



**Maryland Department of Environment**  
**Water and Science Administration**  
**Compliance Program**  
**1800 Washington Blvd, Baltimore, MD 21230**  
**410-537-3510**

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**AI ID:** 3101 **Inspector:** Shailaja Polasi

**Site Name:** GenOn Mid-Atlantic, LLC Morgantown Generating Station  
**Facility Address:** 12620 Crain Hwy, Newburg, MD 20664  
**County:** Charles County

**Inspection Date:** September 18, 2019 **Start Date/Time:** September 18, 2019, 10:00 AM  
**End Date /Time:** September 18, 2019, 01:00 PM

**Media Type(s):** NPDES Industrial Major Surface Water

**Contact(s):** Debbie Knight- Sr. Environmental Specialist  
James Albrittain- Manager of Operations and Supervisor of Chemistry  
John Rosenberger, Manager of Bulk Materials Handling

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**NPDES Industrial Major Surface Water**

**Permit / Approval Numbers:** 14-DP-0841

**PAF Number:** 20-2123

**Site Status:** Active

**Site Condition:** Noncompliance

**Recommended Action:** Continue Routine Inspection

**Inspection Reason:** PAF

**Evidence Collected:**

Photos/Videos Taken, Visual Observation

**Inspection Findings:**

An announced compliance evaluation inspection was scheduled on this date for the complaint received to the Department about digging fly ash from legacy ash pit or landfill onsite and spreading on the open ground in another area of the site and red coloration in the creek on the property. Upon arrival onsite I met with Debbie Knight, Sr. Environmental Specialist, James Albrittain, Manager of Operations and Supervisor of Chemistry and John Rosenberger, Manager of Bulk Materials Handling representing Morgantown Power Generating Station. After preliminary introductory meeting I advised the above personnel about the complaint received to the Department for the fly ash activities onsite. On this date I showed the pictures provided by the complainant to the above personnel and discussed about the areas of concern. The sky was sunny clear at the time of the inspection.

On this date Ms. Knight stated one area of concern based on the pictures from the complainant is pirates land fill area. Ms. Knight stated the facility had pluggage at the bottom

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of #2 fly ash silo and had to empty out completely for repairs. Ms. Knight stated in order to repair the pluggage they had emptied the silo completely and stored the fly ash in pirate landfill area (old mill reject's/landfill area). Ms. Knight stated they started storing the fly ash in pirate's landfill area starting May 2019 and the repairs were completed early June 2019. Mr. Albrittain stated 2014 tons (approx.) of fly ash was transferred to the landfill area. On this date Mr. Albrittain calculated the tons based on the volumetric capacity of the #2 fly ash silo. Ms. Knight stated after the repairs are complete fly ash is stored back in the #2 silo. Ms. Knight stated the fly ash stored in the landfill is wet and cannot be processed (re-burnt) and they are currently in process of hauling the fly ash from the pirate's landfill area to offsite landfill in Virginia. On this date Ms. Knight stated any hard pieces of coal that cannot be crushed is being stored in the pirate's landfill. Ms. Knight stated the pirate's landfill is lined as part of Consent Order, CO-96-0009 and the leachate is collected and is diverted to coal yard storm water collection pond and is discharged to NPDES outfall after settling and Ph adjustment.

On this date Ms. Knight stated the 2<sup>nd</sup> area of concern based on the pictures from the complainant is the temporary storage area for dredged solids from coal yard storm water pond. On this date Ms. Knight stated they have added new BMPs around the coal storage area; berm'd the storm water discharge area; added new concrete wall with pipes and hay bales near the inlet side of the storm water collection area. Ms. Knight stated during the maintenance and upgrades to the storm water collection pond the pond was emptied and the dredged. The dredged material is stored onsite within close proximity of the pirate's landfill area and will be hauled off site. On this date Ms. Knight stated the dredged material from the storm water pond is combination of any coal runoff and dirt and but not CCBs.

On this date Ms. Knight stated during normal operations the permittee hauls bottom ash daily to VA landfill. During normal operations permittee hauls 6-8 loads every day i.e. 24-26 tons/truck. Ms. Knight stated with the limited truck operations and travel time to VA landfill the haul operations of fly ash from landfill area and dredge solids from Stormwater pond is taking more time.

On this date Ms. Knight stated the 3<sup>rd</sup> area of concern based on the pictures from the complainant is the red coloration in the stream on site. On this date Ms. Knight stated the standing water in the creek always had red coloration and it's unclear if the red coloration is from prehistoric site condition or type of soil the creek. On this date I observed the facility site map identified the creek as perineal stream which discharges to Pasquahanza Creek.

Later, site walk of the pirate landfill area, dredged material storage area and perineal stream was followed. All the above personnel accompanied me during the site visit.

1. On this date I observed red colored water in the perineal stream adjacent to the railroad tracks. Ms. Knight stated the discharge the perineal stream is identified as storm water outfall -011. On this date Ms. Knight stated the stream slopes are vegetated and the discharge end of the stream is not easily accessible. Pictures are taken at the time of the inspection.

