COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY
TIDEWATER REGIONAL OFFICE
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Secretary of Natural Resources

David K. Paylor
Director

Maria R. Nold
Regional Director

July 21, 2016

Dan Wagoner, Superintendent Engineering
Dominion Terminal Associates LLP
600 Harbor Rd – Pier 11
Newport News, VA 23607

Re: Technical Inspection Report, VA0057576

Dear Mr. Wagoner:

Enclosed is a copy of the technical inspection report prepared for the inspection conducted on June 9, 2016. Please note the deficiencies cited in this report and implement appropriate corrective measures in order to ensure continued permit compliance. Within thirty (30) days of receipt of this report, you are requested to submit a letter documenting that the necessary corrections have been made.

If you have any questions regarding this report, please feel free to contact me at the above address or telephone (757) 518-2027.

Sincerely,

Steven J.E. Long
Environmental Specialist II

Enclosure

cc: DEQ/TRO: File

Note: This letter is not intended as a case decision under the Virginia Administrative Process Act, Va. Code § 2.2-4000 *et seq*.

Facility:	**Dominion Terminal Associates LLP**
County/city:	**Newport News**

VPDES NO.	**VA0057576**

DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTEWATER FACILITY
INSPECTION REPORT
PART 1

Inspection date:	**6/9/16**	Date form completed:	**6/28/16**
Inspection by:	**Steven J.E. Long**	Inspection agency:	**DEQ/TRO**
Time spent:	**8 hours**	Announced Inspection:	[ ] Yes [√] No
Reviewed by: **Kenneth T. Raum / 07-11-16** KTR		Photographs taken at site?	[√] Yes [ ] No
Present at inspection:	**Dan Wagoner – Superintendent Engineering**		

FACILITY TYPE:	FACILITY CLASS:
( ) Municipal	( ) Major
(√) Industrial	(√) Minor
( ) Federal	( ) Small
( ) VPA/NDC	( ) High Priority ( ) Low Priority

TYPE OF INSPECTION:					
Routine	√	Reinspection		Compliance/assistance/complaint	
Date of previous inspection:	**9/7/11**	Agency:	**DEQ/TRO**		

Population Served:		Connections Served							
Quarterly Effluent: 1st Quarter 2016, Outfall 001	pH (s.u.)	**7.8**	Flow (MG)	**0.396**	TSS (mg/l)	**4**			
	Other:								
Quarterly Effluent: 4th Quarter 2016, Outfall 001	pH (s.u.)	**7.6**	Flow (MG)	**0.936**	TSS (mg/l)	**5**			
	Other:								
1st Semi-annual 2015, Outfall 001,	TP (mg/L)	**0.02**	TN (mg/L)	**0.4**	Cu (ug/l) –Diss.	**5**	Ni (ug/l) –Diss.	**134**	Zn (ug/l) –Diss.	**75**
	Other:									

Data verified in preface:	Updated?		NO CHANGES?	√
Has there been any new construction?		YES		NO √
If yes, were the plans and specifications approved?		YES		NO **na**
DEQ approval date:	**na**			

COPIES TO: (√) DEQ/TRO; (√) OWNER

	PROBLEMS IDENTIFIED AT LAST INSPECTION:	CORRECTED	NOT CORRECTED
	Maintain a log book of freeboard measurements	√	
	Clean secondary containment structures.		*
	Remove rusting metals containers from stormwater exposure.	√	
	Nickel incorrectly reported as 0.011 mg/L.	√	

