



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**DIVISION OF WATER RESOURCES**  
Memphis Environmental Field Office  
8383 Wolf Lake Drive  
Bartlett, TN 38133-4119  
Phone (901)371-3000 Statewide 1-888-891-833 Fax (901)371-3170

October 12, 2021

CERTIFIED MAIL: 91 7108 2133 3932 2042 5603  
RETURN RECEIPT REQUESTED

Mr. David Schwend  
President  
Buzzi Unicem Ready Mix LLC dba Memphis Ready Mix  
1029 John A. Denie Road  
Memphis, TN 38134

Re: Notice of Violation  
National Pollutant Discharge Elimination System (NPDES) Permit No. TNG110041  
Memphis Ready Mix – Walker Ave Plant, 1280 Walker Avenue  
Memphis, Shelby County, Tennessee

Dear Mr. Schwend:

On Friday, October 1, 2021, Ginna McWhirter and Cliff Caudle with the Tennessee Department of Environment and Conservation (TDEC), Division of Water Resources (the Division), Memphis Environmental Field Office (MEFO), conducted a Compliance Evaluation Inspection (CEI) at the above-referenced site located at 1280 Walker Avenue in Memphis, Shelby County, Tennessee. Crystal Warren of TDEC's Small Business Environmental Assistance Program (SBEAP) was also in attendance.

During the inspection, although corrective measures were noted and discussed, the following improvements are needed.

1. Per the RMCP section 7.3.1. Good Housekeeping "Good housekeeping requires the maintenance of areas that may contribute pollutants to stormwater. Regular, frequent, and timely cleaning of leaks and spills prior to contact with stormwater are essential to controlling pollutants in stormwater discharges." There was evidence of spills and leaks in a couple locations. Per section 7.3.1., please ensure any leaks are addressed and any spills cleaned and properly disposed of.
2. Using Best Management Practices (BMPs), ensure any barrels or admixture tanks are closed to prevent exposure to stormwater.

3. To the maximum extent practicable, route all stormwater and process wastewater to the treatment basins before discharging off site.
4. Review on-site operations to reduce pH and TSS discharges to prevent future exceedances.
5. Cementitious deposits appeared around the outfall, the swale to the storm drain, as well as downgradient of the storm drain. Cementitious/sediment accumulation at the outfall and beyond is an indication that sediment/sediment-laden water is discharging from the site/outfall, off-site and into the stormdrain system (MS4). BMPs utilized on-site and management of the treatment basin should be reviewed and enhanced if necessary.

**Required Actions:**

- On or before **October 29, 2021**, please submit a written response describing the actions taken to correct the violations noted above and prevent their recurrence.
- On or before **October 29, 2021**, submit the following documentation for the monitoring period of 2<sup>nd</sup> Quarter (April-June) 2018 to 2<sup>nd</sup> Quarter of 2021:
  1. Copy of the most recent, signed Stormwater Pollution Prevention Plan (or SWPPP) with a detailed facility site map
  2. Annual comprehensive site evaluations
  3. Monthly inspections of equipment areas
  4. Chain of Custodies and lab analysis sheets for DMRs for which discharge was documented
  5. Flow measurements from Process Water sampling events for which discharge was documented
  6. pH meter calibration records

As a reminder, the RMCP expires on October 31, 2022. An NOI shall be submitted within 60 days of the effective date of the reissued general permit (October 31, 2022). The current permit tracking number should be included on an NOI submitted for any currently covered facility.

The Division appreciates your attention and cooperation regarding the items listed above. The Division also appreciates your continuing efforts to manage your operations in order to minimize impacts to the Waters of Tennessee. If you have any questions, please feel free to contact Ms. Ginna McWhirter at (901) 426-6691 or [Ginna.McWhirter@tn.gov](mailto:Ginna.McWhirter@tn.gov).

Sincerely,

*Heather Smith*

*for*

Joellyn Brazile, CPESC  
Environmental Program Manager  
Division of Water Resources  
Memphis Environmental Field Office

Enclosure: CEI Report and Photographs

cc: TDEC/DWR/NCO – Enforcement and Compliance  
TDEC/DWR/MEFOR – file

e-copy: Kendall Stultz ([kendall.stultz@buzziunicemusa.com](mailto:kendall.stultz@buzziunicemusa.com)) – General Manager  
Keith Walker ([brian.walker@buzziunicemusa.com](mailto:brian.walker@buzziunicemusa.com)) – Operations Manager  
Tim Craven ([timothy.craven@buzziunicemusa.com](mailto:timothy.craven@buzziunicemusa.com)) – Safety and Environmental Manager  
Chris Grow ([chris@growenv.com](mailto:chris@growenv.com)) – Environmental Consultant