2. On this date I observed fly ash stored in the old Pirate landfill area. On this date I observed the fly ash is stored on one side and coal rejects are stored on other side in the land fill area. The perimeter of the landfill area is heavily vegetated. Pictures are taken at the time of the inspection.

3. On this date I observed the dredged material from coal yard storm water pond is stored in close proximity to pirate's landfill area. On this date I observed the dredged material was

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spread out rather stored in huge pile. On this date I observed the vegetative berm along the back of the dredged material storage area was cleared. I advised Ms. Knight to restore the berm to original condition. Pictures were taken on this date at the time of the inspection.

On this date I reviewed the Consent Order CO-96-0009 which was executed to address the ground water and surface water remediation at the Morgantown facility and the permittee is required to collect surface water and ground water samples. On this date Ms. Knight stated the Morgantown representative who was handling the sampling and submitting the required data to the Department as part of the Consent Order requirements is no longer with the facility and Ms. Knight does not have any information or status of sampling and results.

On this date I advised the above personnel as required by NPDES permit Special Condition -D, permittee is required to notify the Department within 30days about disposal of removed substances defined by General Condition B.7. On this date Ms. Knight stated the disposal of removed substances and the contractor handling information was not submitted to the Department. On this date Ms. Knight stated the problem with fly ash silo was unforeseeable and the storm water pond dredging is not routine operation.

**With respect to the above MDE NPDES Permit, violations of the Environmental Article, Title 9 were observed on this date:**

1. Failed to notify the Department within 30 days of the issuance of the permit with the information of the disposal of the removed substance defined under *General Condition B.7 of the permit Special Condition D-Removed Substances*.
2. Failed to minimize the contamination of surface water runoff from areas adjacent to disposal ponds or landfill as required by NPDES permit *Special Condition-Y: Additional Conditions for Storm Water:12- Areas adjacent to disposal ponds or landfill and 13-Landfills, scrapyards, surface Impoundments, general refuse sites*.
3. Failed to operate the systems installed by the permittee in good working order and operate efficiently as required by *Special Condition, B-3: Facility Operation*.

**To bring this site into compliance with Environmental Article Title 9, the following corrective action should be made immediately upon receipt of this report.**

1. Submit a letter to the Department within 15 days notifying when the fly ash in the landfill area and storm water pond dredged material stored adjacent to the landfill will be completely hauled offsite. The letter should include where the materials will be hauled; contractor handling the hauling operations and depth of the excavation and how the area will be stabilized.
2. Permittee should inspect condition of the liner in the landfill area for any possible damages from excavation operations. Submit a letter to the Department indicating the status of the liner and any maintenance measures taken to restore any damages to the liner.
3. The vegetative berm behind the dredged material storage area should be restored and seeded.
4. Permittee should clear the vegetation and have access to visually inspect the storm water OF-011 as required by 12-SW permit.
5. Submit a letter to the Department in 30 days with the status of surface and ground water sampling requirement as required by Consent Order CO-96-0004 and submit the sample results for 2018 and identify the sample locations on the map.

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6. Submit a letter to the Department in 30days with the information of the disposal of the removed substances as required by "Special Condition D-Removed Substances" of the permit.
7. Submit a letter to the Department in 30days explaining any preventive maintenance and inspection steps taken to prevent any clogging/blockage in fly ash silo.

**Contact this inspector upon implementation of the requested corrective actions, reasonably necessary to bring the site into compliance. If the corrective actions cannot be completed within the prescribed time frames above, you should continue to advise this inspector, at least every 30 days, of the status of the measures taken to complete the corrective actions.**

**If you have any questions, need assistance or to request a re-inspection, please contact this inspector at or in writing at [410-537-3521](tel:410-537-3521) or by e-mail at [shailaja.polasi@maryland.gov](mailto:shailaja.polasi@maryland.gov).**

### NPDES Industrial Major Surface Water- Inspection Checklist

<i>Inspection Item</i>	<i>Status</i>	<i>Comments</i>
1. Does the facility have a discharge permit? [Environment Article §9-323(a)(1-3)]	Yes	
2. Is the discharge permit current? [Environment Article §9-328(a)(1)]	Yes	
3. If the permit is not current, has facility applied for renewal? [Environment Article §9-328(a)(1)]	No	
4. Does the facility operate as authorized by their current permit? [COMAR 26.08.04.01B(4)]	Yes	
5. Has the Permittee exceeded the permitted capacity of the WWTP? [40 CFR Part 122 Subpart C Section 122.42.(b)(1-3)]	Not Evaluated	
6. Is the number and location of discharge points as described in the discharge permit? [Environment Article §9-331]	Not Evaluated	
7. Has permittee submitted correct name and address of receiving waters? [40 CFR 122.21.j(3)]	Yes	
8. Is the permittee meeting the compliance schedule per permit requirements? [COMAR 26.08.04.02-1A(3)]	Not Evaluated	
9. Has the operator or superintendent been certified by the Board in the appropriate classification for the facility? [COMAR 26.06.01.05A(1)]	Not Evaluated	
10. Are adequate records being maintained for the sampling date, time, and exact location; analysis dates and times; individual performing analysis; and analytical results? [COMAR 26.08.04.03B(3)(a, b, c, e)]	Not Evaluated	

