

Application Type Renewal
Facility Type Storm Water
Major / Minor Minor

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

Application No. PAS702203
APS ID 627416
Authorization ID 1217635

Applicant and Facility Information

Applicant Name	<u>New Enterprise Stone & Lime Co. Inc. DBA Eastern Industries Inc.</u>	Facility Name	<u>Bath HMA Facility FKA Eastern Industries Bath Plant</u>
Applicant Address	<u>3912 Brumbaugh Road New Enterprise, PA 16664-0077</u>	Facility Address	<u>7901 Beth Bath Pike (Route 512) Bath, PA 18014</u>
Applicant Contact	<u>William Taft</u>	Facility Contact	<u>Jim Garger</u>
Applicant Phone	<u>(610) 625-8224</u>	Facility Phone	<u>(610) 837-6319</u>
Client ID	<u>62856</u>	Site ID	<u>480933</u>
SIC Code	<u>2951</u>	Municipality	<u>East Allen Township</u>
SIC Description	<u>Manufacturing - Asphalt Paving Mixtures And Blocks</u>	County	<u>Northampton</u>
Date Application Received	<u>February 1, 2018</u>	EPA Waived?	<u>Yes</u>
Date Application Accepted	<u>April 8, 2019</u>	If No, Reason	<u>-</u>
Purpose of Application	<u>HMA Asphalt Plant NPDES Permit renewal.</u>		

Summary of Review

This is an Individual IW Stormwater NPDES Permit for a "Hot Mix Asphalt Plant" discharging stormwater associated with industrial activities to Monocacy Creek (HQ-CWF, Stream code# 3384).

Background:

- This is an existing Hot Mix Asphalt plant located within 50 feet of the Monocacy Creek, with an estimated ~240,887 square foot area. The industry is prohibited from discharging process wastewater constituents by 40 CFR 443 Subpart B (Asphalt concrete). No non-stormwater discharges identified. The facility has a PADEP AQ Permit No. 04-12-2017. **NOTE:** Subpart A (asphalt emulsion category) ELG constituents included pH, Oil & Grease, and TSS which can be considered as general asphalt-related ELG constituents of interest. GP PAG-03 Appendix M (Asphalt Paving, Roofing Materials and Lubricants) constituents of interest include pH, TSS and Oil & Grease).
- **Limited Operating Season:** Facility operates during the weather-dependent construction season. Hot mix asphalt paving is dependent on warmer temperatures for workable conditions per internet sources.
- **No material changes to Facility:** Application indicates no material change to the facility since previous NPDES Renewal. Application information has some discrepancies due to their misidentification of Drainage Area/Outfall No. 002. They are assuming that well compacted stone is as impervious as paved areas. They also mistakenly defined the Outfall No. 002 drainage area, so the application description is not completely accurate.
- **Flood Protection Berm/Stormwater BMP:** The application now indicates the berm between the facility and Monocacy Creek is a flood control structure (with no information on whether it is part of a permitted flood control system or not). This berm is being used as a Stormwater BMP to capture stormwater runoff from their material handling stockpile areas (Drainage Area/Outfall No. 002) and Outfall No. 001. To the extent that site run-off and sedimentation impacts this berm, the facility would be responsible for stormwater BMP. The permittee is responsible for any needed coordination with whoever constructed/maintains the berm as a flood control structure.

Approve	Deny	Signatures	Date
X		James D. Berger James D. Berger, P.E. / Environmental Engineer	August 13, 2020
X		Amy M. Bellanca (signed) Amy M. Bellanca, P.E. / Environmental Engineer Manager	8-17-20

