

May 21, 2024

MARK THAYER
MT SHEARING LLC
PO BOX 36
ROWAN IA 50470

Subject: **Notice of Violation** - NPDES General Permit #1 Storm Water Discharge Requirements

Dear Mr. Thayer:

Mr. Dan Bratrud, Environmental Specialist with this office, conducted an inspection of your facility on May 17, 2024. A field inspection report was completed and is enclosed for your file. I concur with the content of the report.

Mr. Bratrud determined that there are three (3) required actions you must take to be in compliance with National Pollution Discharge Elimination System General Permit #1. Please see the required actions listed at the end of the report.

Actions to correct the deficiencies were taken prior to the writing of this report, therefore no further action is required at this time. Should you have any questions regarding this inspection, please feel free to contact Mr. Bratrud at dan.bratrud@dnr.iowa.gov or 641-424-4073.

Sincerely,

FIELD SERVICES & COMPLIANCE BUREAU



Trent Lambert
Field Office Supervisor

TL/
Enclosure

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL SERVICES DIVISION – Field Office #2

NPDES General Permit #1 Inspection Report
For Industrial Activities

Facility Name: MT Shearing NPDES No.: 20486-20254 Permit Issued: 8/1/2011 Valid Through: 8/1/2025	Owner: MT Shearing LLC PO Box 36 Rowan, IA 50470 Primary Contact: Mark Thayer Phone Number: 515-298-2139	Persons Interviewed: Mark Thayer - Owner
Type of Inspection <input checked="" type="checkbox"/> Routine Compliance Inspection <input type="checkbox"/> Follow-Up Compliance Inspection <input type="checkbox"/> Complaint Investigation <input type="checkbox"/> Site Visit	Inspection Date: 5/17/2024 Inspection Time: 1:30 pm Previous Inspection: 2/24/2021 Site Location: 610 Patton St Rowan, IA 50470	Inspection Weather: 80°C Clear Recent Rainfall: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comments: N/A

The following items are required to comply with Subrule 567 IAC 64.3(1): Refer to Storm Water General Permit #1

"C" means the requirement is "in compliance." "NC" means the requirement is "not in compliance." "NA" means that the requirement is "not applicable."

Part III.C. of General Permit #1	C	NC	NA
1. NOI is complete, PPP was completed prior to submittal of NOI, proof of public notice.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Plan is signed in accordance with Part VI.G and is retained on site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The plan has been amended based on changes in design, construction, operation or maintenance or if PPP proved to be ineffective.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Pollution Prevention Plan includes the following:			
A. Description of Potential Pollutant Sources			
(1). Site map (drainage area, stormwater outfalls, existing structural controls, surface water bodies)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2). Narrative description of materials that have been treated, stored or disposed, in a manner to allow exposure to storm water during 3 years prior to discharge authorization, method and location of storage or disposal, and management practices to minimize contact with water.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3). List of releases which prompted the existence of a hazardous condition	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4). For each area of the plant with potential to contain pollutants, the direction of flow and type of pollutant present	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5). Summary of existing sampling data	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Storm Water Management Controls			
(1). Responsible person identified	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2). Risk identification and assessment / materials inventory: include an inventory of the types of materials handled, quantity of the chemical used, potential for contact with stormwater, history of "hazardous condition reporting" (including SARA Title III chemicals)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) loading and unloading operations			
b) outdoor storage activities			
c) outdoor manufacturing or processing activities			
d) dust or particulate generating processes			
e) on-site waste disposal practices			
(3). Preventive maintenance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4). Good housekeeping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5). Spill prevention and response procedures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6). Storm water management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(7). Sediment and erosion prevention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(8). Employee training (including dates of periodic training)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(9). Record keeping and internal reporting procedures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(10). Non-storm discharges: certification of testing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C. Visual Inspection: no less than once a year.			
(1). Material handling areas and other areas identified in the PPP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2). Based on results of inspection, plan must be revised within 2 weeks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3). Report summarizing inspection must be signed and retained for at least 3 years (included date, inspector, observations, action taken)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Part III.C. of General Permit #1 Continued	C	NC	NA
D. Special Requirements for Storm Water Discharges Through Municipal Separated Storm Sewer Systems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Consistency with Other Plans	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
F. Additional Requirements for Storm Water Discharges From Facilities Subject to SARA Title III Section 313 Requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G. Salt Storage	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
H. Non-Storm Water Discharges	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Part IV. of General Permit #1			
Numeric Effluent Limitations: Coal Pile Runoff	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Part V. of General Permit #1			
A. Failure to Certify: if certification was not provided under Part III.C.4(B)(10).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
B. Monitoring Requirements: see general permit #1 for specific facilities that have specific monitoring requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C. Noncompliance Reporting	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Reporting			
1. For permittees subject to <u>Numeric Effluent Limitations</u> , must submit signed copies of discharge monitoring results within 30 days after sampling occurred.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. All sampling results must be retained on site.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Additional Notification: if discharging through a municipal separate storm sewer system, signed monitoring results must be submitted to the operator of the municipal system.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
E. Retention of Records: Storm water permit, monitoring records, copies of all reports required by the permit, and records of all data used to prepare the NOI must be retained on site for at least 3 years.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Facility Description:

