

EPA Water Compliance Inspection Report

Section A: National Data System Coding (ie PCS)

Transaction N	Code 5	NPDES WVG610882	Mo/Day/Yr 1/13/14	Inspection Type ~	Inspector S	Facility Type 2
Remarks:						
Inspection Work Days		Facility Self-Monitoring Evaluation Rating		B1	QA	Reserved
1		3				

Section B: Facility Data

Name and Location of Facility Inspected:	<u>Poca Blending, LLC</u> <u>Nitro, WV</u> _____ _____	Entry Time: <u>1030</u>	Permit Effective Date: <u>11/23/09</u>
Name(s) of On-Site Representatives(s) Titles/Phone and Fax Numbers:	<u>Keith Beneker, Plant Manager</u> <u>(304) 741-7622</u> _____ _____	Exit Time/Date: <u>1425/1-13-14</u>	Permit Expiration Date: <u>03/31/14</u>
Name, Address of Responsible Official/Title/Phone/Fax:	<u>Poca Blending, LLC</u> <u>PO Box 713</u> <u>Charleston, WV 25323</u>	Contacted: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Other Facility Data:

Section C: Areas Evaluated During Inspection

M - Marginal; N - No; N/A - Not Applicable; N/E - Not Evaluated; S - Satisfactory; U - Unsatisfactory; Y - Yes

S	Permit		Flow Measurement		Sampling	U	Operations & Maintenance
U	Records/Reports		Laboratory		Compliance Schedule		Sludge Disposal
U	Fac Site Review		Eff / Rec. Waters	S	Self-Monitoring	U	Pollution Prevention
	Pretreatment	U	Stormwater		CSO/SSO		Multimedia
	Groundwater Data		Unpermitted Bypass				

Section D: Summary of Findings / Comments (attach additional sheets if necessary):

Discharge Monitoring Reports (DMRs) were not available on site, but sample results were provided. No record of site inspections was maintained in the facility's plans, no spill log was maintained, and the only employee training record was from 2004. The plan indicates that the building itself acts as secondary containment, but holes exist at floor level in the building's walls. The building is surrounded by a trench which catches any runoff from within the building. Closed gates prevent this trench from discharging unless personnel open them, but since there is no method for separating stormwater from spillage prior to entering the trench, it does not function as secondary containment. Baker tanks containing MCHM from the recent Freedom Industries spill were staged on site. There were six tanks on site containing MCHM as well as additional empty tanks to be filled as cleanup continues.

Compliance Assistance (check all that apply): Troubleshooting Records/Reports Sampling

Name/Signature(s) of Inspectors(s)  Kevin Saunders	Agency/Office/Telephone/Fax WVDEP/Environmental Enforcement/ P.O. Box 662 Teays, WV 25569 (304) 757-1693/(304) 757-3873	Date 1-13-14
Signature of Management QA Reviewer  Cynthia J. Musser	Agency/Office/Phone/Fax WVDEP/Environmental Enforcement/ P.O. Box 662 Teays, WV 25569 (304) 757-1693/(304) 757-3873	Date 1/14/14

**STATE OF WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ENVIRONMENTAL ENFORCEMENT**

Permit WV0111457
Reg. # WVG610882

INDUSTRIAL STORMWATER FACILITY INSPECTION REPORT

FACILITY NAME: Poca Blending, LLC **LOCATION:** Nitro, WV
PERMIT EXPIRATION: 3-31-14 **COUNTY:** Putnam
DATE INSPECTED: 1-13-14 **WEATHER:** clear **TIME IN:** 1030
PERMITTEE: Poca Blending, LLC **TIME OUT:** 1425
ADDRESS: P.O. Box 713, Charleston, WV 25323