Summary of Review

- **Request for deletion of Outfall/Drainage Area No. 002:** Application misidentified Outfall No. 002 as a separate area receiving only offsite run-on (on the Southside of the property) and requested it be deleted. **However, this request was based upon misidentification of the Outfall No. 002 drainage area and Outfall No. 002 in the current application.** They assumed it covered an adjacent access road, when it was previously permitted to address an onsite sheet flow/infiltration area (including raw material handling areas draining toward earthen berms along Monocacy Creek but not draining to Outfall No. 001).
 - **Revised Application:** Majority of site is paved or well-compacted stone per the site SPCC Plan.
 - 240,887 SF (~5.53 acres), 88% impervious (12% pervious).
 - Outfall No. 001 area: 111,514 SF, 100% impervious
 - Outfall No. 002 drainage area: 129,373 SF, 100% impervious, representativeness of stormwater sampling data suspect due to facility’s apparent confusion about what was previously permitted.
 - NOTE:
 - **Outfall No. 002 coordinates were updated by e-maps using a point within the facility’s material handling area due to application misidentification of the outfall and old E-facts coordinates being outside of facility boundaries. This area is in the northern part of the facility where material stockpiles are located, and which drains to the flood control berm. Since there is no outlet, infiltration must occur, despite applicant’s belief that the facility is 100% impervious (well-compacted stone is not necessarily impervious as paving). Otherwise, ponding would negatively impact a flood control berm.**
 - The application-misidentified “new” Outfall No. 002 location (along southern end of property) would be considered a third Outfall if it received site stormwater runoff from industrial activity/material handling areas. The application indicated it only receives offsite stormwater run-on.
 - **Previous NPDES Permit Renewal Fact Sheet Information (new information notes bolded):**
 - Drainage Areas/Outfalls: Updated 2013 Stormwater Drainage Map showed that the site has two drainage areas, whereas only one outfall was previously permitted (#001). Outfall #002, now incorporated into this permit, has sheet flow/infiltration flowing toward berm along river without any sampling point per permittee.
 - 5.53 acres total (Tract Area per drawing). **This would equate to 240,055 SF**
 - 2.56 acres (#001) per calculation. **This would equate to 111,360 SF.**
 - 2.97 acres (#002) per Drawing. **This would equate to 129,195 SF.**
 - Drainage Areas:
 - Outfall #001: Updated Stormwater Plan shows this area includes entrance, part of the asphalt plant, material bins, asphalt tanks/recycled oil tanks, septic tank/field. Module 12 indicates a 16,000 square foot area drains to Outfall #1 & the Monocacy Creek. The Permittee confirmed that Outfall #001 is located in East Allen Township.
 - Outfall #002: Updated Stormwater Plan shows this area includes material storage areas plus part of the asphalt plant, and drains to the berm along Monocacy Creek. The SPCC/PPC Plan also indicates a “sock” along the asphalt/concrete paved edge is in place. Other application information indicates that “the majority of rain water stays on site” i.e. that surface runoff infiltrates into the groundwater, due to surface water controls and a flood control dike. No division of the onsite drainage area was provided.
 - **Previous NPDES Permit Application Part C Information:** In the absence of an available Outfall #002 sampling point and/or monitoring point (outfall, manhole, ditch, swale or other location where concentrated stormwater leaves the facility) for the annual stormwater inspection or required monitoring, the permittee shall comply with all requirements of the site PPC Plan and Best Management Practices (BMPs) to prevent contamination of the waters of the Commonwealth.

Outfall No.	Area Drained (acres)	Latitude	Longitude	Description
001	2.56	40° 42' 57.77"	75° 23' 42.90"	Drainage area included facility entrance, office/lab, asphalt tanks, recycled oil tanks, material bins, and part of asphalt plant, discharging by swale to Monocacy Creek.

Summary of Review

002	2.97	40° 43' 28"	75° 23' 40"	Drainage area including part of asphalt plant, material storage areas, with sheet flow/infiltration draining toward berm along Monocacy Creek. No available sampling point.
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Part C Special Conditions: Changes bolded

- **Part A.I.A and A.I.B:**
 - Due to limited operating year (curtailed by cold weather), the Part A.I tables have a note that stormwater sampling must take place during plant operations (after start-up).
 - Part A.I.B addition: The note has been modified. The previous NPDES Permit included a stormwater special condition that any sampleable monitoring point had to be monitored because this area was indicated to have no sampleable discharge point to Monocacy Creek. If there is an actual Outfall No. 002 discharge point, sampling is required. If not, standard Part C.V.B requirement for sampling upon DEP request still applies.
- **Part C.I through Part C.V: Updated Standard IW Stormwater Conditions:** Please note that NPDES Permit Part C.V.B applies to Outfall No. 002 drainage area in terms of potential need for outfalls or monitoring.
 - **Two site-specific BMPs:**
 - **Part C.II.E.11: Dust Control:** Compliance with PADEP Air Quality Permit requirements (dust control). The host municipality raised dust concerns during the previous NPDES permit renewal.
 - **Part C.II.E.12: Floodplain control/Stormwater BMP Berm along Monocacy Creek:** Because it is being used as a stormwater BMP (ponding stormwater and sediment), normal stormwater BMP inspection and maintenance requirements fall on the permittee. The permittee retains full responsibility to separately contact and coordinate repairs with whatever party constructed and maintains the flood control. Nothing in this permit supersedes or replaces any flood control permitting or permit requirements.
- **Part C.VI.A and B:** Standard IW conditions (Necessary property rights; Residuals management)

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.

