



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

September 7, 2017

**BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED  
AND ELECTRONIC MAIL**

Hamilton Hackney, Esq.  
Dain, Torpy, Le Ray, Wiest & Garner, P.C.  
745 Atlantic Avenue, 5<sup>th</sup> Floor  
Boston, MA 02111

RE: *I/M/O Super Concrete Corporation*, Docket No. CWA-03-2017-0024

Mr. Hackney:

Enclosed is a fully executed and filed Consent Agreement and Final Order (“CAFO”) resolving the referenced matter. Please review the terms and conditions of the CAFO and forward to your client.

Please feel free to call me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas Frankenthaler", with a long horizontal flourish extending to the right.

Douglas Frankenthaler  
Assistant Regional Counsel

Enclosures



BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

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EPA REGION III

IN THE MATTER OF:

Super Concrete Corporation  
5001 Fort Totten Drive NE  
Washington, DC 20011

Respondent

Proceeding to Assess Class I  
Administrative Penalty Under  
**Section 309(g) of the Clean Water Act**

**Docket No. CWA-03-2017-0024**

**CONSENT AGREEMENT  
AND FINAL ORDER**

**CONSENT AGREEMENT AND FINAL ORDER**

**I. PRELIMINARY STATEMENT, JURISDICTIONAL AND STATUTORY  
AUTHORITY**

1. This Consent Agreement and Final Order ("CAFO") is entered into by the Director, Water Protection Division, United States Environmental Protection Agency ("EPA"), Region III ("Complainant") and Super Concrete Corporation ("Super Concrete" or "Respondent") pursuant to Section 309(g) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g), and the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits ("Consolidated Rules")*, 40 C.F.R. Part 22. The parties having agreed to settlement of violations of the Clean Water Act by Respondent, this CAFO simultaneously commences and concludes this action pursuant to 40 C.F.R. § 22.13(b) and 22.18(b)(2) & (3).
2. Respondent is an owner and operator of a concrete aggregate processing facility located at 5001 Fort Totten Drive NE, Washington, DC 20011 ("Facility").
3. Respondent's Facility subject to this CAFO, is subject to CWA National Pollutant Discharge Elimination System ("NPDES"), Permit No. DC0000175 (the "Facility Permit").
4. Complainant alleges that Respondent has failed to comply with the CWA and its NPDES permit, including a failure to comply with all monitoring and reporting obligations of the Facility Permit. The alleged violations of the Facility Permit are identified in Exhibit I.

5. Pursuant to Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), as amended by the Debt Collection Improvement Act of 1996 (codified at 28 U.S.C. § 2461) and the subsequent Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, the Administrator of the EPA is authorized after March 15, 2004, to issue an order requiring compliance and/or assessing administrative penalties against any person who has violated Section 301(a) of the CWA by failing to obtain an NPDES permit or by discharging a pollutant into a water of the United States without an NPDES permit issued pursuant to Section 402 in an amount not to exceed \$ 16,000 per day for each violation that occurred before November 2, 2015 and assessed before August 1, 2016 and up to \$20,628 per day for each violations that occurred after November 2, 2015 and was assessed on or after August 1, 2016 up to a total penalty amount of \$257,848.
6. The EPA is authorized to issue NPDES permits within the District of Columbia, and issued the Facility Permit.

## **II. FINDINGS OF FACT AND CONCLUSIONS OF LAW**

7. Section 402 of the CWA, 33 U.S.C. § 1342, establishes the NPDES program.
8. Under Section 402 of the Act, 33 U.S.C. § 1342, EPA and states with EPA-approved NPDES programs are authorized to issue permits governing the discharge of pollutants from regulated sources.
9. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant from any point source by a person into a water of the United States except in compliance with a permit issued under the NPDES program pursuant to Section 402 of the Act, 33 U.S.C. § 1342.
10. Section 502(5) of the Act, 33 U.S.C. § 1362(5) defines the term “person” as “an individual, corporation, partnership, association, State, municipality, commission, or political subdivision of a State, or any interstate body.”
11. Section 502(12) of the Act, 33 U.S.C. § 1362(12) defines the term “discharge of a pollutant” and the term “discharge of pollutants” as “any addition of any pollutant to navigable waters from any point source,” or “any addition of any pollutant to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft.”
12. Section 502(6) of the Act, 33 U.S.C. § 1362(6) defines the term “pollutant” as “dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.”



13. Section 502(14) of the Act, 33 U.S.C. § 1362(14) defines the term “point source” as “any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.”
14. Section 502(7) of the Act, 33 U.S.C. §1362(7) defines the term the term “navigable waters” as “the waters of the United States, including the territorial seas.” *See also* 40 C.F.R. § 122.2.
15. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), EPA administers the NPDES program in the District of Columbia.
16. An NPDES Permit is required for industrial discharges, including discharges related to the Facility. *See* 33 U.S.C. § 1342, 40 C.F.R. § 122.21.
17. The Respondent is a “person” as defined by Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.
18. Pursuant to its NPDES Permit, Respondent is authorized to discharge pollutants through point sources into navigable waters.
19. On or about February 19, 2013, EPA inspected the Facility, and afterwards provided a copy of EPA’s inspection report to Respondent.
20. In response to an EPA Show Cause Letter, on or about May 26, 2015, EPA and Respondent met to discuss the alleged violations.
21. Following the May 26, 2015 meeting, EPA and Respondent had a number of follow-up discussions and Respondent provided additional information to EPA concerning its operations and CWA compliance at the Facility.
22. Over at least the past five years Respondent has violated the CWA and the Facility Permit by discharging pollutants in violation of the CWA and its NPDES permit and by failing to perform the proper monitoring and reporting requirements of the Facility Permit and the CWA. Exhibit 1 to this CAFO, incorporated by reference, identifies the violations resolved through this agreement.
23. Discharge of pollutants in violation of any effluent standard, prohibition or standard, including any standard contained in an NPDES permit issued under the CWA is a violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a), which prohibits, among other things, the discharge of any pollutant in violation of a NPDES permit issued under Section 402 of the Act, 33 U.S.C. § 1342, and 40 C.F.R. Part 122.

