



Application Type
Facility Type
Major / Minor

New
Storm Water
Minor

**NPDES PERMIT FACT SHEET
INDIVIDUAL INDUSTRIAL WASTE (IW)
AND IW STORMWATER**

Application No. **PA0245691**
APS ID **1120213**
Authorization ID **1496476**

Applicant and Facility Information

Applicant Name	COSAN, L.L.C.	Facility Name	Metro Ready Mix & Supply Castor Ave Plant
Applicant Address	4465 Castor Avenue	Facility Address	4465 Castor Avenue
	Philadelphia, PA 19124-3849		Philadelphia, PA 19124-3849
Applicant Contact	Sandra Affatato-DiNardo	Facility Contact	Sandra Affatato-DiNardo
Applicant Phone	(267) 767-3587	Facility Phone	(267) 767-3587
Client ID	379857	Site ID	809381
SIC Code	3273	Municipality	Philadelphia City
SIC Description	Manufacturing - Ready-Mixed Concrete	County	Philadelphia
Date Application Received	<u>July 9, 2024</u>	EPA Waived?	Yes
Date Application Accepted		If No, Reason	
Purpose of Application	New NPDES permit to discharge stormwater associated with industrial activities.		

Summary of Review

The PA Department of Environmental Protection (PADEP/Department) received a new Individual Stormwater permit application from Jones Engineering Associates (consultant) on behalf of COSAN, L.L.C. (applicant) on July 9, 2024 for applicant's Metro Ready Mix & Supply Castor Avenue Plant (facility). The facility is in City of Philadelphia, Philadelphia County. The stormwater from the facility will be discharged to Frankford Creek (WWF, MF) through Outfall 001 in state watershed 3-J.

Public Participation

DEP will publish notice of the receipt of the NPDES permit application and a tentative decision to issue the individual NPDES permit in the *Pennsylvania Bulletin* in accordance with 25 Pa. Code § 92a.82. Upon publication in the *Pennsylvania Bulletin*, DEP will accept written comments from interested persons for a 30-day period (which may be extended for one additional 15-day period at DEP's discretion), which will be considered in making a final decision on the application. Any person may request or petition for a public hearing with respect to the application. A public hearing may be held if DEP determines that there is significant public interest in holding a hearing. If a hearing is held, notice of the hearing will be published in the *Pennsylvania Bulletin* at least 30 days prior to the hearing and in at least one newspaper of general circulation within the geographical area of the discharge.

Approve	Deny	Signatures	Date
✓		Reza H. Chowdhury, E.I.T. / Project Manager 	October 8, 2024
X		Pravin Patel Pravin C. Patel, P.E. / Environmental Engineer Manager	10/10/2024