SUMMARY

	INSPECTION COMMENTS:
	Arrived at this facility at approximately 1325 for a routine site inspection. Attempted to meet with Mr. Wesley Simon-Parsons though found he is no longer with the company and instead met with Mr. Dan Wagoner. The purpose of the visit was discussed with the site survey conducted first and a review of documents completed after the survey. The visit ended at approximately 1545 with several documents requested electronically. Those documents were received on 6/15/16. Weather for the day of the visit was sunny, moderately warm with the last rainfall two days previously with approximately 0.3" received.
	The facility has one outfall for the entire site. There are three ponds associated with the facility; ponds #1 and #3 receiving direct runoff from the site. All ponds have pumps associated with them and can transfer water from one to the other two ponds. Pond #3 has the ability to recycle water to the opposite end of the pond. Water is pumped between the various ponds for improved settling of solids and mixing when sodium hydroxide is added for pH control. The pH is routinely checked (no discharge) to monitor the need for addition of sodium hydroxide solution and mixing if required.
	Several maintenance facilities for the material handling equipment are located throughout the facility. The north maintenance building was found with several significant housekeeping issues that have not been adequately managed. • **An area outside of secondary containment was observed with a large area of staining, appearing to be petroleum in nature and likely from use of the various hoses dripping outside of the concrete containment.** • **Several areas of the railroad track, near the north maintenance building, were observed with spilled materials within the track area. This is likely from parked locomotives that are leaking. The area had some oil absorbent materials within the track but this material has become saturated and is no longer effective. The staining in the gravel ballast of the railroad track provides some indication that this is an ongoing problem.** • **Another track area, just adjacent to the locomotive oil tank was found with drip pans and oil absorbent pads in place but the pans had gaps allowing any dripped materials to leak out and the pads again had been saturated with product and were no longer effective. The pans need to be connected and capable of capturing fluids from the leaking equipment; the pads need to be replaced and work practices employed to prevent the loss of materials to the ground.** • **The secondary containment for the locomotive oil was filled with materials and appeared to be leaking out of the concrete containment through a seam in the containment wall. At present, the secondary containment is compromised and if there was a catastrophic release, would likely not have the capacity within the structure to capture or retain the product in the containment. It was not determined if this material was water with a layer of oil or all oil. If there is a significant amount of water, the roof and sides of the covered structure should be checked for integrity to determine how the water in getting into the structure. The materials need to be removed to obtain appropriate capacity.** • **The south maintenance building was also found with problems. Grey colored, turbid water was observed running into a drop inlet. The flow was tracked to a broken pipe coming from a sink. A small pipe was observed actively flowing to the sink. The source of this water was not determined at the time of the site visit. This was the source of the runoff going to the inlet. Since the site visit the pipe has been repaired and the flow is directed to the sanitary sewer. Other pipes were observed with flow, some likely air conditioner condensate though without proper labeling, and inclusion on the site map cannot be verified.** • **Two power washers were observed onsite that if used are not currently authorized for discharge. The permit only includes stormwater with wash water not included. From discussions with Mr. Wagoner, power washing, vehicle rinse and conveyer belt washing does occur at the site. This information will be passed on to the permit writer for inclusion in the new permit due to be issued by the end of this year. None of the non-stormwater discharges are listed or included on the site map.**

INSPECTION COMMENTS (continued):	
	Many of these problems appear to be ongoing issues that should be found and corrected during the routine site inspections. Reviews of the recent inspection records do not find any of these issues and problems documented and corrected. See comments below for the information provided in the site inspections.
	While at the facility the Stormwater Pollution Prevention Plan (SWP3) and the Operation and Maintenance (O&M) Manual were observed. The SWP3 on site was signed on 10/13/12; the O&M Manual is dated January 2007. These documents were also provided for review electronically along with a discharge log, inspection, training and rainfall records. The annual Stormwater Management Evaluation, due each year by February 10th, also serves as the comprehensive site compliance evaluation. **The SWP3 appears to be complete with some minor edits required. Quarterly visual inspection (monitoring) in section 3.4 state that discharges are controlled by a valve and are scheduled. This section further notes that the samples are to be collected from an event of 0.1" and at least 72 hours from the previously measurable storm event. Since the discharge is controlled, it may not be associated with a specific rain event. Typically most discharges are conducted relative to the volume of water within the system and in anticipation of heavy rains to appropriately manage the freeboard within the ponds. This section can be changed to reflect the manual discharge.** **A quarterly site inspection frequency is noted in the SWP3 with a checklist included in the document. The check list is not being used for the routine site inspections. The current inspection provides: date reported and completed/closed; the area and a description. No findings are noted for any of the records reviewed with last four quarters of records provided. In consideration of the observations noted above the routine inspections are not finding and correcting the issues that are obviously present. The inspection routine does need to be expanded and the check list can be used though that too should be expanded. Four areas are found for the check list including; coal storage area, petroleum storage areas, maintenance areas and stormwater ponds. With multiple petroleum storage and maintenance areas present it may be appropriate to have specific areas identified and checked. This should help eliminate the issues observed. Additional areas can include the locomotive parking areas, all of the stormwater conveyances systems and the controls within that system. Section 4.5 of the plan also reports that "If applicable, follow-up procedures will be used to ensure that appropriate actions are taken in response to the inspections". As noted, there were no issues reported nor follow up information provided.** **The SWP3 also includes a form for the comprehensive site compliance evaluation though that is not used either. A review of the annual report finds a short review for the evaluation noting those that performed the inspections and that there were no situations that constituted non-compliance. The site conditions appear to be ongoing problems that should have been identified in the routine inspections and then reported in the annual evaluation. Additionally, detailed below, sampling for the second semi-annual period for 2015 was not completed and should have been noted as a non-compliance issue for the facility.**
	Only one item noted for the O&M Manual; it reports a previous Regional Director for the agency.
	<u>Laboratory Records review</u> **The 1st semi-annual 2015 monitoring was reviewed with no problems noted. A review of the agency files found information concerning missed monitoring for the 2nd semi-annual 2015 monitoring. A review of the eDMR filed for this period finds a report of "No Discharge". This is incorrect with discharges reported every month for the monitoring period. This report needs to be revised to reflect that discharges did occur but there was no monitoring conducted.** **A review of the monthly reports for March, April and May found no issues.**