Discharge, Receiving Waters and Water Supply Information			
Outfall No.	001 & 002	Design Flow (MGD)	0 (stormwater only)
	40° 42' 57.68" (Outfall 001)		-75° 23' 43.70" (001)
Latitude	40° 43' 1.34" (Outfall 002)	Longitude	-75° 23' 44.13" (002)
Quad Name	Catasauqua	Quad Code	1342 (6.22.4)
Wastewater Description: Stormwater associated with industrial activities			
Receiving Waters	Monocacy Creek (HQ-CWF, MF)	Stream Code	3384
NHD Com ID	26293755	RMI	-
Drainage Area	8.26 square miles	Yield (cfs/mi ²)	0.0341 (karst area)
Q ₇₋₁₀ Flow (cfs)	0.282	Q ₇₋₁₀ Basis	USGS PA Streamstats
Elevation (ft)	~400 feet	Slope (ft/ft)	-
Watershed No.	2-C	Chapter 93 Class.	HQ-CWF, MF
Existing Use	-	Existing Use Qualifier	-
Exceptions to Use	-	Exceptions to Criteria	-
Assessment Status	Impaired		
Cause(s) of Impairment	HABITAT ALTERATIONS, SILTATION, Pathogens (unknown source)		
Source(s) of Impairment	AGRICULTURE, URBAN RUNOFF/STORM SEWERS		
TMDL Status	-	Name	-
<u>Background/Ambient Data</u>		<u>Data Source</u>	
pH (SU)	6.98	Sample ID: 2362984; Sequence Number: 104; Monitoring Point ID: 0; Date Collected: 3/11/2020; ~0.46 miles upstream in Bath.	
Temperature (°C)	13.3	See above	
Hardness (mg/L)	-	See above	
TDS (mg/l)	712	See above	
TSS (mg/l)	<5	See above	
<u>Nearest Downstream Public Water Supply Intake</u>		FOREST PARK WTP, ID# 102283-001	
PWS Waters	Delaware River (Bucks County)	Flow at Intake (cfs)	-
PWS RMI	-	Distance from Outfall (mi)	~51 miles

Changes Since Last Permit Issuance: Monocacy Creek is a Natural Trout Reproduction Stream. Uncontaminated stormwater is not expected to impact the receiving stream.

Other Comments:

Outfall No. 002: This is a sheet flow/infiltration area for the material stockpiles in the northern part of site. Flow drains to Flood Control Berm which is a stormwater BMP where it must pond or evaporate.

Pathogens: The Monocacy Creek is impaired by pathogens of unknown source. The Site Plan indicates no site sewage treatment plant, showing a "septic & drainage field location" onsite.

Urban Stormwater Issues: Facility is located downstream of Bath Borough. Bath Borough has an MS4 NPDES Permit No. PAI132215 covering outfalls upstream of this facility.

Other Potential Sources for Siltation and other Constituents of Interest in Stream:

- The Department of Agriculture address agriculture-related siltation sources.

- The facility is located across Monocacy Creek from the Keystone Cement Company plant (cement kilns burning Hazardous Waste Fuels, raw material/cement product storage, old “closed” Cement Kiln Dust (CKD) piles, and quarry activities). Therefore, industrial activities from other sites are potential source for the receiving stream’s impairment (in addition to Bath Borough urban runoff & local agriculture).

