



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

August 8, 2013

RE: CUYAHOGA COUNTY  
CITY OF CLEVELAND  
INDUSTRIAL STORM WATER  
PSC METALS, INC.  
3GR00867\*EG  
**NOTICE OF VIOLATION**

Steve Forystek  
Director of Health, Safety, Environmental & Transportation  
PSC Metals, Inc.  
5875 Landerbrook Drive, Suite 200  
Mayfield Heights, OH 44124

Dear Mr. Forystek:

On July 3, 2013, Ohio EPA conducted an inspection at the PSC Metals, Inc. facility located at 4250 East 68<sup>th</sup> 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 3363: Scrap Recycling & Waste Recycling Facilities except Source-Separated Recycling. This corresponds to Subsector N1 in Part 8 of the NPDES permit. We agreed on site that your facility's industrial activities would also correspond to Subsector M1 (Automobile Salvage Yard) in Part 8 of the NPDES Permit. Make sure you are in compliance with both sectors. During the inspection, James R. Murray Jr. and you represented PSC Metals, Inc. Dan Bogoevski, Tamara Girard, and I represented the Ohio EPA.

#### **Storm Water Pollution Prevention Plan (SWPPP)**

The facility currently has coverage under the Ohio EPA General NPDES Permit 3GR00867\*EG. Our records show that the permit for your facility was issued December 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 facility's SWPPP, which was updated April of 2011, was reviewed. Since the new Permit was effective as of January 1, 2012, all facilities we required to update their SWPPPs and required documentation. PSC Metal's SWPPP has not been updated since 2011.

- **Failure to review and update the SWPPP to implement all provisions of the permit.** This is a violation of Part 5 of the NPDES Permit for Industrial Activity. It is required by Part 5 of the Permit to review and update the SWPPP to implement all provisions of this permit within 180 days after the effective date of this permit.

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 PSC Metals, Inc., to renew coverage and the Site Map, indicate that there are only three outfalls from this facility. However, our site inspection and your current site map indicate that there are six. 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:

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](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:

- **Site Description does not contain all required information.** This is a violation of Part 5.1.2 of the NPDES Permit. The site description shall contain all of the following:
  - All existing structural control measures
  - All storm water conveyances including ditches, pipes, and swales
  - Potential pollutant sources
  - Where significant spills or leaks have occurred
  - All storm water monitoring points
  - Storm water inlets and outfalls, with a unique identification code for each outfall, indicating if you are treating one or more as “substantially identical”, and an approximate outline of the areas draining into each outfall
  - All non-storm water discharges including a description of each
  - Fueling stations, vehicle and equipment maintenance and/or cleaning area, loading/unloading area, areas used for treatment, storage, or disposals of water, liquid storage tanks, processing and storage areas, immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility, transfer areas for substances in bulk, and machinery
  - Run-on to your site from adjacent property that contains significant quantities of pollutant including the sources
  - Municipal separate storm sewer systems, where your storm water discharges to them
- **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. PSC Metals, Inc. 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](http://epa.ohio.gov/dsw/permits/GP_IndustrialStormWater.aspx)

- **Failure to conduct Routine Facility Inspections for the 2nd quarter of 2012 and 2011 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. PSC Metals, Inc. was unable to produce inspection records to demonstrate compliance with this requirement.

In addition, we noted the following items that require your attention to ensure violations do not occur in the future:

- The Comprehensive Site Evaluation had been completed for reporting year December 1, 2012 to November 31, 2013. 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 December 1, 2012 to November 31, 2013, 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.
- PSC Metals, Inc. has not conducted any benchmark monitoring to date. 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. Your facility is required to monitor for Chemical Oxygen Demand (COD), Total Suspended Solids (TSS), and Total Aluminum, Copper, Lead, and Zinc. 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. 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](http://www.epa.ohio.gov/dsw/edmr/eDMR.aspx)
- Your Routine Facility Inspections, according to you, are done monthly but only recorded quarterly. You record these on forms titled, "Quarterly Visual Site Inspection Form." It is suggested that you title these "Routine Facility Inspections" to avoid confusion.

#### **Site Inspection**

1. The area on the south side of the lot needs stabilized. One way this can be accomplished is with vegetation.
2. The heavy equipment maintenance and washing, according to you, is done outside the maintenance garage. This is a very strong source of pollution, especially since it is done adjacent to a drain. This cannot be done in this area without the proper Best Management Practices (BMPs) put into place. All machine wash runoff must drain to sanitary. If maintenance is going to remain in this spot, a good preventative action would be to cap the drain. **(See Fig 1)**
3. There was numerous oil spills observed throughout the lot. This includes all the smaller spills and the area of accumulated spills behind the bailer along the railroad tracks. These spills need to be cleaned up immediately and Best Management Practices (BMPs) need to be put into place to prevent it from happening in the future. There was also an abundant amount of a powder observed on the site that was a result of accepted pipes that broke. This specific spill

is a good example of how better surveillance and enforced limits on what gets accepted can prevent future issues. **(See Fig 5)**