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11. Are adequate records being maintained for the analytical methods/techniques used? [COMAR 26.08.04.03B(3)(d)]	Not Evaluated	
12. Does the permittee retained a minimum of 3 years worth of monitoring records including raw data and original strip chart recordings; calibration and maintenance records; and reports? [COMAR 26.08.04.03B(1)]	Not Evaluated	
13. Do lab records reflect that lab and monitoring equipment are being properly calibrated and maintained? [Environment Article §9-331]	Not Evaluated	
14. Does the permittee/laboratory use suitable QA/QC procedures and operate a formal quality assurance (QA) program using appropriate controls? [40 CFR Part 136.7]	Not Evaluated	
15. Has the permittee submitted the monitoring results on the proper Discharge Monitoring Report form? [COMAR 26.08.04.03C(1)]	Not Evaluated	
16. Do the Discharge Monitoring Reports reflect permit conditions? [COMAR 26.08.04.03C]	Not Evaluated	
17. Has the permittee submitted these results within the allotted time electronically? [COMAR 26.08.04.03C(2), 40 CFR Part 127.16]	Not Evaluated	
18. Is the facility being properly operated and maintained including:(a) stand-by power or equivalent provisions available, (b) adequate alarm system for power or equipment failure available, (c) all treatments units are in service, . [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
19. Is sewage sludge managed correctly per permit requirements? [COMAR 26.04.06.09]	Not Applicable	
20. If a by-pass occurred since last inspection, has the permittee submitted notice of the by-pass within the allotted time? [40 CFR Part 122 Subpart C Section 122.41.m(4)(i)(C)]	Not Evaluated	
21. If a non-complying discharge occurred since the last inspection, was the regulatory agency notified within the allotted time? [40 CFR Part 122 Subpart C Section 122.41.l(6)]	Not Evaluated	
22. If applicable, has the permittee complied with all special conditions of their permit? [COMAR 26.08.03.07D]	Out of Compliance	See FIR
23. Have overflows occurred since the last inspection? [COMAR 26.08.10.02A]	Not Evaluated	
24. Have records of overflows been maintained at the facility for at least five years? [COMAR 26.08.10.06A-B]	Not Evaluated	

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<b><i>Inspection Item</i></b>	<b><i>Status</i></b>	<b><i>Comments</i></b>
25. Are flow measuring devices properly installed and operated, calibration frequency of flow meter adequate, flow measurement equipment adequate to handle expected ranges of flow? [40 CFR Part 122 Subpart C Section 122.41.e]	Not Evaluated	
26. Are discharge monitoring points adequate for representative sampling? [Environment Article §9-331(4)]	Not Evaluated	
27. Do parameters and sampling frequency meet the minimum requirements? [Environment Article §9-331(4)]	Not Evaluated	
28. Does the permittee use the method of sample collection required by the permit? [Environment Article §9-331(4)]	Not Evaluated	
29. Are analytical testing procedures used approved by EPA? [COMAR 26.08.01.02B(1)]	Not Evaluated	
30. If alternate analytical procedures are being used, has proper approval been obtained? [COMAR 26.08.01.02B(1)]	Not Evaluated	
31. Has the permittee notified the Department of the name and address of the commercial laboratory? [COMAR 26.08.04.03A(3)]	Not Evaluated	
32. Were discharges observed at the authorized outfalls? [Environment Article §9-314(b)(1)]	Not Evaluated	
33. If discharges were observed, do the discharges or receiving waters have any visible pollutants observed? [Environment Article §9-314(b)(1)]	Not Evaluated	
34. Were discharge samples collected? [Environment Article §9-261(c)(1)]	No	
35. Does this facility have coverage under a NPDES stormwater discharge permit? [40 CFR Part 122 Subpart B Section 122.26.(c)(1)(I)(A-B)]	Yes	
36. If the permittee has coverage under a NPDES storm water permit, has a storm water pollution prevention plan been developed and implemented as required? [40 CFR Part 122 Subpart B Section 122.26.(c)(1)(I)(A-B)]	Out of Compliance	See FIR
37. Are the permit conditions being met? [Environment Article §9-326(a)(1)]	Out of Compliance	See FIR

Inspector: Shailaja Polasi  
 Shailaja Polasi/Date  
 shailaja.polasi@maryland.gov  
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Received by: \_\_\_\_\_  
 Signature/Date  
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Print Name

**Report Provided to:**

- Fax
- Email
- Regular Mail
- Certified Mail

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**Debbie Knight; Mr. Albrittain**  
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