES permit requires the SWPPP to be signed and dated in accordance with the signatory requirements contained in Appendix B, Subsection 11. Once we told you about this requirement, you signed the SWPPP.
- E. The SWPPP does not contain an evaluation for the presence of non-storm water discharges and certification that all unauthorized discharges have been eliminated as required by Part 5.1.3.4 of the NPDES permit. Please conduct the required evaluation and include the required documentation in the SWPPP.

Site Inspection

1. The concrete wash out pit on the west side of the lot discharges directly into the creek flowing behind it. This hole which allows the water to discharge needs to be capped or immediately and Best Management Practices (BMPs) need to be implemented to confirm that there will be no future discharge. **(Figure 1, 2, & 3)**
2. There were a few additional areas on the site where water and sediment were leaving the site. These areas can either have BMPs out into place such as installing a berm around the perimeter to eliminate the flow entirely or redirect it to the previously accounted for outfall. If they are left as is, they must be assessed and inspected per requirements of the permit. **(Figure 4, 5, & 7)**
3. There were multiple piles of rusted scrap metal. These can be potential sources of pollution. It is recommended to either paint these pieces of metal or store them under covering to prevent their contact with any storm water. **(See Figure 6, 8,& 9)**
4. Good housekeeping needs to be implemented throughout the site to prevent any future pollution. This was observed in a few areas on site where trash, pallets and extra material was laying around the site. Please keep in mind that pallets can be a source of pollution because of their capabilities to hold residuals within the wood which can potentially wash off and into the receiving stream. To eliminate this chance, it is suggested to keep pallets under covering. Good housekeeping is also needed in areas where piles of material are not in any sort of containment and/or are flowing over their containment walls. These materials need to be contained to prevent them from flowing into and polluting the receiving stream. This was observed on the east side of the site. **(See Figure 10, 11, 13, & 14)**

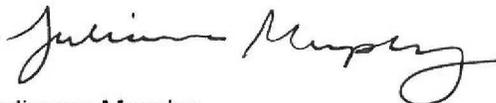
5. Stabilization is needed in the areas of the site that are not being used. Sediment is a pollutant to water and it cannot be leaving the site. This was observed on the east side of the lot where it looked as if the area was previously used for storage, but is not currently. If the area is planned to remain unused for some time, it should be stabilized to prevent and future pollution. **(See Figure 12)**
6. There were multiple oil stains on the cement from the company's trucks. When these spills occur, they need to be cleaned up immediately using the proper spill procedure. **(See Figure 15, 16, & 18)**
7. The two other cement wash out pits on the north edge of the property were near capacity. Be sure to have these pits pumped out so any overflow is prevented. Make sure to never discharge this water to the storm drains of the waters of the state. **(See Figure 17)**
8. There was a retention pond on the northeast corner of the lot. It appeared as if the pond was treated with some sort of chemical since the pond appeared a bright aqua color. Be sure that the pond meets the water quality values for a retention pond. These specifications can be found at the following link:

<http://www.dnr.state.oh.us/tabid/9186/Default.aspx>

Please provide this office with a letter of response no later than **August 21, 2013**, indicating the actions you will take to address the concerns and violations noted above.

If you should have any questions concerning this letter, feel free to contact Dan Bogoevski at (330) 963-1145 or by e-mail at Dan.Bogoevski@epa.ohio.gov.

Sincerely,



Julianna Murphy
Assistant to the District Engineer
Division of Surface Water

JM:bo

pc: Clayton Group Services

ec: Dan Bogoevski, DSW, NEDO
Jason Fyffe, DSW, CO



Figure 1: (*Top left*) The creek that the out falls discharge into.
Figure 2: (*Top Right*) A washout pit that discharges directly into the creek.
Figure 3: (*Bottom Left*) The hole that discharges the washout pit.
Figure 4: (*Bottom Right*) The west side of the site south of Figure 2 where sediment leaves the site in a sheet flow.

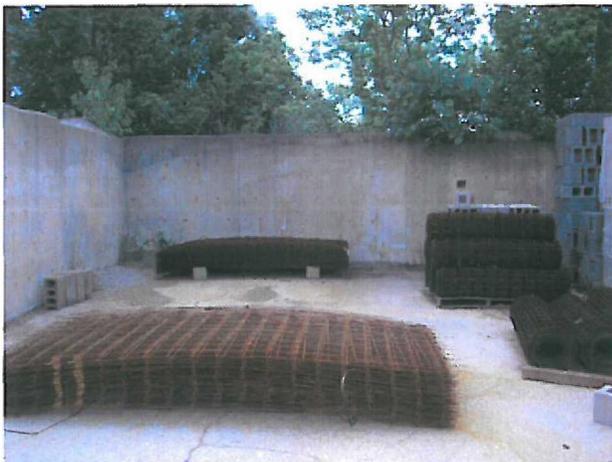


Figure 5: *(Top Left)* An undocumented outfall on the south side of the lot by the railroad tracks.
Figure 6: *(Middle Left)* Scrap metal lying around the site
Figure 7: *(Top Right)* Spot where sediment and water leave the site on the south side of the facility.
Figure 8: *(Bottom Right)* Scrap metal lying around the site.
Figure 9: *(Bottom Left)* Scrap metal lying around the site.



Figure 10: (Top Left) Area where good housekeeping is needed
Figure 11: (Middle Left) Area on site where good housekeeping is needed
Figure 12: (Bottom Left) Unstable area on site where sediment and run off leave the site
Figure 13: (Top Right) Area on site where good housekeeping is needed
Figure 14: (Bottom Right) Sediment that needs to be contained and prevented from leaving the site.





Figure 15: *(Top Left)* Oil spill on site from trucks
Figure 16: *(Middle Left)* Oil spill on site from trucks
Figure 17: *(Bottom Left)* Cement washout pit
Figure 18: *(Top Right)* Oil spill on site from trucks
Figure 19: *(Bottom Right)* Retention Pond in the northeast corner of the site.