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**Division of Water Resources**

Memphis Environmental Field Office, 8383 Wolf Lake Drive, Bartlett, TN 38133  
1-888-891-8332 (TDEC)

**Compliance Inspection for Ready Mix Concrete Facilities General NPDES Permit**

<b>Facility Name:</b> Memphis Ready Mix Walker Avenue Plant	<b>NPDES Tracking Number:</b> TNG110041
<b>Facility Address:</b> 1280 Walker Ave, Memphis, TN 38106	
<b>Permit Coverage Effective Date:</b> November 14, 2017	<b>Permit Expiration Date:</b> October 31, 2022
<b>Date/Time of Inspection:</b> October 1, 2021, 0900-1030	<b>Inspectors:</b> Ginna McWhirter, Cliff Caudle
<b>Official Contact Person:</b> Mr. David Schwend, President	
<b>Address:</b> 1029 John A Denie Road, Memphis, TN 38134	<b>Phone Number:</b> 901-386-8911
	<b>Email:</b> David.Schwend@redemix.com

**Introduction and Permitting Overview**

On Friday, October 1, 2021, Ginna McWhirter and Cliff Caudle of the Tennessee Division of Water Resources (DWR) Memphis Environmental Field Office (MEFO) performed a Compliance Evaluation Inspection (CEI) at the Memphis Ready Mix (MRM) concrete facility located at 1280 Walker Avenue, Memphis, TN 38106 (MRM Walker Plant). They were accompanied by Tim Craven, Keith Walker, Sandra Espino of MRM, Chris Grow of Grow Environmental Solutions, LLC, and Crystal Warren of the Small Business Environmental Assistance Program (SBEAP). The Division appreciates the assistance of those in attendance in providing pertinent facility information. The following is a summary of the findings and observations during the inspection.

Coverage under the General National Pollutant Discharge Elimination System (NPDES) Permit (TNG110000) for Discharges of Stormwater Runoff and Process Wastewater Associated with Ready Mixed Concrete Facilities (RMCP) was issued to Memphis Ready Mix Walker Plant on November 14, 2017, under tracking number TNG110041, and expires on October 31, 2022. The MRM Walker Plant operates a batch plant on-site and is authorized under the RMCP to discharge process wastewater from Outfall 001 and stormwater runoff from Outfall SW1. Outfall 001 and Outfall SW1 are the same physical outfall. Flow from the outfall discharges to Cane Creek via MS4.

According to permit requirements, process water at Outfall 001 must be monitored and any process water discharges sampled quarterly, at a minimum, and analyzed for pH, flow, total suspended solids (TSS), and iron (Fe). Additionally, inspections of designated equipment areas should be conducted monthly, at a minimum, per RMCP Section 7.3.4, and a comprehensive site evaluation should be performed annually and documented in an inspection and modification report per RMCP Section 7.7. Based on the findings of the comprehensive site evaluation, appropriate modifications

to the measures and controls specified in the SWPPP shall be identified, documented and implemented within 12 weeks of the evaluation.

## **I. Facility Site Review**

The MRM Walker Plant was in operation at the time of the inspection. MRM Walker Plant operates a concrete batch plant and batch office at the facility (Photo 1). Figure 1 is attached and shows an overall aerial view of the site and the designated outfall.

On the south-central area of the facility, there is a seven-stage concrete treatment settling/retention basin on-site for its process water (Figure 1). According to Mr. Grow, concrete material in the basins was recently cleaned out. Water in the final basin appeared slightly turbid and colorless at the time of the inspection (Photo 2). Water from the final treatment basin was flowing steadily to the south to Outfall 001. The outfall pipe appeared to contain cementitious deposits. However, water appeared clear and colorless (Photo 3). It then flowed east to a storm drain (Photos 4 and 5), and ultimately flowed to Cane Creek via the storm drain. The concrete swale from the outfall to the storm drain appeared free of debris. However, at the east exit, some sediment was observed in a standing pool, but did not appear to be migrating from the pool (Photo 4). Cementitious deposits were observed at Outfall 001, throughout the concrete swale, as well as on the road adjacent to the swale (Photos 4 and 5). Some foam was noted in the storm drain from water falling into the storm drain. Hay was observed enclosing the outfall as a best management practice (BMP) (Photos 3 and 4).