24. Respondent's violation of the NPDES Permits constitute violations of Section 301 of the CWA, 33 U.S.C. § 1311, and subject Respondent to penalties not to exceed \$20,628 per day for each violation, up to a total penalty amount of \$257,848

### **III. CONSENT AGREEMENT AND FINAL ORDER**

25. In order to resolve the violations described above, and to provide a legal framework for the payment of a penalty, EPA and Respondent enter into this CAFO. Respondent consents to issuance of this CAFO and agrees to undertake all actions required by its terms and conditions. Respondent consents to the assessment of the civil penalty herein and consents to issuance of the compliance order described herein.
26. Respondent neither admits nor denies the factual allegations or conclusions of law contained in Section II, Findings of Fact and Conclusions of Law. Respondent admits the jurisdictional allegations contained in Section I, Preliminary Statement, Jurisdictional and Statutory Authority, and elsewhere in this CAFO, and waives any defenses it might have as to jurisdiction and venue. Respondent agrees not to contest EPA's jurisdiction to issue this CAFO and not to contest EPA's jurisdiction to enforce the terms of this CAFO.
27. Respondent hereby expressly waives its right to a hearing, pursuant to Section 309(g)(2)(A), 33 U.S.C. § 1319(g)(2)(A), on any issue of law or fact in this matter and consents to issuance of this CAFO without adjudication, and waives its right to appeal this final order pursuant to Section 309(g)(8)(A), 33 U.S.C. § 1319(g)(8)(A).
28. This CAFO addresses and settles all civil and administrative claims for CWA violations identified in this CAFO.
29. Each party to this action shall pay its own costs and attorney fees.
30. The provisions of this CAFO shall be binding upon the Respondent, and its officers, principals, directors, successors and assigns.
31. The parties agree that settlement of this matter prior to the initiation of litigation is in the public interest and that entry of this CAFO is the most appropriate means of resolving this matter.
32. Pursuant to Section 309(g)(4) of the Act, 33 U.S.C. § 1319 (g)(4), and 40 C.F.R. § 22.45(b), EPA is providing public notice and an opportunity to comment on the CAFO before issuing the Final Order. In addition, EPA has consulted with the District of Columbia regarding this action, and will mail a copy of this document to the appropriate DC official.
33. Based on the foregoing FINDINGS, and having taken into account the factors listed in Section 309(d) of the CWA, 33 U.S.C. § 1319(d), including but not limited to, the nature, circumstances, extent and gravity of the violation, the Respondent's knowledge, culpability

and history of violations, the economic benefit to Respondent, the ability of Respondent to pay the penalty, and other such matters as justice may require, the administrative record; and under the authority of Section 309(g)(2)(A) of the CWA, 33 U.S.C. § 1319(g)(2)(A), EPA

**HEREBY ORDERS AND RESPONDENT HEREBY CONSENTS:**

34. Within thirty (30) days of the effective date of this ORDER, Respondent shall pay a civil penalty of twenty seven thousand two hundred and fifty dollars (\$27,250.00) for the violations cited herein. This does not constitute a demand as that term is defined in the Equal Access to Justice Act, 28 U.S.C. § 2412. Penalty payment shall be made according to the following specifications:

a. The payment shall reference Respondent's name, address and docket number, be made in U.S. dollars by money order, cashier's or certified check made payable to the "Treasurer, United States of America", wire transfer, ACH, or on line, and delivered as follows:

i. If by money order, cashier's or certified check sent by U.S. postal service mail:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197 9000

Contact: Bryson Lehman 513-487-2123

ii. If by money order, cashier's or certified check sent by private commercial overnight delivery service:

U.S. Bank  
Government Lockbox 979077  
U.S. EPA, Fines & Penalties  
1005 Convention Plaza  
Mail Station SL MO C2 GL  
St. Louis, MO 63101

Contact: 314-418-1028

iii. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance  
US EPA, MS NWD



26 W. M.L. King Drive  
Cincinnati, OH 45268 0001

iv. If by electronic wire transfer:

Federal Reserve Bank of New York  
ABA = 021030004  
Account No. = 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street  
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:  
"D 68010727 Environmental Protection Agency"

v. If by ACH (also known as REX or remittance express):

US Treasury REX / Cashlink ACH Receiver  
ABA = 051036706  
Account No.: 310006, Environmental Protection Agency  
CTX Format Transaction Code 22 Checking

Physical location of U.S. Treasury facility:  
5700 Rivertech Court  
Riverdale, MD 20737  
Contact: Jesse White 301 887 6548 or REX, 1 866 234 5681

vi. On Line Payment Option:

[WWW.PAY.GOV/PAYGOV](http://WWW.PAY.GOV/PAYGOV)

Enter sfo 1.1 in the search field. Open and complete the form.

vii. Additional payment guidance is available at:

[http://www.epa.gov/ocfo/finservices/make\\_a\\_payment.htm](http://www.epa.gov/ocfo/finservices/make_a_payment.htm)

b. A copy of the check or money order or other proof of payment submitted in fulfillment of the penalty payment requirements of this order shall be sent to the following:

U.S. Environmental Protection Agency  
Regional Hearing Clerk (3RC00)  
1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

and

Mr. Douglas Frankenthaler (3RC20)  
Assistant Regional Counsel  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