FACILITY EVALUATION: **No Exposure** **Low concentration waiver**

Permit			GPP			SWPPP continued		
	Rating			Rating			Rating	
1	S	13	Plan retained on site	S	24	Semi-annual discharge insp	U	
02	M	14	Chemical storage and/or Secondary Containment	U	25	Annual site inspection	U	
03	M				26	Benchmarks exceeded	Yes	
04	N/A	15	Battery Storage	N/A	27	Plan modified if necessary	N/D	
05	N/A	16	Quarterly inspections	U	28	GPP & SWPPP reflect permit requirements	M	
06	N/A		SWPPP					
07	S	17	Plan retained on site	S		Records		
08	N/O	18	Outside material storage	N/A	29	DMR's	U	
09	N/D	19	Outside work areas	N/A	30	Spills / Reporting	U	
10	U	20	Dust control measures	N/A	31	Self inspection / Records	U	
11	N/D	21	Maintenance & Insp. sched.	U	32	Sampling	N/D	
12	N/A	22	Control structures / BMP's	U	33	Employee Training	U	
		23	Spill Response kit	M	34	Other		

*Rating: S-Satisfactory M-Marginal U-Unsatisfactory N/A-Not Applicable N/O-Not Observed N/D-Not Determined This Visit

OUTLET EVALUATION:

Outlet Number	001	002	003	004							
Appearance	N/D	N/D									
Marker	No	No									

RECEIVING STREAM: Kanawha River **EVALUATION:** N/D

SAMPLES TAKEN: Yes No X **PHOTOS TAKEN:** Yes X No

COMMENTS: Discharge Monitoring Reports (DMRs) were not available on site, but sample results were provided. No record of site inspections was maintained in the facility's plans, no spill log was maintained, and the only employee training record was from 2004. Secondary containment within the facility was deteriorated or nonexistent. The plan indicates that the building itself acts as secondary containment, but holes exist at floor level in the building's walls. The building is surrounded by a trench which catches any runoff from within the building. Closed gates prevent this trench from discharging unless personnel open them, but since there is no method for separating stormwater from spillage prior to entering the trench, it does not function as secondary containment.

A variety of chemicals (emulsifiers, oxidizers, acids, corrosives, mineral oil, etc) were stored in the facility without secondary containment and could reach the trench in the event of a spill. When solids are cleaned out from this trench, they are disposed of in the regular waste stream. Due to the potential contamination of this material, it should be treated as a special waste. Upgrades to secondary containment are planned for the oil/petroleum containers in the facility, but not the other chemicals. No spill kits were observed at this facility, but on site personnel stated that oil absorbent material was available throughout the facility. Scrap material and solid waste were observed behind the building and on site personnel were instructed to properly dispose of this material.

Baker tanks containing MCHM from the recent Freedom Industries spill were staged on site. There were six tanks on site containing MCHM as well as additional empty tanks to be filled as cleanup continues. Construction of a clay berm is planned to provide secondary containment for these tanks, but two are currently placed in a location which would prevent such construction and only one tank is on an impervious surface.

Inspector:  Telephone: 304-757-1693

Company Official: _____ Title: _____

Number of NOV's issued this date: 5 NONE:

STATE OF WEST VIRGINIA
Department of Environmental Protection
Environmental Enforcement
NOTICE OF VIOLATION

Violation No. **I14-20-001-EJP**

To the Operator or Agent of:

Facility Name: **Poca Blending, LLC** Permit No. **WVG610882**

Permittee or Individual **Poca Blending, LLC.**

Located at or near **Nitro** in **Kanawha** County

Representative **Keith Beneker, Plant Manager** Date **01/13/2014** Time **10:30**

Address / phone number **P.O. Box 713, Charleston, WV 25323**

Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter **22**, Article **11**, Section(s) **1 et seq.** of the Code of West Virginia and/or Section(s) _____ of the Rules and Regulations and/or Section(s) **Section A. (Monitoring Requirements)** of the Permit referenced above promulgated thereunder in that you:

Failed to provide Discharge Monitoring Reports Indicating in terms of concentration, the values of the constituents listed in Part A analytically determined to be in the effluent for the 1st half 2012, 2nd half 2012, and 1st half of 2013.