East of the outfall, a sign labeled SW2 indicated where a previous outfall was located (Photo 5). It is no longer in use and is not a permitted outfall. This outfall appeared to have discharged stormwater from the eastern portion of the site at one point in time. Hay bales were observed in front of the outfall to assist with filtering the discharge.

A metal building was observed on the eastern portion of the site and contained hydraulic oil, antifreeze, and diesel exhaust fluid. No issues were observed, as the fluids were properly contained and under cover. Immediately northeast of the metal building, there is a large diesel tank which appeared to be in secondary containment. An oil-like substance was observed between the metal building and the diesel tank (Photo 6).

The northern perimeter of the site contained aggregates that were being sprayed with water. A small, concrete diversion berm was placed to direct water to the treatment basins. The aggregate was contained within concrete block walls. Concrete and sediment were noted on the ground between the aggregate piles and the basins, but all water from this area appeared to drain to the basins (Photo 7).

According to Mr. Grow, excess concrete was previously placed directly into the treatment basins. He indicated that excess concrete is now placed in the recycled concrete area (north central area)

to dewater and then the trucks are washed out at the washout station (Figure 1). According to Mr. Grow, in order to try to reduce the pH of the treatment basins, city water is being used to rinse out the trucks.

The berm north of the recycled concrete area appeared maintained. A defunct large metal barrel was observed on its side to the southeast of the recycled concrete (Photo 8). According to Mr. Walker, an agreement between the northeast adjacent property owner and MRM allows them to use this area for recycled concrete.

A small amount of oil was observed on the haul road leading from the recycled concrete to the batch plant area. Admixture tanks near the batch plant appeared to be properly closed. Between the batch plant and office, a water hose was leaking, but water appeared to remain on site.

Near the basins, a couple tanks with truck cleaning fluid were not properly closed (Photo 9).

While the concrete trucks are being loaded, the trucks are lightly washed down. Water from the truck wash appeared to go primarily to treatment basins. A very small amount of water was leaving the site via the west exit.

The wash rack, located to the southeast of the batch plant and west of the basins, is used to clean the trucks and wash out the truck drums. Water from the wash rack appeared to drain to the basins (Photo 10).

## **II. Self-Compliance Program**

### **Records/Reports**

Ms. McWhirter requested the following facility documentation for the monitoring period (2<sup>nd</sup> Quarter 2018 through 2<sup>nd</sup> Quarter 2021) from MRM via email on September 30, 2021, which has not been provided at the time of this inspection report.

1. Copy of the most recent, signed Stormwater Pollution Prevention Plan (or SWPPP) with a detailed facility site map
2. Annual comprehensive site evaluations
3. Monthly inspections of equipment areas
4. Chain of Custodies and lab analysis sheets for DMRs for which discharge was documented
5. Flow measurements from Process Water sampling events for which discharge was documented
6. pH meter calibration records
7. Certification of no non-stormwater discharges

MRM has been reporting outfall monitoring on-line, directly to the U.S. EPA's NetDMR database. MRM reported permit exceedances for the 2<sup>nd</sup> Quarter of 2021. pH exceeded the upper limit of 9 units at 10.4 units and exceeded the TSS limit of 50 mg/L at 74 mg/L. MRM did not report any exceedances for the other monitoring periods (2<sup>nd</sup> Quarter 2018 through 1<sup>st</sup> Quarter of 2021).

Facility No.:	Site Location:	Permittee Name:	Date:	Time On-Site
TNG110041	1280 Walker Ave, Memphis, TN 38106	Memphis Ready Mix	October 1, 2021	0900-1030