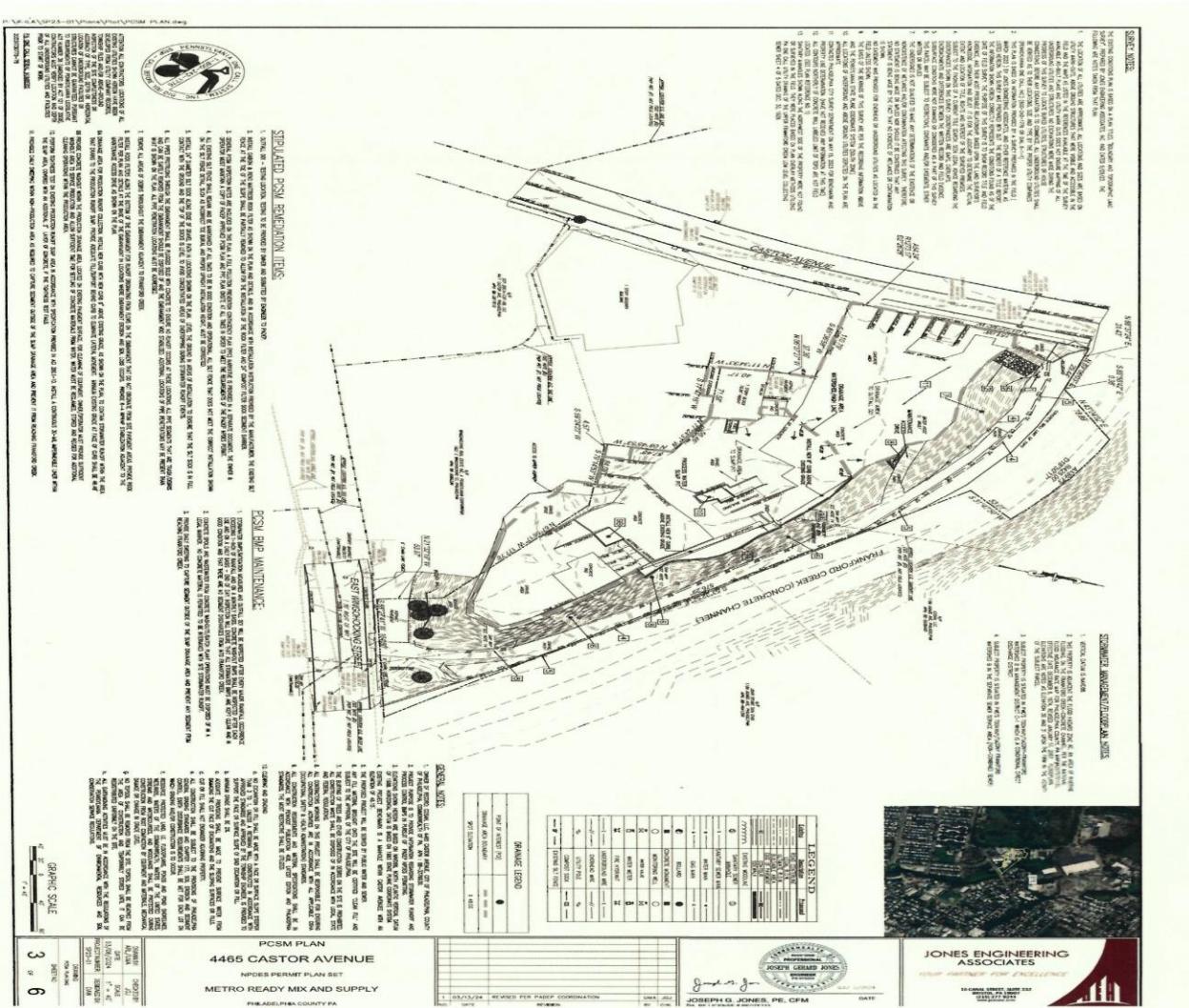
Discharge, Receiving Waters and Water Supply Information

Outfall No.	001	Design Flow (MGD)	_____
Latitude	40° 0' 57.39"	Longitude	-75° 5' 47.25"
Quad Name	Frankford	Quad Code	1845
Wastewater Description:	Stormwater		
Receiving Waters	Frankford Creek (WWF, MF)	Stream Code	02389
NHD Com ID	25598787	RMI	2.9
Drainage Area	_____	Yield (cfs/mi ²)	_____
Q ₇₋₁₀ Flow (cfs)	_____	Q ₇₋₁₀ Basis	_____
Elevation (ft)	_____	Slope (ft/ft)	_____
Watershed No.	3-J	Chapter 93 Class.	WWF, MF
Existing Use	_____	Existing Use Qualifier	_____
Exceptions to Use	_____	Exceptions to Criteria	_____
Assessment Status	Impaired	DEWATERING, FLOW REGIME MODIFICATION, HABITAT ALTERATIONS, ORGANIC ENRICHMENT, ORGANIC ENRICHMENT, POLYCHLORINATED BIPHENYLS (PCBS)	
Cause(s) of Impairment	COMBINED SEWER OVERFLOWS, MUNICIPAL POINT SOURCE DISCHARGES, SOURCE UNKNOWN, URBAN RUNOFF/STORM SEWERS, URBAN RUNOFF/STORM SEWERS, URBAN RUNOFF/STORM SEWERS		
Source(s) of Impairment			
TMDL Status	Final	Name	Delaware River Estuary PCB TMDLs
Nearest Downstream Public Water Supply Intake	None before PA-DE border.		
PWS Waters	_____	Flow at Intake (cfs)	_____
PWS RMI	_____	Distance from Outfall (mi)	_____

Facility description

An individual stormwater discharge associated with industrial activities NPDES permit application was submitted for the facility, located in 4465 Castor Avenue, Philadelphia. On site there is a plant operation building, multiple storage bays for concrete materials, a hopper, and designated concrete washout sites. The site has been used for the production of concrete mix since the 1970's. The stormwater from the facility will be discharged through Outfall 001 directly into Frankford Creek which has a PCBs TMDL. A PPC plan was submitted on April 9, 2024. Concrete washout and compost filter socks will be used to control stormwater runoff. The stormwater BMPs and outfall will be inspected after every major rainfall occurrence exceeding 1-inch of rainfall and on a monthly basis. Concrete washout BMPs shall be inspected after each use and on a daily basis-end of day. Inspection will ensure that all stormwater BMPs are kept clean and in good condition and that there are no unintentional discharges from the site.