Compliance History

DMR Data for Outfall 001 (from February 1, 2019 to January 31, 2020)

Parameter	JAN-20	DEC-19	NOV-19	OCT-19	SEP-19	AUG-19	JUL-19	JUN-19	MAY-19	APR-19	MAR-19	FEB-19
pH (S.U.) Minimum		8.59										
pH (S.U.) Instantaneous Maximum		8.59										
TSS (mg/L) Daily Maximum		100										
Total Dissolved Solids (mg/L) Daily Maximum		28.0										
Oil and Grease (mg/L) Daily Maximum		5.6										
TKN (mg/L) Daily Maximum		0.5										
Total Iron (mg/L) Daily Maximum		1.50										

Inspection History:

CLIENT	FACILITY NAME	INSP PROGRAM	INSP ID	INSPECTED DATE	INSP TYPE	INSPECTION RESULT DESC	# OF VIOLATIONS
NEW ENTERPRISE STONE & LIME CO INC	BATH HMA PLANT FKA EASTERN INDUSTRIES, INC.	WPCNP	2917988	05/15/2019	Routine/Partial Inspection	No Violations Noted	0
NEW ENTERPRISE STONE & LIME CO INC	BATH HMA PLANT FKA EASTERN INDUSTRIES, INC.	WPCNP	2884754	01/25/2019	Compliance Evaluation	No Violations Noted	0
NEW ENTERPRISE STONE & LIME CO INC	BATH HMA PLANT FKA EASTERN INDUSTRIES, INC.	WPCNP	2558083	01/31/2017	Compliance Evaluation	Viol(s) Noted & Immediately Corrected	<u>1</u>
NEW ENTERPRISE STONE & LIME CO INC	BATH HMA PLANT FKA EASTERN INDUSTRIES, INC.	WPCNP	2467285	01/15/2016	Compliance Evaluation	No Violations Noted	0
NEW ENTERPRISE STONE & LIME CO INC	BATH HMA PLANT FKA EASTERN INDUSTRIES, INC.	WPCNP	2375890	06/03/2015	Compliance Evaluation	No Violations Noted	0
NEW ENTERPRISE STONE & LIME CO INC	BATH HMA PLANT FKA EASTERN INDUSTRIES, INC.	WPCNP	2409576	06/03/2015	Compliance Evaluation	No Violations Noted	0

Compliance History: One open (non-WPC) violation per 8/13/2020 WMS Query (open violations by client number query):

PF ID	FACILITY	INSP PROGRAM	PROGRAM SPECIFIC ID	VIOLATION ID	VIOLATION DATE
594249	HUNTINGDON ASPHALT	Storage Tanks	31-10513	789422	06/30/2017

Development of Effluent Limitations

Outfall No.	<u>001 & 002</u>	Design Flow (MGD)	<u>0 (stormwater only)</u>
	40° 42' 57.77" (001)		-75° 23' 43.66" (001)
Latitude	<u>40° 43' 0.6132" (002)</u>	Longitude	<u>-75° 23' 42.2088" (002)</u>

Wastewater Description: Stormwater associated with industrial activities

Permit Limits/Monitoring: Changes bolded.

Parameter	Limit (mg/l unless otherwise specified)	SBC	Model/Basis
pH	6.0 – 9.0 SU	Inst. Min - IMAX	Chapter 95.2 limit. <u>Application data (001):</u> 7.46 SU – 8.52 SU (5 events) <u>Outfall 001 EDMR data:</u> 8.59 SU
TSS	100.0	IMAX	General Permit PAG-03 Statewide BPJ for Asphalt Plants (Appendix M). Limit based on statewide PAG-03 BPJ benchmark. <u>Application data:</u> 80 mg/l max, 14.45 mg/l average (5 events) <u>Outfall 001 EDMR data:</u> 100 mg/l
Oil & Grease	30.0	IMAX	General Permit PAG-03 Statewide BPJ for Asphalt Plants (Appendix M). Limit based on statewide PAG-03 BPJ benchmark. <u>Application data:</u> <5.5 mg/l max, <5.0 mg/l average (5 events) <u>Outfall 001 EDMR data:</u> 5.6 mg/l
BOD5	30.0	IMAX	New Antidegradation Permit limit due to antidegradation considerations in the absence of required application data. Permit limit is based on statewide PAG-03 DEP BPJ that industrial stormwater facilities can meet these limits.
Chemical Oxygen Demand (COD)	120.0	IMAX	See above
Total Phosphorus	Report	IMAX	New Antidegradation monitoring requirement due to antidegradation considerations in the absence of required application data.
Total Iron	Report	IMAX	Existing monitoring requirement retained due antidegradation considerations. <u>Application data:</u> 0.675 mg/l. Note dissolved iron concentration expected to be substantially lower than total Iron.
Total Dissolved Solids (TDS)	Report	IMAX	Monitoring continuing due to siltation-impacted receiving stream and antidegradation considerations. It was added in previous permit cycle to assist in developing Monocacy Creek watershed Siltation TMDL or plan. <u>Application Data:</u> 28 mg/l
Nitrate-Nitrite as N	Report	IMAX	TN data not provided. TKN information was provided (<0.50 mg/l). TKN is a component of TN, so only Nitrate-Nitrite data is needed to show no impact. Would also indicate if