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Signature

Title



Eric J. Philyaw

Duly Authorized Agent /
Inspector

304-757-1693

Telephone

Eric.J.Philyaw@wv.gov

E-mail

Send Response to the Inspector at the address indicated below:

WV Department of Environmental Protection
Environmental Enforcement / WW
PO Box 662, Teays, WV 25569

STATE OF WEST VIRGINIA
Department of Environmental Protection
Environmental Enforcement
NOTICE OF VIOLATION

Violation No. **I14-20-002-EJP**

To the Operator or Agent of:

Facility Name: **Poca Blending, LLC** Permit No. **WVG610882**

Permittee or Individual **Poca Blending, LLC.**

Located at or near **Nitro** in **Kanawha** County

Representative **Keith Beneker, Plant Manager** Date **01/13/2014** Time **10:30**

Address / phone number **P.O. Box 713, Charleston, WV 25323**

Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter **22**, Article **11**, Section(s) **1 et seq.** of the Code of West Virginia and/or Section(s) _____ of the Rules and Regulations and/or Section(s) **Section B.17 (Stormwater Pollution Prevention Plans (SWPP) and Groundwater Protection Plan(GPP))** of the Permit referenced above promulgated thereunder in that you:

Failed to follow the facility's Stormwater Pollution Prevention Plan and Groundwater Protection Plan. Specifically;

- No record of Quarterly Site Inspections (GPP)

-No record of inspection and maintenance of stormwater pollution prevention devices (SWPPP)

- Control structures and BMP's were inadequate to meet benchmark pollutant concentrations (SWPPP)

- No record of semi-annual discharge inspections or annual site inspections (SWPPP)

- No record of Employee Training since 2004

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Signature

Title



Eric J. Philyaw

Duly Authorized Agent /
Inspector

304-757-1693

Telephone

Eric.J.Philyaw@wv.gov

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Violation No. **I14-20-003-EJP**

To the Operator or Agent of:

Facility Name: **Poca Blending, LLC** Permit No. **WVG610882**

Permittee or Individual **Poca Blending, LLC.**

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Representative **Keith Beneker, Plant Manager** Date **01/13/2014** Time **10:30**

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Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter **22**, Article **12**, Section(s) **1 et seq.** of the Code of West Virginia and/or Section(s) **47CSR58-4.7.d** of the Rules and Regulations and/or Section(s) _____ of the Permit referenced above promulgated thereunder in that you:

Failed to store drums containing materials that have the potential to contaminate groundwater so that spills and leaks are contained.

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Signature

Title



Eric J. Philyaw

Duly Authorized Agent /
Inspector

304-757-1693

Telephone

Eric.J.Philyaw@wv.gov

E-mail

Send Response to the Inspector at the address indicated below:

WV Department of Environmental Protection
Environmental Enforcement / WW

**STATE OF WEST VIRGINIA
Department of Environmental Protection
Environmental Enforcement
NOTICE OF VIOLATION**

Violation No. **I14-20-004-EJP**

To the Operator or Agent of:

Facility Name: **Poca Blending, LLC** Permit No. **WVG610882**

Permittee or Individual **Poca Blending, LLC.**

Located at or near **Nitro** in **Kanawha** County

Representative **Keith Beneker, Plant Manager** Date **01/13/2014** Time **10:30**

Address / phone number **P.O. Box 713, Charleston, WV 25323**

Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter **22**, Article **12**, Section(s) **1 et seq.** of the Code of West Virginia and/or Section(s) **47CSR58-4.8.a** of the Rules and Regulations and/or Section(s) _____ of the Permit referenced above promulgated thereunder in that you:

Above Ground Storage Tanks were not provided with appropriate secondary containment.

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Signature

Title



Eric J. Philyaw

Duly Authorized Agent /
Inspector

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Representative **Keith Beneker, Plant Manager** Date **01/13/2014** Time **10:30**

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Failed to post a permanent marker at each permitted outfall in accordance with Title 47, Series 11, Section 9 of the West Virginia Legislative Rules.

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Signature

Title



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