The total facility area is 178,344 sft with 75.94% impervious area. A general site locational map is provided below:



Compliance History

Per the Consent Order and Agreement (CO&A) entered on 31st August 2016, the Department informed DiNardo Brothers Materials, Inc. d.b.a. Metro Ready Mix & Supplies ("Metro Ready Mix") of the need to obtain an NPDES Stormwater Permit back in 2006 and on September 15, 2014. Metro Ready Mix failed to apply for and obtain an NPDES Stormwater permit. On August 25, 2015, the Department and Metro Ready Mix executed a Consent Assessment of Civil Penalty (CACP) to resolve penalty liability for a September 2014 incident at the site and failing to obtain a stormwater permit. Execution of the CACP was contingent upon Metro Ready Mix's submission of a stormwater permit application. The Department received a permit application on July 6, 2015, which was not properly completed. Since the application was submitted for emergency discharges of untreated contaminated water, the application was rejected and an appropriate application was requested, which was never received. Corrective action on 2016 CO&A was that Metro Ready Mix shall cease all ready-mix concrete activities at the site and remove all equipment and residual waste by December 31, 2016.

Metro Ready Mix continued to operate until March 2018 when it went out of business and Bella Trucking Corp. acquired the facility from Metro Ready Mix. Mossi Construction Inc. acquired the facility in April 2019 from Bella Trucking Corp. The Department conducted an inspection on February 2, 2023 to the facility in response to a complaint received. The inspection confirmed that the facility was still conducting ready mix concrete activities and that there were still ready mix concrete equipment and residual waste from the ready mix concrete operations at the facility site. These actions were violations of 2016 CO&A, specifically paragraph 3.a. COSAN LLC submitted an NPDES permit application on August 31, 2023, which was withdrawn pursuant to a Stipulation executed on March 4, 2024, resolving a lawsuit filed in the Commonwealth Court of Pennsylvania (113 MD 2024) by the Commonwealth of Pennsylvania DEP as plaintiff and Tookany/Tacony-Frankford Watershed Partnership as Intervenor-Plaintiff against COSAN, L.L.C., Bella Trucking Corp.,

Mossi Construction Inc., Sandra Affatato-DiNardo, and Antonio DiNardo as Defendants. The 2024 Stipulation was approved by the Court and was adopted as an Order of the Court on May 9, 2024. Another NPDES permit application was submitted on March 19, 2024, and resubmitted on June 27 and July 1, 2024. Among other things, the 2024 Stipulation requires the following:

1. Complete updated sampling of stormwater from the property,
2. Prepare a PPC Plan,
3. Design and construct a rock filter defined discharge point (Outfall 001) to convey stormwater that is not impacted by the industrial processes on the property from the top of the embankment to Frankford Creek,
4. Ensure proper installation of all areas of silt fencing on the property,
5. Install SiltSox along Frankford Creek to provide secondary protection against silt laden stormwater entering Frankford Creek,
6. Plug all abandoned pipes that penetrate the embankment to prevent discharges from the pipes,
7. Clean debris along the embankment adjacent to Frankford Creek,
8. Design and construct rock filters along the bottom of the embankment along Frankford Creek to reduce the velocity of and the potential of erosion from stormwater originating from the embankment,
9. Define all site drainage areas and ensure that no stormwater impacted by the industrial processes on the property are discharging off-site,
10. Ensure that the sump near the plant is impermeable to stormwater infiltration as verified through engineered testing,
11. Ensure that all stormwater impacted by the industrial processes on the property is directed to the impermeable sump or otherwise contained on the property, and
12. Submit a new NPDES Application for Individual Permit to Discharge Industrial Stormwater from the property (that meets certain conditions).

The Department's Regional Counsel sent out a letter on July 11, 2024, confirming that the above requirements were fulfilled, and the Department will work on drafting the NPDES permit once the application package deemed administratively and technically completed. This fact sheet is being prepared as part of the drafting efforts. The following individual(s) or institution(s) will be identified as permittee or co-permittee:

Permittee/Co-permittee	Contact Name	Address
COSAN, L.L.C.	Sandra Affatato-DiNardo	4465 Castor Ave, Philadelphia, PA 19124
Antonio DiNardo	Self	920 Wayland Circle, Bensalem, PA 19020
Mossi Construction Inc.	Sandra Affatato-DiNardo	4465 Castor Ave, Philadelphia, PA 19124
Bella Trucking Corp.	Sandra Affatato-DiNardo	4455 Castor Ave, Philadelphia, PA 19124
Sandra Affatato-DiNardo	Self	920 Wayland Circle, Bensalem, PA 19020

Stormwater sample results

A stormwater sample was collected on June 5, 2024 within the first 30 minutes of initiation of rainfall. The following table summarizes the sample results. All sample results are within threshold.