			sewage from site is contributing to receiving stream pathogen issues.
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Comments:

- Application indicates inspection of site is done at a minimum of twice per month. Supervisor on site 5 days per week investigates daily.
- Application Outfall No. 002 sampling data pertained to the misidentified location (adjacent road on southern end of site), which was indicated not to receive site stormwater runoff. Actual Outfall 002 is sheet flow/infiltration without known sampleable point.
- Summarized Outfall information:

Outfall No.	Area Drained (acres)	Latitude	Longitude	Description
001	2.56 (111,514 SF)	40° 42' 57.77"	75° 23' 42.90"	100% Impervious Area including washed aggregate in previous application, now described as pavement area on flat surface. <u>Previous Renewal Application:</u> Drainage area included facility entrance, office/lab, asphalt tanks, recycled oil tanks, material bins, and part of asphalt plant, discharging by swale to Monocacy Creek.
002*	2.97 (129,373 SF)	40° 43' 0.6132"	75° 23' 42.2088"	Raw material stockpile areas directing run-off to "flood control" revegetated berm along Creek (but not directed to Outfall No. 001). <u>Previous Renewal Application:</u> Drainage area including part of asphalt plant, material storage areas, with sheet flow/infiltration draining toward berm along Monocacy Creek. No available sampling point.

*In the absence of an available Outfall #002 sampling point and/or monitoring point (outfall, manhole, ditch, swale or other location where concentrated stormwater leaves the facility) for the annual stormwater inspection or required monitoring, the permittee shall comply with all requirements of the site PPC Plan and Best Management Practices (BMPs) to prevent contamination of the waters of the Commonwealth.

Anti-Degradation Analysis: This is an existing "hot mix asphalt plant", located within 50 feet of Monocacy Creek, with no discharge of process wastewater. They did not complete the Application Antidegradation section.

- Application indicated no material changes to site since previous NPDES permitting.
- Uncontaminated stormwater will not impact the receiving HQ stream. Implementation of the NPDES Permit requirements (new permit limits; additional monitoring requirements; stormwater Best Management Practices; and stormwater PPC Plan requirements) will prevent contamination of the receiving stream.
- The PADEP Air Quality Program has permitted the site's "air emissions plant" (ID# 23-1374051-62) per E-facts, and has separately permitted the adjacent (across the Monocacy Creek) cement plant/quarry operation (Keystone Cement Company).

Communication Log:

2/1/2018: Application received

7/31/2018: NPDES Permit expiration date

2/22/2018: Application Incompleteness Letter issued.

6/7/2018: Left message asking for status of response to on.

6/8/2018: Application indicated he was mailing the response.

6/20/2018: Response received.

1/15/2019: Application Incomplete/Technical Deficiency Letter

2/19/2019: Paul Stoltz E-mail Extension request for more time to response to letter.

2/19/2019: Extension granted per Bellanca E-mail

2/27/2019: Called Paul Stoltz (applicant contact) back due to voice-mail indicating questions on application and left voice-mail to call me if he still had questions.

3/15/2019: Partial submittal (revised application form, no GIF but public notice included; no narrative response to DEP Application letter). Cover letter noted the wrong application had been previously submitted but that the revised application should answer most questions in 1/15/2020 DEP Letter.

4/9/2019: Proof of receipt by DRBC received.

3/5/2020: Technical Deficiency letter issued.

6/23/2020: DEP (Berger) reminder e-mail regarding response to technical deficiency letter. Response due 7/15.

7/28/2020: Revised NPDES Permit Application submitted