- c. A transmittal message identifying the case name and docket number identified above shall accompany the remittance and copies of the check or transfer instrument.
35. Within thirty (30) days of the effective date of this ORDER, Respondent agrees to certify, in writing to EPA pursuant to Paragraphs 39 and 40 that it is operating in full compliance with its NPDES Permit, and that it is complying with all relevant provisions of the CWA at the Facility. Such certification will be submitted to EPA pursuant to the notification provisions of this CAFO.
36. Upon the effective date of this ORDER, Respondent has implemented and has agreed to continue to implement the "Standard Operating Procedure for NPDES Permit Compliance" or SOP, a compendium of documents which was prepared by Respondent, agreed upon by EPA and Respondent, and which is identified in Exhibit 2 hereto and incorporated by reference into this CAFO.
37. To the extent that the SOP is modified within three hundred and sixty-five (365) days of the effective date of this CAFO, Respondent agrees that a copy of such modified SOP will be submitted to EPA along with a document noting the modifications made pursuant to the notification and submission provisions of this CAFO.
38. Failure to pay the penalty assessed by this ORDER after its effective date subjects the Respondent to a collection action under Section 309(g)(9) of the CWA, 33 U.S.C. § 1319(g)(9). The validity, amount and appropriateness of the penalty are not subject to review in a collection proceeding. *See* 15 U.S.C. § 2615(a)(4)(A). Pursuant to 31 U.S.C. § 3717, EPA is entitled to assess interest on unpaid penalties, and a charge to cover the cost of processing and handling a delinquent claim. Interest will begin to accrue on this civil penalty if it is not paid within fifteen days of the date due. Interest will be assessed at the rate of the United States Treasury tax and loan rate. 40 C.F.R. § 13.11. In addition, a quarterly nonpayment penalty charge may be assessed on any delinquent debt pursuant to Section 309(g)(9) of the CWA, 33 U.S.C. § 1319(g)(9). In addition, EPA will assess a \$15.00 administrative handling charge for the administrative handling charge for administrative costs for the first 30 day period after the payment is due and an additional \$15.00 for each subsequent 30 days the penalty remains due.



39. All notifications and submissions required by this CAFO, shall be made to:

Mr. Douglas Frankenthaler (3RC20)  
Assistant Regional Counsel  
U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029  
Telephone: (215) 814-2472

40. All submissions provided pursuant to this Order shall be signed by Respondents and shall include the following certification:

"I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

#### **IV. GENERAL PROVISIONS**

41. This CAFO shall not relieve Respondents of its obligation to comply with all applicable provisions of federal, state or local law and ordinance, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit. This CAFO does not constitute a waiver, suspension or modification of the requirements of the CWA.
42. This CAFO resolves only the civil claims for the specific violations alleged herein. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, this settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the Clean Water Act, 33 U.S.C. §§ 301 *et seq.*, the regulations promulgated there under, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following its filing with the Regional Hearing Clerk.
43. Nothing in this CAFO shall be construed as prohibiting, altering or in any way eliminating the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent's violations of this CAFO or of the statutes and regulations upon which this CAFO is based or for Respondent's violation of any applicable provision of law.
44. The penalty described above, shall represent civil penalties assessed by EPA and shall not be deductible for purposes of Federal taxes.

45. This CAFO is conditioned upon the accuracy of the Respondent's representations to EPA. EPA reserves the right to institute a new and/or separate action should Respondents fail to comply with the terms of this CAFO. That right shall be in addition to all other rights and causes of action, civil or criminal, the EPA may have under law or equity in such event.
46. The undersigned representative of Respondent certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this CAFO and to execute and legally bind Respondent to it.
47. All of the terms and conditions of this CAFO together comprise one agreement, and each of the terms and conditions is in consideration of all of the other terms and conditions. In the event that this CAFO, or one or more of its terms and conditions, is held invalid, or is not executed by all of the signatories in identical form, or is not approved in such identical form by the Regional Administrator or his designee, then the entire CAFO shall be null and void.

**V. EFFECTIVE DATE**

48. This CAFO will be issued after a forty (40) day comment period, execution by an authorized representative of the EPA and filing with the regional hearing clerk. It will become final and effective 30 days after issuance.

FOR RESPONDENT ~~Super Concrete Corporation~~:

By: \_\_\_\_\_




Name: \_\_\_\_\_

STEPHEN WARD

Title: \_\_\_\_\_

VICE PRESIDENT

SO ORDERED in *Super Concrete Corporation*, Dkt. No. CWA-03-2017-0024, pursuant to 33 U.S.C. § 1319(g) and 40 C.F.R. Part 22, this 7<sup>th</sup> day of September, 2017.

  
for Dominique Lueckenhoff, Acting Director  
Water Protection Division



### Exhibit 1

Date or Week	Parameter	Description
2/21/12	Flow, TSS, Oil and Grease, BOD, pH	Monitoring and Reporting
Week of 6/3/12	pH	Monitoring and Reporting
6/4/12	Flow, TSS, Oil and Grease, BOD	Monitoring and Reporting
6/5/12	Flow, TSS, Oil and Grease, BOD	Monitoring and Reporting
6/13/12	Flow, TSS, Oil and Grease, BOD, pH	Monitoring and Reporting
7/20/12	Flow, TSS, Oil and Grease, BOD	Monitoring and Reporting
7/21/12	Flow, TSS, Oil and Grease, BOD	Monitoring and Reporting
8/10/12	Flow, TSS, Oil and Grease, BOD	Monitoring and Reporting
8/13/12	Flow, TSS, Oil and Grease, BOD, pH	Monitoring and Reporting
9/11/12	TSS	Incorrect Reporting on DMR
9/12/12	Flow, TSS, Oil and Grease, BOD	Monitoring and Reporting
2/5/14	TSS	Permit Limit Exceedance
1/5/15	TSS	Permit Limit Exceedance