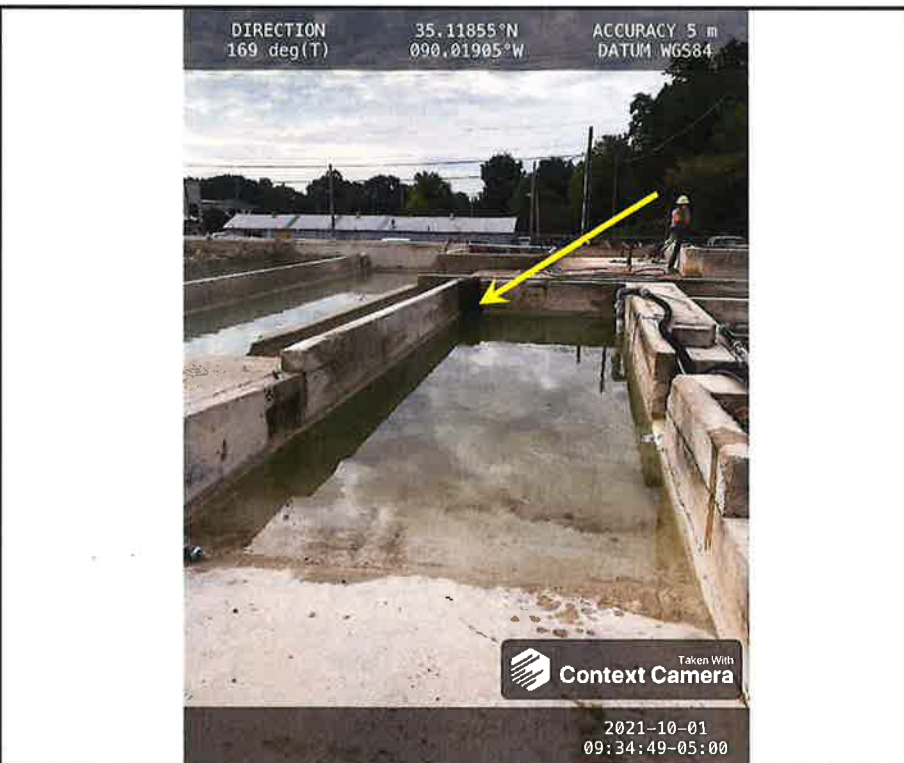
Photo No.	Photographer
1	Ginna McWhirter

**Description**  
View southwest of the batch plant (red arrow) and batch office (yellow arrow).



Photo No.	Photographer
2	Ginna McWhirter

**Description**  
View south of the final treatment basin. The pipe to the outfall is on the south side of the treatment basin area (yellow arrow indicates where the pipe to the outfall begins). Water appeared slightly turbid and colorless at the time the inspection.



Facility No.:	Site Location:	Permittee Name:	Date:	Time On-Site
TNG110041	1280 Walker Ave, Memphis, TN 38106	Memphis Ready Mix	October 1, 2021	0900-1030

Photo No.	Photographer
3	Ginna McWhirter



**Description**  
View northeast of Outfall 001. The outfall pipe appeared to contain cementitious deposits. However, water appeared clear and colorless. Hay bales in place as BMPs. Flow is shown by blue dashed arrow.

Photo No.	Photographer
4	Ginna McWhirter



**Description**  
View east of Outfall 001 and water flow to the storm drain. Cementitious deposits can be seen around the outfall, swale, and on the road adjacent to the swale (dark blue arrows). Flow is shown by the blue dashed arrow. The east exit where water pools and some sedimentation occurs is shown by the red arrow. The process water discharge sign is shown by the yellow arrow. The storm drain is shown by the orange arrow.



Facility No.:	Site Location:	Permittee Name:	Date:	Time On-Site
TNG110041	1280 Walker Ave, Memphis, TN 38106	Memphis Ready Mix	October 1, 2021	0900-1030

Photo No.	Photographer
5	GINNA McWhirter

**Description**  
View east of the storm drain (orange arrow) and SW2 sign. Water flow shown by blue dashed arrow.



Photo No.	Photographer
6	GINNA McWhirter

**Description**  
Oil substance observed on the ground between the metal building and the diesel fuel tank (red arrows).



Facility No.:	Site Location:	Permittee Name:	Date:	Time On-Site
TNG110041	1280 Walker Ave, Memphis, TN 38106	Memphis Ready Mix	October 1, 2021	0900-1030

Photo No.	Photographer
7	Ginna McWhirter

DIRECTION 350 deg(T)      35.11859°N  
090.01875°W      ACCURACY 5 m  
DATUM WGS84

**Description**  
View northwest of the aggregates. A small concrete berm (yellow line) directs water (blue dashed arrow) to the treatment basins.



Photo No.	Photographer
8	Ginna McWhirter

DIRECTION 103 deg(T)      35.11911°N  
090.01932°W      ACCURACY 5 m  
DATUM WGS84

**Description**  
View southeast of the recycled concrete area (orange arrow). Aggregates are to the southeast of this area (red arrow). The defunct barrel is shown by the yellow arrow).