Parameter	Value	Quantitation Limit	Regulatory Limit	Non-compliance
Oil and Grease (mg/L)	<5	5	<5	—
BOD5 (mg/L)	<2	2	<10	—
COD (mg/L)	<25	25	<30	—
TSS (mg/L)	3	1	<30	—
Total Nitrogen (mg/L)	0.81	0.50	<2	—
Total Phosphorus (mg/L)	0.65	0.01	<1	—
pH (S.U.)	7.39	—	6.0 – 9.0	—

Development of Effluent Limitations

Technology-Based Limitations

The SIC code associated with the industrial activities on the facility is 3273-Ready-Mixed Concrete Production Plant and NAICS code is 32732-Ready-Mixed Concrete Manufacturing. Based on the SIC code, the appropriate appendix is Appendix N-Glass, Clay, Cement, Concrete, and Gypsum Products. Appendix N lists the following parameters to be monitored from all representative outfall(s):

Pollutant	Monitoring Requirements ^{(1), (2)}		Benchmark Values
	Minimum Measurement Frequency	Sample Type	
Total Nitrogen (mg/L) ⁽³⁾	1 / 6 months	Calculation	XXX
Total Phosphorus (mg/L)	1 / 6 months	Grab	XXX
pH (S.U.)	1 / 6 months	Grab	9.0
Total Suspended Solids (TSS) (mg/L)	1 / 6 months	Grab	100
Total Aluminum (mg/L)	1 / 6 months	Grab	XXX
Total Iron (mg/L)	1 / 6 months	Grab	XXX

Footnotes:

- (1) In accordance with Part C III.C, the permittee shall conduct additional monitoring if specified by DEP in the letter authorizing permit coverage or other correspondence.
- (2) This is the minimum number of sampling events required. Permittees may optionally perform additional sampling.
- (3) Total Nitrogen is the sum of Total Kjeldahl-N (TKN) plus Nitrite-Nitrate as N (NO₂+NO₃-N), where TKN and NO₂+NO₃-N are measured in the same sample.

Stormwater WQBELs

Water quality analyses are typically performed under low-flow (Q7-10) stream conditions. Stormwater discharges occur at variable rates and frequencies but not however during Q7-10 conditions. Since the discharge from Outfall 001 is composed entirely of stormwater, a formal water quality analysis cannot be accurately conducted. Accordingly, water quality-based effluent limitations are not proposed.

Anti-Degradation

The discharge is in Frankford Creek with a Ch. 93 designation of WWF and MF. No high-quality stream is impacted by this discharge. No exceptional-value watershed is impacted by this discharge. Therefore, anti-degradation analysis wasn't performed.

Proposed Effluent Limitations and Monitoring Requirements
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The limitations and monitoring requirements specified below are proposed for the draft permit, and reflect the most stringent limitations amongst technology, water quality and BPJ. Instantaneous Maximum (IMAX) limits are determined using multipliers of 2 (conventional pollutants) or 2.5 (toxic pollutants). Sample frequencies and types are derived from the "NPDES Permit Writer's Manual" (386-0400-001), SOPs and/or BPJ.

Outfall 001, Effective Period: Permit Effective Date through Permit Expiration Date.

Parameter	Effluent Limitations						Monitoring Requirements	
	Mass Units (lbs/day) ⁽¹⁾		Concentrations (mg/L)				Minimum ⁽²⁾ Measurement Frequency	Required Sample Type
	Average Monthly	Average Weekly	Minimum	Average Monthly	Daily Maximum	Instant. Maximum		
pH (S.U.)*	XXX	XXX	6.0 Inst Min	XXX	XXX	9.0	1/6 months	Grab
TSS*	XXX	XXX	XXX	XXX	100.0	XXX	1/6 months	Grab
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX	1/6 months	Calculation
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX	1/6 months	Grab
Total Aluminum	XXX	XXX	XXX	XXX	Report	XXX	1/6 months	Grab
Total Iron	XXX	XXX	XXX	XXX	Report	XXX	1/6 months	Grab

*These limitations are exempt during storm period exceeding 10-year, 24-hour rainfall event.

Compliance Sampling Location: At Outfall 001

Other Comments: None