Exhibit 2

Standard Operating Procedure for NPDES Permit Compliance

# MAR Water Sampling Training Checklist

Site: \_\_\_\_\_ Date: \_\_\_\_\_ Trainer: \_\_\_\_\_

Participants: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. Introduction - Explain why we are making the changes:
  - Meetings with VADEQ inspectors - suggested updates to program
  - Discussions with Phase I labs resulted in additional quality control (QC) in our sampling program to ensure the quality of our samples and sample results
2. Envoy Site Procedure
  - Show them how to access the Envoy site procedure.
  - Provide a line by line discussion -- Emphasize the importance of knowing their specific NPDES limits and reporting of exceedances.
  - Stress that if outfalls are added or deleted from a site, Lisa Hunt and I need to know before any changes are made or any new outfall is constructed (this applies primarily to sand and gravel mines)
3. Water Sampling Procedure (the how to take a sample and do a pH test instructions).
  - Reassure them it is not as complex or tough as it looks. Cover everything on the sheet.
  - Stress the need to comply with holding times and temperatures. Make note if the site(s) will use a refrigerator to store samples or put them straight into a cooler.
  - Show them the new thermometers and explain how the calibration certificates will be documented. Explain thermometers will be replaced annually for testing and fridge and that there is an action plan entered in for their site so they can call me to order a new thermometer before the old one expires.
  - Check the buffers they have on hand to make sure they are not expired and restock as needed. Show them where the lot number and expiration dates are.
  - Show them sample labels and integrity seals.
  - Review exactly how to properly complete a chain of custody form
  - Explain how to obtain sample bottles and coolers.
4. Water Testing Log Book
  - Review the pH testing log form and give them their new books.
  - Instruct them to archive and keep their old water testing log books in the site's Environmental Files. Make a note on where this is located.
5. Hands-on Training - Go out to the outfall and have each person physically complete:
  - Properly collecting water samples.
  - Doing a pH test - make sure they understand how operate device
  - Sets up a buffer solution and the cup of tap water for rinsing tip the probe tip,
  - Knows how to take a calibration reading and how to take a measurement (e.g. what buttons to push and the technique - 2 minutes swirled with probe and thermometer in buffer packet)
  - Storing a pH meter (keep bulb wet and vertical in a coffee mug or hanging on a wall).
  - Emphasize that if a bulb dries out, they must soak the tip in tap water for at least 30 minutes before trying to do a calibration and test a sample.
  - Packaging samples for shipping
  - Filing out labels and chain of custody
6. Demonstration of Competency
  - Review the new Demonstration of Competency form
  - Observe each person complete four full sets of pH calibrations with fresh water samples each time.
  - Complete the Certification of Initial Competence form. Make a copy for the site Environmental File and return the original to Greenbelt along with this site training checklist.



## Aggregate Industries Mid-Atlantic Region

### Water Sampling Methods

The following procedure details how water samples are collected and tested and/or submitted for analysis in order to comply with National Pollutant Discharge Elimination System (NPDES) permits.

Operational personnel are responsible for quality of water discharged from their facilities and shall ensure that discharged water meets local, state and federal requirements. The parameters a site must test and the frequency are specified in the site water permit.

Site managers, and Site Environmental Representatives are required to read the site water discharge permit and be familiar with its requirements and discharge limits.

#### Exceedances

If a sample is outside of compliance limits then immediate measures must be undertaken to halt discharge (if possible) and correct the problem. Continued discharge of non-compliant waters, without mitigation efforts is a serious permit violation.

Operational personnel must notify the Environmental Department as soon as possible to report the problem. The environmental department shall notify appropriate agencies in accordance with permit requirements. The Environmental Department shall advise and assist operational personnel on mitigation efforts. Additional water samples will likely be required.

#### Water Tester Demonstration of Capability

All personnel responsible for water testing must perform an Initial Demonstration of Capability before the Regional Environmental Advisor or other designated qualified individual. Signed Certifications must be recorded in Envoy and kept with the water sampling logs.

#### Sampling Frequency

All samples shall be collected at the frequency the site discharge permit requires. For monthly or quarterly sampling, samples should be collected in the first week of a month (if discharge occurs) to allow return of lab results and retesting within the same month if there are problems. If discharge is intermittent, samples shall be collected during the first day of flow.

## Sampling Parameters

Version 3.1, May. 7, 2013, SIH

### 1. Total Suspended Solids:

#### **Materials:**

Two 1-Liter plastic bottles, cooler of ice, labels, and Chain-of-Custody Form

#### **Procedures:**

1. Once sampling event has been determined, schedule pick-up with the laboratory. Sample must get to the lab and be analyzed **within 7 days** of collection.
2. Have a cooler with an ice bath ready for holding and shipping the samples.
3. Ensure the discharging water is representative for normal discharging conditions.
4. At the outfall, rinse bottle three times with flowing water before collecting the sample.
5. Hold the rinsed bottle at a cross section of the outfall and collect at least 1-liter for the sample.
6. **Repeat** Steps 4-5 with the second bottle. Label this bottle "QC" and the outfall number. If the site has multiple outfalls only one outfall needs to have a repeat QC sample.
7. Labeled the bottles with the sample to be tested, sample number, date, and time of sample. Put integrity tape over cap.
8. Place the bottles in the cooler and prepare cooler for shipping or refrigerated.
9. Sample must be chilled to between 4 °C (39 °F) but above 0 °C (32 °F).
10. Complete the Chain-of-Custody and affix it to the cooler to be shipped along with the sample. This form includes: name of sampler, time/date sampled, material sampled, location ID, and the date/time the sample is released to laboratory.

### 2. Settleable Solids:

**Do not collect samples on a Friday as they must be analyzed within 48 hrs.**

#### **Materials:**

Two 1-Liter plastic bottles, cooler of ice, labels, Chain-of-Custody Form

#### **Procedures:**

1. Once sampling event has been determined, schedule pick-up with the laboratory. Sample must get to the lab and be tested **within 48 hours** of collection.
2. Have a cooler with an ice bath ready for holding and shipping the samples.
3. Ensure the discharging water is representative for normal discharging conditions.
4. At the outfall, rinse bottle three times with flowing water before collecting sample.
5. Hold the rinsed bottle at a cross section of the outfall and collect at least 1-liter for the sample.
6. Repeat Steps 4-5 with the second bottle.
7. Labeled the bottles with the sample to be tested, sample number, date, and time of sample. Put integrity tape over cap.
8. Place the bottles in the cooler and prepare cooler for shipping.
9. Sample must be chilled to between 4 °C (39 °F) but above 0 °C (32 °F).
10. Complete the Chain-of-Custody and affix it to the cooler to be shipped along with the sample. This form includes, name of sampler, time/date sampled, material sampled, location ID, and the date/time the sample is released to laboratory.

### 3. pH:

(Reference: Standard Methods 4500 H<sup>+</sup> 22<sup>nd</sup> Ed 2011.)