	COMPLIANCE RECOMMENDATIONS FOR ACTION
	Update the site map to include all of the discharges including those non-stormwater discharges at the facility.
	Expand the routine site inspections to find and correct issues for the site including those observed during this visit.
	Insure that all aspects of permit compliance are reviewed, including sampling, and report non-compliance issues in the comprehensive site compliance evaluation.
	Resubmit the Discharge Monitoring Report for the 2nd semi-annual monitoring period eliminating the report of "no discharge" and instead report failure to monitor as required by the permit.
	Improve the housekeeping efforts around the north maintenance building; appropriately manage all materials to prevent spills and leakage. If a spill or leak does occur immediately provide for cleanup of the materials.

UNIT PROCESS:	**Effluent/Plant Outfall 001**

									YES	NO	NA
1.	Type of outfall		Shore Based		√	Submerged					
	TYPE IF SHORE BASED:										
2.	Wingwall		Headwall		Rip Rap		Pipe	√			
3.	Flapper valve present?									√	
4.	Erosion of bank area?									√	
5.	Effluent plume visible?										√
	Condition of outfall and the supporting structure?										
6.	GOOD	√	FAIR		POOR						
	FINAL EFFLUENT, EVIDENCE OF FOLLOWING PROBLEMS?										
	Oil sheen?										√
	Grease?										√
	Sludge bar?										√
	Turbid effluent?										√
	Visible foam?										√
7.	Unusual color?										√

COMMENTS:	**A discharge was not observed at the time of the visit.**

FACILITY: Dominion Terminal Associates LLP **VA0057576**

UNIT PROCESS:	**INDUSTRIAL POND**

										YES	NO	NA
1.	Type of filters	Aerated		Polishing	√	Unaerated						
2.	Number of cells	**3 ponds**										
3.	Number cells in operation	**3**										
	Operation of system											
4.	Series		Parallel		Other:	√						
	Color				Light Brown							
5.	Gray	√	Brown		Green		Other:					
	EVIDENCE OF THE FOLLOWING PROBLEMS:											
	Vegetation in lagoon or dikes?										√	
	Rodents burrowing on dikes?										√	
	Erosion?										√	
	Sludge bars?										√	
	Excessive foam?										√	
6.	Floating material?										√	
7.	If aerated, are lagoon contents mixed adequately?											√
8.	If aerated, is aeration system operating properly?											√
9.	Odors:	Septic		Earthy		None	√	Other:				
10.	Fencing intact?											√
11.	Grass maintained properly?											√
12.	Level control valves working properly?									√		
13.	Effluent discharge elevation?	Top		Middle	√	Bottom						
14.	Freeboard											
15.	Appearance of effluent?	GOOD		FAIR		POOR						√
	Are monitoring wells present?											√
	Are wells adequately protected from runoff?											√
16.	Are caps on and secured?											√

COMMENTS:	**All ponds have transfer pumps associated with them with flow from one pond to the other two possible. Final discharge is out of pond #2. The pH is adjusted using sodium hydroxide, typically added to pond #1 and recirculated from that pond to the others.**

1) Pump station #4 with water running to the station. Coal fines are captured just prior to the pump station.

2) View from the south side of pond #2 with the final effluent to Outfall 001 originating just below this location. Pond #1 is directly behind this pond with #3 found behind the right corner.

3) North maintenance building area with stained ground.

4) Same areas as #3, different viewpoint.

5) Railroad tracks with petroleum saturated area between the rails leaking to the ballast on each side of the track. This continues to the left and the building in the background.

6) Further down the track from that shown in #5 with other areas of staining.

7) Catch pan for locomotive parking but with a cap in the pan only allows for leakage.

8) Tank labeled locomotive oil with the secondary containment structure almost filled. Oil was observed on the top and appears to be leaking out of the containment structure with a seam found between the two levels of the structure.

9) Water flowing to a drop inlet.

10) Source of the water traced along this flow path back to a broken pipe shown in #11.

11) The pipe along the wall is broken open and leaking out on to the ground. This has since been fixed with the flow sent to the sanitary sewer.

12) A small copper tube was discharging water to the sink with the sink connected to the pipe shown in #11. The source of the water was not determined at the time of the site visit.