

**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**

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

**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

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

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

Permit WV011457  
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		<b>SWPPP</b>					
07	S	17	Plan retained on site	S		<b>Records</b>		
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 1<sup>st</sup> half 2012, 2<sup>nd</sup> half 2012, and 1<sup>st</sup> 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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PO Box 662, Teays, WV 25569

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

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.**

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) **47CSR58-4.7.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**  
\_\_\_\_\_  
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WV Department of Environmental Protection  
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PO Box 662, Teays, WV 25569

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**

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**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

**304-757-1693**

Telephone

**Eric.J.Philyaw@wv.gov**

E-mail

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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

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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) **Appendix A.I.13 (Outlet Markers)** of the Permit referenced above promulgated thereunder in that you:

**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



Eric J. Philyaw

\_\_\_\_\_  
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