#### **Materials:**

- pH Tester
- Pouches of Buffer Solution 4, 7, and 10 (you will need pH 7 from two different lots)
- Thermometer with certificate of calibration
- Spray bottle with distilled or tap water
- Clean container for sample collection (bucket, cup, bottle)

#### **Procedures:**

1. Visually inspect electrode to ensure proper working conditions (no chloride precipitate, scratches, deterioration, etc.).
2. Calibrate the pH tester using Buffer Solutions 4, 7, and 10. Results should be  $\pm 0.1$  units of known value. Sample must be measured **within 15 minutes** of collection time.
  - Remove cap from pH tester.
  - Press On/Off button to switch tester on.
  - Open pouch of **pH 4 Buffer**. Insert a thermometer, and dip the pH tester directly in pouch about 2-3 cm.
  - Press the CAL button on the tester to enter the calibration mode. The 'CAL' indicator will be shown on the screen. The upper display will show the measured reading based on the last calibration while the lower display will indicate the pH standard buffer solution.
  - Allow 2 minutes for the tester reading to stabilize before pressing the HOLD/ENT to confirm the first calibration point. The upper display will be calibrated to the pH standard buffer solution and the lower display will then be toggling in between readings of the next pH standard buffer solution.
  - Record results of temperature and pH reading on data collection sheet.
  - Rinse the electrode with water from the spray bottle. **Repeat with pH 7.**
  - Rinse the electrode with water from the spray bottle. **Repeat with pH 10.**
3. **Test Sample:**
  - At the outfall, rinse the collection container three times with flowing water before collecting sample.
  - Collect a sample and dip the electrode about 2-3 cm into the water. Gently swirl the sample while the probe is in the water.
  - Once the pH reading has stabilized, press the HOLD/ENT button to freeze the reading.
  - Enter the pH reading on to the data sheet.
  - Take a temperature reading of the sample using the thermometer. Once the temperature has stabilized, enter it on the data collection sheet.
4. Rinse probe and test probe accuracy by **testing pH 7.0 buffer again**. You must use pH 7.0 solution with a different lot number than the first test. If you do not get a reading within pH 6.9 and pH 7.1 repeat the entire calibration process. If you still do not get a reading within the range, there is a problem with the meter. Contact the Environmental Department for a replacement.
4. For quality control purposes **Repeat pH test** with a second sample collected from the same outfall collected at least 15 minutes after the first sample. This second sample should be recorded as "QC" plus the outfall number in the log book. If the site has multiple outfalls, this QC test is only required for one outfall at the site.



- Rinse the electrode with water from the spray bottle and put 0.5 inches of water in the cap of the tester for storage. **The electrode must remain moist while not in use.** PH Probes should be stored vertically, not on their sides, to ensure the probe stays wet. A bit of sponge or a cotton ball can be placed in the cap to help ensure it stays moist.

#### 4. Oil and Grease:

##### **Materials:**

Clean container for sample collection (bucket, cup, bottle)  
Three 1-Liter glass bottles pre-packed with preservative provided by Laboratory

##### **Procedures:**

- Once sampling event has been determined, schedule pick-up with the lab. Sample must be tested **within 28 days** of collection.
- Have a cooler with an ice bath ready for holding and shipping the samples.
- Ensure the discharging water is representative for normal discharging conditions.
- Hold glass lab bottles at a cross section of the outfall and collect sample without splashing out the preservative. Do not use a cup or bucket to collect the sample – **Sample must go directly from the outfall into the glass lab bottle.**
- Label the bottles with the sample to be tested, sample number, date, and time of sample. Put integrity tape over cap.
- Place the bottles in the cooler and prepare cooler for shipping.
- Sample must be chilled to between 4 °C (39 °F) but above 0 °C (32 °F).
- Complete the Chain-of-Custody and affix it to the cooler to be shipped along with the sample. This form includes, name of sampler, time/date sampled, material sampled, location ID, and the date/time the sample is released to laboratory.

#### 5. Biological Oxygen Demand:

**Do not collect samples on Monday mornings or Fridays. These samples require a 5 day incubation period and can not be tested on the weekends.**

##### **Materials:**

Two 1-Liter plastic bottles, Cooler of ice, Chain-of-Custody Form

##### **Procedures:**

- Once sampling event has been determined, schedule pick-up with the Lab.
- Sample must be sent to the lab immediately so testing can be started **within 48 hours** of collection.
- Have a cooler with an ice bath ready for holding and shipping the samples.
- Ensure the discharging water is representative for normal discharging conditions.
- At the outfall, rinse bottle three times with flowing water before collecting sample.
- Hold the rinsed bottle at a cross section of the outfall and collect at least 1-liter for the sample.
- Repeat Steps 4-5 with the second bottle.
- Label the bottles with the sample to be tested, sample number, date, and time of sample. Put integrity tape over cap.
- Place the bottles in the cooler and prepare cooler for shipping.
- Sample must be chilled to between 4 °C (39 °F) but above 0 °C (32 °F).
- Complete the Chain-of-Custody and affix it to the cooler to be shipped along with the sample. This form includes, name of sampler, time/date sampled, material sampled, location ID, and the date/time the sample is released to laboratory.

## **6. Total Recoverable Iron**

### **Materials:**

Clean container for sample collection (bucket, cup, bottle)  
Two 250 ml HDPE plastic bottles pre-packed with nitric acid (50% concentration)  
preservative provided by Laboratory

**Safety Note:** Open bottle in a well-ventilated area. If bottle has been stored for more than a month you may notice yellowing of the plastic and a smoky vapor coming from the bottle when opened - no not inhale the fumes as they are corrosive.

### **Procedures:**

1. Once sampling event has been determined, schedule pick-up with the lab. Sample must be tested **within 6 months** of collection.
2. Ensure the discharging water is representative for normal discharging conditions.
3. Wear goggles and acid proof gloves when collecting the sample.
4. Hold lab bottles at a cross section of the outfall and collect sample without splashing out the preservative. Do not use a cup or bucket to collect the sample.  
**Sample must go directly from the outfall into the plastic lab bottle.**
5. Labeled the bottles with the sample to be tested, sample number, date, and time of sample. Put integrity tape over cap.
6. Bottles do not require cooling, but they can be placed in the cooler with the other sample bottles for shipping.
7. Complete the Chain-of-Custody and affix it to the cooler to be shipped along with the sample. This form includes, name of sampler, time/date sampled, material sampled, location ID, and the date/time the sample is released to laboratory.