Facility No.:	Site Location:	Permittee Name:	Date:	Time On-Site
TNG110041	1280 Walker Ave, Memphis, TN 38106	Memphis Ready Mix	October 1, 2021	0900-1030

Photo No.	Photographer
9	Ginna McWhirter

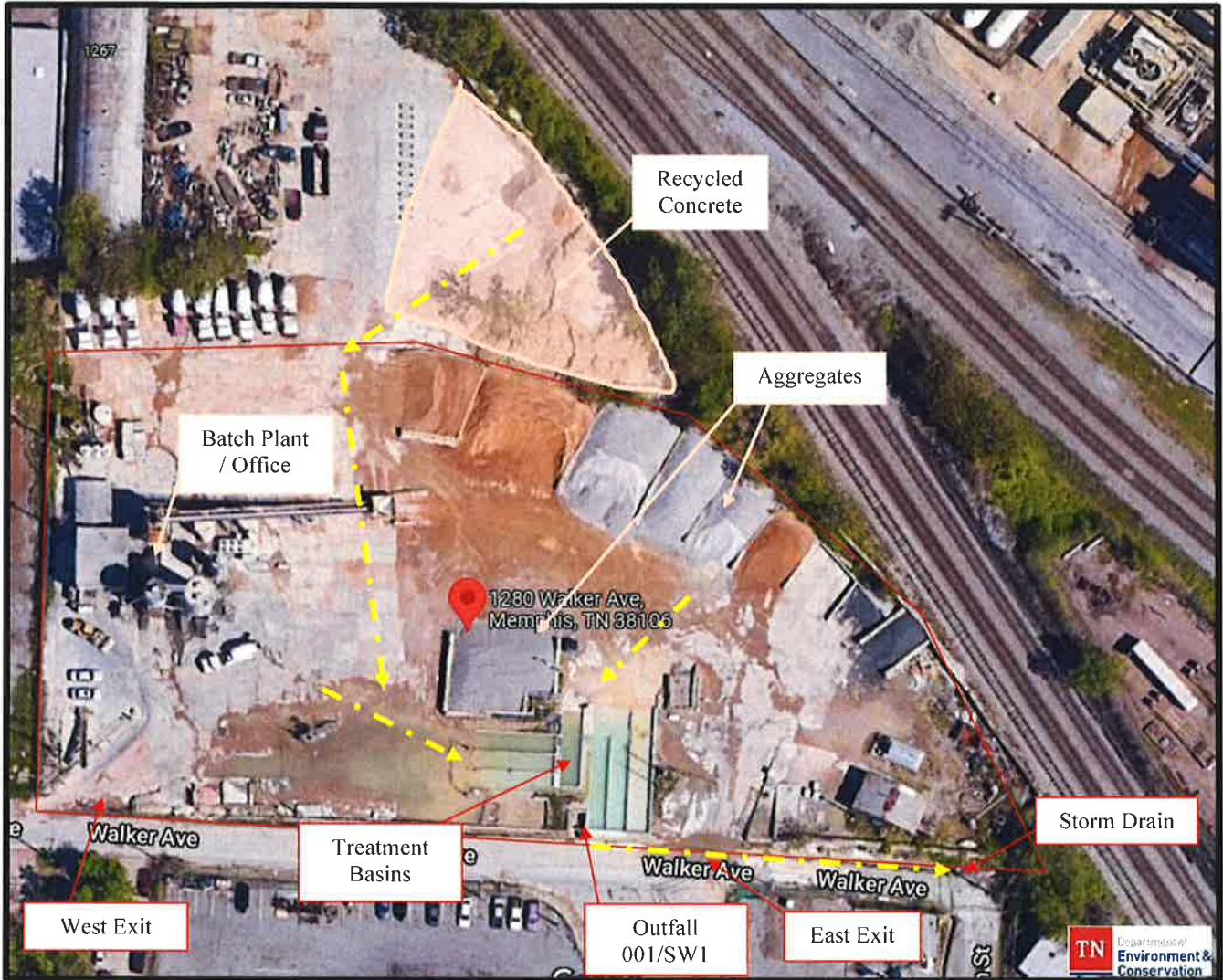
**Description**  
View north of truck cleaning product. The two tanks furthest away did not have lids (yellow arrows).



Photo No.	Photographer
10	Ginna McWhirter

**Description**  
View southeast of the truck wash (yellow arrow). Water is directed to the treatment basins located southeast of the truck wash (not observable in photo but the location is demonstrated by the red arrow). The western entrance is to the right in the photo. Water flow is shown by blue dashed arrow.





Legend

- - - - - ➔ Approximate Water Flow (yellow dashed arrow)
- Approximate Property Lines

*(Not to scale, Google Image)*



**Figure 1: Site Layout**

Memphis Ready Mix

Walker Avenue Plant - TNG110041

1280 Walker Avenue, Memphis, TN 38106