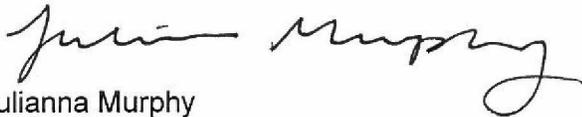
4. All car oils, antifreeze, coolant, etc. need to be in second containment.
5. The filtered and non-filtered stock piles need to be managed with better pollution prevention methods. These piles should sit on site for less time to make sure that storm water does not create runoff of the solid waste.
6. All drums containing any liquid need to be closed, labeled, and inspected frequently for spills or leaks.
7. The “Used Oil” containment is getting full and spilling oil onto the ground around it. This must be cleaned up and the tank should be emptied.
8. The appropriate Spill Kits are needed throughout the site in the areas where spills are most likely to occur. These kits should be labeled.
9. Good housekeeping is needed at the car crusher. The tray in the bottom is at full capacity with broken glass and plastic. This needs to be cleaned out more frequently to eliminate the potential pollution in this area. **(See Fig 4)**
10. There was a spot of the fence on the south side of the site that was broken. Material was spilling out here and it allowed water from the site to flow into the channel. The fence should be repaired to prevent any water from leaving the site. **(See Fig 2)**
11. The “retention pond” in the back of the lot should be reconstructed to meet the water quality requirements. These calculations can be found at the following link:  
<http://www.dnr.state.oh.us/tabid/9186/Default.aspx>
12. The metal turnings had spilled out of the roll off box that they were supposed to be contained in. This roll off was also observed to be leaking. The turnings are a very strong source of pollution and need to be maintained properly. It is required by Part 8.N.3.1.3 that all stockpiles of turning are kept under some form of permanent or semi-permanent cover in an established containment area. Storm water runoff can only be discharged after making contact with the turning if it runs through an oil water separator. Since your site does not currently have an oil water separator all runoff from the turnings is prohibited. **(See Fig 3)**
13. There were several dumpsters on site that were not covered, leaking and in overall poor condition. All dumpsters must be intact and sealed to make sure they do not have any washout leaving the container and getting into the storm water. All dumpsters must also be covered with either a tarp or a lid. They can also be stored under some sort of roof. This includes but is not limited to the dumpsters/trashcans containing:
  - a. The copper scrap on the south side of the lot
  - b. Motor blocks on the south side of the yard near the “retention pond”
  - c. Turnings that have spilled over the roll off
  - d. HMS (heavy metals) stock pile
  - e. Steel rims and rotors
  - f. Miscellaneous trash **(See Fig 6)**
  - g. Transmission fluid **(See Fig 7)**

14. The stock pile of rotors on the ground close to the “weigh in” station needs to be cleaned up and stored in some sort of containment to eliminate the possibility of the storm water that hits it reaching the waterways. This also needs to happen for the stock pile of electric motors. **(See Fig 9)**
15. The trench drain outside the garage at the customer entrance of the scrap receiving area was filled with sediment. We were told that it gets cleaned out weekly. Either better BMPs need to be put in place to keep the drain clean or the clean out should happen more frequently.
16. Good housekeeping needs to be implemented in the scrap receiving area specifically the areas around outfall #005 and #006. It was suggested to try a new system so the stockpile does not need to be on the ground for a long period of time therefore increasing the chance of pollution. It was also suggested in this area to maintain better surveillance, such as a fulltime inspector, so there is no dumping of unwanted material. **(See Fig 8)**

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.

I will not be in the office at the time of your response so if you should have any questions concerning this letter, feel free to contact Dan Bogoevski at (330) 963-1145 or by e-mail [dan.bogoevski@epa.state.oh.us](mailto:dan.bogoevski@epa.state.oh.us).

Sincerely,



Julianna Murphy  
Assistant to the District Engineer  
Division of Surface Water

JM:ddw

cc: James Murray Jr., Yard Superintendent  
ec: Dan Bogoevski, DSW, NEDO  
Jason Fyffe, DSW, CO  
Tamara Girard, OCAPP, NEDO



**Figure 1:** (left) The drainage going into the drain outside the maintenance garage.  
**Figure 2:** (middle left) The broken part of the fence that allowed runoff and debris to escape.



**Figure 3:** (left) One of the many uncovered and unmaintained dumpsters. Metal turnings have spilled over and the dumpster is leaking.  
**Figure 4:** (above) Car crushing area is over flowing with broken pieces of glass and plastic. More frequent clean outs may need to be set into action.



Figure 5: (left) Accumulation of oil spills along the tracks behind the bailer house.

Figure 6: (middle left) Uncovered bin storing miscellaneous trash.

Figure 7: (below) Uncovered bin filled with transmission fluid.

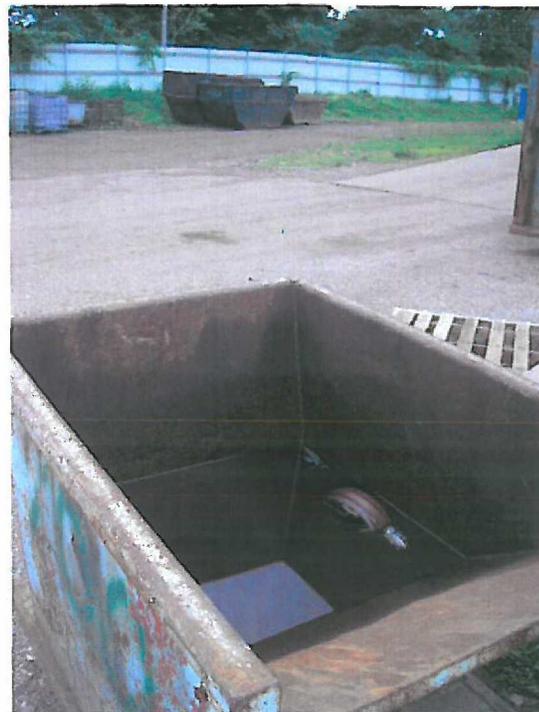


Figure 8: (above) Area in need of good housekeeping by the by the customer entrance for the scrap receiving yard.

Figure 9: (right) stock pile of rotors on the ground.