## **4. Total Petroleum Hydrocarbons (TPH):**

### **Materials:**

Clean container for sample collection (bucket, cup, bottle)  
Two 1-Liter amber glass bottles

### **Procedures:**

1. Once sampling event has been determined, schedule pick-up with the lab. Sample must be tested **within 7 days** of collection.
2. Have a cooler with an ice bath ready for holding and shipping the samples.
3. Ensure the discharging water is representative for normal discharging conditions.
4. Hold glass lab bottles at a cross section of the outfall and collect sample without splashing out the preservative. Do not use a cup or bucket to collect the sample -  
**Sample must go directly from the outfall into the glass lab bottle.**
5. Labeled the bottles with the sample to be tested, sample number, date, and time of sample. Put integrity tape over cap.
6. Place the bottles in the cooler and prepare cooler for shipping.
7. Sample must be chilled to between 4 °C (39 °F) but above 0 °C (32 °F).
8. Complete the Chain-of-Custody and affix it to the cooler to be shipped along with the sample. This form includes, name of sampler, time/date sampled, material sampled, location ID, and the date/time the sample is released to laboratory.

**Thermometer Note:** All thermometers must be NIST traceable with a current certificate (certificates are good for one year only). Label thermometer or water testing log book with the certificate expiration date. Certificates must be filed with the water testing log books. Notify the Environmental Department for a replacement, before the certification expires.

**Buffer Solution Note:** Buffer solutions should be stored in doors and protected from excessive heat or freezing. Buffer solutions should not be used if they are past their expiration date as marked on the box.

**Refrigeration Note:** If samples are kept in a refrigerator for any period of time, the refrigerator must be equipped with an NIST certified thermometer with a current certificate. The temperature reading must be take and recorded in the log book when the samples are placed in the refrigerator and when they are removed.

**Flow Measurement Note:** Flow can be measured by: 1) Recording the pump capacity (e.g gallons per minute) also record the number of hours the pumps ran that day to get the total discharge; 2) Recording the time it takes to fill a known volume (e.g. gallons per minute); 3) Using a flow meter; 4) Other method approved by the Environmental Department for special circumstances.

#### **Record Keeping and Reporting:**

- The Site Environmental Representative, or other person approved for water sampling by the Environmental Department, must keep a logbook of the sampling date and time, pH calibrations, and pH readings and sample temperature.
- The water sampling log book must be kept on-site and available for inspection for at least five (5) years.
- Laboratory testing results are sent to the site representative and the Environmental Department. Results must be reviewed by each upon receipt to determine if parameters do or do not exceed permit limits. If there is an exceedance, prompt notification and reporting to regulatory authorities is required.
- The Environmental Department shall track water analysis and results for all facilities covered under a NPDES permit.
- The Environmental Department shall prepare the Discharge Monitoring Reports and forward to the appropriate agencies.



## SPR6 - Water Sampling - Version 3.3

Owner: Sharon HOGAN

Status: Published Version: 3.3

Categories: Environment

Required for these Roles: RMC Plant Mgr, Site Representative Environment, Water Sampler

Required for Work in these Areas:

Distributed to these people in Dashboard/Documents: Regional Environmental Advisor

### Details

#### Fort Totten Water Sampling Procedure

Under the Fort Totten NPDES Permit DC0000175, water testing and monthly Discharge Monitoring Reports (DMRs) are required. DMR reporting intervals are from the 6th of the preceding month to the 5th of the current month (for example, all samples collected from March 6th to April 5th are to be submitted for the March DMR report). All Water Testing Log pages for that interval are to be submitted to the regional Environmental Advisor. DMR reports are to be submitted to EPA and the DC DOE by the 15th of the following month.

**Outfall:** The site has one active outfall - 004a

**Frequency of Testing:** Water samples must be collected each day that a discharge occurs.

**Parameters:** Flow (measured) Monthly Avg and Daily Max (gpm - gallons per minute)  
Daily Total Gallons Discharged Needed to calculate TSS loadings  
pH Limit 6.0-8.5 Standard Units (SU)  
Total Suspended Solids (TSS) Limit Concentration Avg 23.4 mg/l Max 46.8 mg/l  
Loading Avg 33 lbs /day Max 66 lbs /day  
Oil & Grease Limit Avg 10 mg/l Max 15 mg/l  
BOD - no limit, just measure

Follow the attached Water Sampling Procedure for collecting, testing, packaging, shipping and documenting water samples. On-site and laboratory testing procedures must conform to 40 CFR Part 136 and subsequent updates.

Any individual collecting water samples for DMR reporting purposes must perform and complete **Water Tester Demonstration of Capability** training.

**Laboratory Report Review:** Laboratory analyses are conducted by Phase Separation Sciences. The laboratory will email analytical results to the site Water Sampler and to the regional Environmental Advisor. Reports are to be reviewed upon receipt to verify that test results for TSS, BOD and Oil & Grease are within permit limits.

#### Exceedances

If a sample is outside of compliance limits (in-line pH or TSS meter readings) ensure the diverter valve is recirculating the water back into the water treatment unit pits. Continued discharge of non-compliant waters without mitigation efforts is a serious permit violation. If a laboratory report is returned with an analytical parameter outside of permit limits (TSS, Oil & Grease) halt further off-site discharges until a complete

inspection and repair of the treatment unit and/or meters is completed. Document repairs in the Daily Environmental Log

Operational personnel must notify the Environmental Department as soon as possible to report the problem. The Environmental Department shall notify appropriate agencies in accordance with permit requirements. The Environmental Department shall advise and assist operational personnel on mitigation efforts. Additional water samples will likely be required

**Other Restrictions:** Water shall not be discharged in amounts or combinations that do any of the following

- 1 Has material that settles out to form objectionable deposits;
- 2 Has floating debris, scum, oil or other matter that creates a nuisance.
- 3 Produces objectionable odor, color, taste or turbidity;
- 4 Causes injury to, is toxic to, or produces adverse physiological or behavioral changes in humans, plants or animals.
- 5 Produces undesirable or nuisance aquatic life or results in the dominance of nuisance species, or
- 6 Impairs the biological community that naturally occurs in the waters or depends upon the waters for its survival and propagation

**Additional Reporting:** The Environmental Department shall submit an annual summary of the DMR data to US EPA Region III and the NOAA National Marine Fisheries Service by February 15th of each year

**Record Retention:** Water Testing Logs, laboratory analytical results, flow records, and treatment unit calibration and maintenance records must be retained for a minimum of 5 years per Aggregate Industries policy

#### References (3)

- ↗ Water Sampler Initial Demonstration of Compliance
- ↗ Water Sampling Procedure ver 3.0 9-08
- ↗ Water Testing Log Form

**Site:** MA-Fort Totten RMC

**Created:** 19-May-2015 09:58 by Sharon HOGAN

**Last Updated:** 19-May-2015 10:52 by Sharon HOGAN



# SPR20 - Water Management Ahead of Storms - Version 1.3

Categories: Environment

Required for these Roles: Regional Environmental Advisor, RMC Ops Mgr, RMC Plant Mgr, Site Representative Environment, Water Sampler

This procedure is to be used to prepare the site to manage excess water, particularly when heavy rains or hurricanes are forecast that could require handling of large amounts of storm water on site that may test the site's storm water containment capacity.