MT Shearing, LLC is a metal recycling facility located in Rowan, IA. The site was previously inspected for storm water requirements in response to non-renewal of the facility's GP#1 permit since 2019. The facility once again allowed their permit to expire on August 1, 2022. This inspection was in response to that expiration. On April 30, 2024, I stopped at the facility while in the area on other business. They were in the process of closing down for a vacation and did not have time to get the inspection completed at that time; however, I was able to talk to Mr. Thayer and his wife, Renee VanZweden, about the expired permit. The facility immediately renewed the permit the same day I notified them of the expired permit violation.

SWPPP and Records Review:

On May 17, 2024, I met with Mark Thayer, owner, who provided me with a copy of the SWPPP to review. The copy of the SWPPP provided had last been updated in 2021. Mr. Thayer reported no changes related to storm water discharge had occurred since that date.

The SWPPP contained the required elements. Records showed employee training and the non-storm water discharge assessment had been conducted. Mr. Thayer also had record of the required annual visual inspection reports for the last three years. He also stated he and his wife do perform visual inspections frequently, as well as the one recorded annually. The facility currently only had one vehicle on site and therefore no water monitoring is required.

Site Observations:

Mr. Thayer then provided a tour of the scrap yard. The vast majority of the storage for scrap material is on concrete. The runoff drains into a municipal storm water intake on the southeast portion of the property. I did not observe any obvious sources of contamination having drained to the intake. We discussed spill clean-up procedures. Mr. Thayer showed me the location of a spill kit and stated that he has absorbents on hand to use as needed.

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There was a substantial amount of loose metal scrap stored outside, however it appeared to be clean and free from potential contaminants. I observed no flow paths coming from the various scrap pile areas. These areas should be closely monitored as there is a direct conduit from the facility grounds to the storm water intake. Mr. Thayer stated he does watch for any contamination in the runoff and explained it is easy to observe this due to the runoff occurring on concrete.



There were a few tires in various locations around the facility. It is noted that the facility is limited to 500 passenger tire equivalents and it appeared that nowhere near that number was currently present. A 300-gallon diesel fuel tank was observed in a concrete secondary containment area. The nearby concrete showed no evidence of previous spills or leaks. Containers of used oil and other fluids are kept inside a building. Mr. Thayer showed me the area where appliances are de-manufactured inside the building. He told me that both he and his wife are certified. Appliances are stored mainly inside until de-manufactured and hauled off for scrap. All containers were clearly marked for fluids and other potential contaminants.

Overall, it was evident that the facility was aware of the requirements of General Permit #1 and had procedures in place to meet those requirements. No pollutant run-off from the site was observed, however; the facility was in violation of renewing its permit. Action to correct that deficiency was taken prior to the writing of this report. I explained to Mr. Thayer that a Notice of Violation would be sent for failure to renew the permit on time. He understood and asked me to be sure let them know if there was anything else they were doing wrong.

Required Actions:

The following actions are required for compliance with General Permit #1 and Iowa Administrative Code Subrule 567 IAC 64.3(1).

- 1. The storm water permit (General Permit #1) had expired for more than one year prior to the recent renewal. Ensure no lapses in storm water permit coverage occur by renewing the permit prior to the expiration date. It is noted the facility's current permit coverage now expires on August 1, 2025. (Subrule 567 IAC 64.3(1))**
- 2. Visual site inspections must take place on an annual basis and the resulting reports kept for three years. (Part III. of General Permit #1)**
- 3. Continue taking necessary precautions to prevent discharge of pollutants by employing general housekeeping and immediately cleaning any spills. The facility should pay close attention to the various outdoor storage areas of scrap material and runoff to the storm water intake. (Part III. of General Permit #1)**

Inspector Signature: <u></u> Dan Bratrud	Date: 5/21/2024
Reviewer Signature: <u></u> David Knoll	Date: <u>5/21/24</u>