



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

August 9, 2013

RE: LORAIN COUNTY  
COLUMBIA TOWNSHIP  
INDUSTRIAL STORM WATER  
KMI COLUMBIA STATION PLANT  
#530 (KOKOSING)  
3GR01077\*EG

Ralph Kyanko  
Environmental Manager  
Kokosing Materials Inc.  
PO Box 334  
Fredericktown, OH 43019

**NOTICE OF VIOLATION**

Dear Mr. Kyanko:

On August 5, 2013, Ohio EPA conducted an inspection at the KMI Columbia Station Plant #530 facility located at 13315 Hawke Road. 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 2951: Asphalt Paving & Roofing Materials. This corresponds to Subsector D1 in Part 8 of the NPDES permit. During the inspection, Rick Nielson and Joe Gillingham represented KMI Columbia Station Plant #530. I represented the Ohio EPA.

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

The facility currently has coverage under the Ohio EPA General NPDES Permit 3GR01077\*EG. Our records show that the permit for your facility was issued April 4, 2007. 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 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**

Our records show that general permit coverage for your facility was renewed on August 1, 2012. The Notice of Intent (NOI) submitted by KMI Columbia Station Plant #530 to renew coverage and the Site Map indicate that there are only two outfalls from this facility. During the inspection, we found these two outfalls to be the sheet flow off of the east side of the lot behind the stock piles and the sheet flow off of the south side.

**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 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. KMI Columbia Station Plant #530 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 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. KMI Columbia Station Plant #530 was unable to produce training records. Thus, no employee training was conducted in 2012. Please note that Part 8.M.2.2 of the NPDES permit requires employee training to include proper handling (collection, storage and disposal) of oil, used mineral spirits, anti-freeze, mercury switches, and solvents. Training must be more frequent for business with high employee turnover. We made you 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) 963-1200 as well as presentations available at [www.epa.gov/npdes/training](http://www.epa.gov/npdes/training).
- **Failure to conduct Annual Effluent Limitations Monitoring and maintain documentation of the results.** KMI Columbia Station Plant #530 assigned sector code (D1) has a requirement of an annual effluent limitation monitoring. There has not been any documentation of this monitoring reported for any of the previous years. This is a violation of the NPDES permit part 6.2.2 and 7.1. You are required to monitor runoff from asphalt emulsion facilities one per year for compliance with the effluent limitations located in Part 8.D.4 of the NPDES permit. Parameters that must be sampled are total suspended solids (TSS), pH, and Oil and Grease. 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>

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

- The Comprehensive Site Evaluation had not yet been completed for reporting year August 1, 2012 to July 31, 2013. You were reminded that the inspection must be completed by July 31, 2013, 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 August 1, 2012 to July 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.

- KMI Columbia Station Plant #530 has reported benchmark monitoring for both outfall's Total Suspended Solids reading for the fourth quarter 2012. Both of these readings were above the 100 mg/L benchmark value, reading 254 mg/L and 220 mg/L. 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. 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)

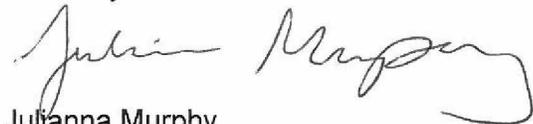
### Site Inspection

1. Containment is needed around the stock piles to keep the sediment out of the storm water. This is an apparent problem since both reported benchmark values for Total Suspended Solids were above the 100mg/L benchmark. (See Fig 1 & 3)
2. Best management Practices (BMPs) need to be set into place to keep the polluted water from leaving site. Installing a berm on the east and south side of the lot was discussed to keep the water on site. **(See Fig 2, 4, & 5)**
3. The proper spill kits need to be kept on site in areas where a spill can potentially occur.

I will not be in the office at the time of your response so please provide a letter of response, no later than **August 27, 2013**, directed to Dan Bogoevski, indicating the actions you will take to address the concerns and violations involving industrial storm water 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 [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: Rick Neilson, Plant Manager, KMI Columbia Station Plant #530  
Jeff Gillingham, Plant Employee, KMI Columbia Station Plant #530

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

**KMI COLUMBIA STATION PLANT #530**  
Columbia Station      Lorain County

**Photos Taken:** August 5, 2013  
**By:** Juliana Murphy, DSW, NEDO



**Figure 1:** *(Top Left)* Uncontained stock pile.  
**Figure 2:** *(Middle Left)* Area where the sheet flow off of the south side of the site discharges.

**Figure 3:** *(Bottom Left)* Uncontained stock piles  
**Figure 4:** *(Top Left)* Area where sediment and water discharge on the south side.  
**Figure 5:** *(Bottom Left)* Accumulated discharged water on the south side.