## Objective:

- Ensure no untreated process water is discharged from the site
- Ensure water does not overtop the perimeter containment wall

## Procedures:

1 **Routine Water Management** - Rain water runoff from the Fort Totten site is to be collected by gravity flow or pumping in washpits, sediment traps, cistern, water storage basin, water storage pits and the lower yard. This allows harvesting of the rain water for plant and site operations such as truck washing and rinsing, plant water and to fill the water truck for dust suppression.

Water levels in site catchments and lower yard are to be monitored daily by a Plant Manager and/or Area Manager. If water levels are within two feet of the top of the perimeter wall in the southeast corner, weather forecasts and expected water consumption shall be monitored daily to determine if water treatment and discharge is needed to maintain the minimum freeboard.

**Minimum Freeboard:** The water level in the lower yard shall be kept at least one foot below the top of the perimeter retaining wall in the south east corner (except under active hurricane conditions - see step 3 below)

2 **Pre-Storm Management** - When heavy rains or hurricanes are forecast to potentially impact the site, immediate steps are to be taken to ensure that the washpits, sediment traps, cistern, water storage basin, water storage pits and the lower yard flood area have maximum storage capacity to collect the expected volume of storm water. These steps include

- Treatment and discharge of water stored on site to increase water storage capacity
- Removal of sediment and clean out of pits and basins to maximize water storage capacity.
- Inspection and testing of water treatment units, topping off of the acid treatment tanks, and laying in 30-gallon acid drums and replacement filtration bags for the backup unit prior to the storm.
- Arrangements for around-the-clock staffing of the facility to manage the expected storm water and operate the treatment units if it is necessary and safe to do so
- Preparing the generator to serve as a back up power supply to the treatment units
- Notes on storm preparation activity should be recorded in the Daily Inspection Log
- Coordinate with the Environmental Department on preparations and site status



3 **Storm Management** - During the storm, monitor water levels in storage areas and adjust activities as needed to control the situation without jeopardizing worker safety. Options include:

- Continuous 24-hour treatment and discharge of storm water
- Use of the backup treatment unit for additional treatment capacity.
- Providing hook up to the on-site generator to run treatment units and pumps if the power goes out
- Monitoring water levels in the lower yard
- Storage of excess water in mixer truck drums
- Construction of temporary dikes made of waste concrete and solids to block storage bays to contain excess water.

4 **Dealing with Uncontrolled Discharges** - If storm intensity or worker safety protection results in a concern that continued rainfall will cause the lower yard containment wall to overtop, the following measures are to be taken:

- Notify the regional VP/GM and the Environmental Advisor as soon as possible so that EPA Region III and DC Department of Environmental Protection can be alerted.
- If it is safe and possible to do so, collect a water sample of the overflow water for pH testing and send samples to the laboratory for the standard analytical tests
- If an overtopping event occurs, document the onset and cessation of the event and an estimate of the total gallons released
- Continue treating and discharging water through the outfall if possible to lower water levels as quickly as possible.
- Document actions taken before, during and after the incident and work with the Environmental Department on reporting to the regulatory agencies.

**Site:** MA-Fort Totten RMC

**Owner::** Sharon HOGAN

# Aggregate Industries EMS ISO14001 Site Compliance Checklist

Ver. 2.3, 05-13-15, SIH

Site Name: \_\_\_\_\_ Date: \_\_\_\_\_

Auditor: Sharon Hogan Plant Manager: \_\_\_\_\_

The purpose of this checklist is to verify the compliance of all sites with Corporate Procedures 1-16 that specify the EMS actions required to implement the standards listed in "Environmental Management Systems -- Requirements with guidance for use" ISO 14001 2004(E)

Note: There are repetitions of requirements in the CPRs. A requirement is listed only once in the checklist under the heading of the first CPR in which it appears

CPR 1 - Environmental Aspects	Yes	No	N/A	Comments
1. Have there been significant changes in the site activities in the past year?				
2. Have new regulatory requirements related to site activities been implemented in the past year?				
3. Was the Envir. Policy updated in the past year?				
4. Have all site activities been identified in Envoy Site Structure and Profile?				
5. Have all significant Impacts for each Activity been identified?				
6. Have all significant Aspects been assessed?				
<b>CPR 2 - Legal &amp; Other Requirements</b>				
1. Have all applicable laws and regulations for the site been identified and listed in Envoy?				
2. Is the listing in Envoy up-to-date regarding changes or revisions to applicable laws?				
3. Have all agreements with Public Authorities or other requirements been listed in Envoy?				

4. Has site management notified the Environmental Dept of any changes in site activities prior to implementation to ensure regulatory compliance?		
5. Are all required Permits, Plans, Reports, and Records listed in the Legislation and Permits or Plans and Records sections of Envoy?		
6. Are copies of Permits, Plans and related correspondence available and up-to-date in the on-site Environmental Fact File?		
<b>CPR3 - Objectives &amp; Targets</b>		
1. Has an Objective been established?		
2. If yes, has the Objective been approved by the Regional VP and documented in Envoy?		
3. If yes, does the Objective have measurable Targets with specific Completion Dates?		
4. If yes, has the Objective been reviewed and Evaluation Dates scheduled in Envoy?		
5. If yes, has a narrative been entered Envoy summarizing actions resulting from each Evaluation?		
6. If yes, has a Responsible Person been assigned to each Objective and Target?		
7. If yes, has the Objective been communicated to the affected site employees?		
<b>CPR4 - Environmental Management Programs - no audit questions</b>		
<b>CPR5 - Structure &amp; Responsibility</b>		
1. Are all employees working at the site listed in the Roles and Responsibilities section of Envoy?		
2. Are all off-site employees with relevant support roles associated with the site listed in the Roles and Responsibilities section of Envoy?		
3. Have Roles been assigned to all employees and are they current?		



	<p>4. Has the Role of Environmental Site Representative been assigned for the site and is it current?</p>	
	<p>5. Is Envoy being used to ensure flow of information between the site regional members of the Environmental Team, the Regional Environmental Council and Operational Management?</p>	
	<p>5. Has this information flow been demonstrated by recording of Regional Environmental Team minutes/reports in Envoy?</p>	
	<p><b>CPR6 - Training, Awareness &amp; Competence</b></p>	
	<p>1. Is the Site Representative aware of the requirements and importance of the EMS and Environmental Policy and Site Procedures?</p>	
	<p>2. Is the Site Representative aware of the significant potential environmental impacts at the site?</p>	
	<p>3. Has site procedure training been linked to the appropriate roles?</p>	
	<p>4. Has the required environmental training for each employee been identified and listed in the Training section of Envoy?</p>	
	<p>5. Have the intervals for re-training on key requirements been identified in Envoy?</p>	
	<p>6. Are all employees up-to-date or required training?</p>	
	<p>7. Have all new employees received Environmental Awareness Training and had this recorded in the Training section of Envoy?</p>	
	<p>8. Has the site adequately communicated the Environmental Policy Significant Aspects and Objectives and Targets to employees?</p>	
	<p>9. Is the Site Manager and site Environmental Representative able to access and competent in the use of ENVOY?</p>	
	<p><b>CPR7 - Communication</b></p>	

1. Have any Environmental Complaints been received at the site in the past year?		
2. Were complaints passed on to management and the Environmental Dept in a timely fashion?		
3. Was complaint recorded in Envoy with info on how complaint was investigated and resolved?		
4. Is the Environmental Policy displayed?		
5. Have all regulatory NOIs other enforcement actions been recorded in the Envoy External Communications including details on response actions?		
6. Have all Non-conformances identified by regulators or auditors been recorded in the Envoy Non-Conformances section?		
7. Have Action Plans for all Non-Conformances been entered as applicable?		
8. Have all required reports to regulatory agencies been identified and listed in the Legislation and Permits section of Envoy along with their filing deadlines and storage location?		
9. Have all letters, legal notices or non-conformances from regulatory authorities been communicated to operational management and the Environmental Department?		
<b>CPR8 - EMS Documentation - no audit questions</b>		
<b>CPR9 - Document Control</b>		
1. Do all Site Procedures have version numbers and revision dates?		
2. Are all posted or printed copies of site procedures on site the most recent version?		
3. Does the Site Representative know the location of all printed or posted copies of site procedures?		
<b>CPR10 - Operational Control</b>		

<p>1. Has a Site Procedure(s) been developed to address activities related to all Significant Aspects of the site?</p>		
<p>2. Are there Site Procedures addressing the Significant Aspects of goods and services used by the site?</p>		
<p>3. Are new Site Procedures needed to address new regulatory requirements or changes at the site?</p>		
<p><b>CPR11 - Emergency Preparedness and Response</b></p>		
<p>1. Does the site have an Emergency Response Plan?</p>		
<p>2. Does the plan adequately address potential environmental accidents and emergency situations?</p>		
<p>3. Is the Emergency Response Plan clearly posted in proper locations?</p>		
<p>4. Has the Emergency Response Plan been tested?</p>		
<p>5. If yes, describe how</p>		
<p>Periodic testing or drills</p>		
<p>Occurrence of environmental accident</p>		
<p>Occurrence of emergency</p>		
<p>6. If yes, has the test been recorded in Envoy?</p>		
<p><b>CPR12 - Monitoring &amp; Measuring</b></p>		
<p>1. Has the site's monitoring equipment (related to environmental permits/impacts) been identified?</p>		
<p>2. Are there procedures for maintaining and calibrating each type of monitoring equipment?</p>		
<p>3. Are calibration records for monitoring equipment kept and their location noted in Envoy?</p>		
<p><b>CPR13 - Nonconformance &amp; Corrective &amp; Preventive Action</b></p>		



<p>1. Have Nonconformances and Action Plans been entered in Envoy for all negative findings of internal and external audits?</p>			
<p>2. Have Nonconformances and Action Plans been entered in Envoy for findings during site-level inspections or other appropriate times?</p>			
<p>3. Have Nonconformances and Action Plans been entered into Envoy properly, including categorization, description, responsible person, and history?</p>			
<p>4. Do entries adequately describe the investigation of the cause of Nonconformances and appropriate action to prevent a recurrence and whether there is a need to modify site procedures?</p>			
<p><b>CPR14 - Records</b></p>			
<p>1. In addition to the records identified under CPR2, has the site established methods to store:</p>			
<p>Environmental inspection logs</p>			
<p>Preventative maintenance inspections</p>			
<p>Envir. / compliance monitoring data</p>			
<p>2. Are all records accessible, organized, identifiable, traceable, and legible?</p>			
<p>3. Are required document retention times identified in Envoy?</p>			
<p>4. Are proper record retention times being followed?</p>			
<p><b>CPR15 - EMS Audits and Compliance Audits</b></p>			
<p>1. Has the site had EMS and Compliance Audits within the previous calendar year?</p>			
<p>2. During audits, is completion of Action Plans from previous audits Verified?</p>			




**CERTIFICATE OF SERVICE**

I hereby certify that the original and one copy of the foregoing Consent Agreement and Final Order ("CAFO"), resolving *I/M/O Super Concrete Corporation*, Docket No. CWA-03-2017-0024, has been filed with the EPA Region III Regional Hearing Clerk and that I caused true and correct copies of the CAFO to be sent via Certified Mail, Return Receipt Requested and electronic mail to:

Hamilton Hackney, Esq.  
Dain, Torpy, Le Ray, Wiest & Garner, P.C.  
745 Atlantic Avenue, 5<sup>th</sup> Floor  
Boston, MA 02111

9/17/17  
Date

  
Douglas Frankenthaler  
Assistant Regional Counsel  
U.S. Environmental Protection  
Agency, Region III