

From: Hudson, Sonya (EGLE)
Sent: 5/28/2025 3:28:09 PM
To: "Garrity, Seth J" <Seth_Garrity@oxy.com>
Cc: "Anderson, Matthew (EGLE)" <AndersonM70@michigan.gov>
Subject: EGLE FILE Occidental Chem Corp-Ludington General Inspection Transmittal
Attachments: Occidental Chem Corp-Ludington-General Inspection Transmittal.pdf

Good afternoon:

Please see the attached correspondence for your records.

If you have any questions, contact Matt Andreson at AndersonM70@Michigan.gov.

Thank you,

Sonya

Sonya Hudson, District Secretary
Michigan Department of Environment, Great Lakes, and Energy (EGLE)
231-429-5012 | HudsonS@Michigan.gov
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ATTACHMENT NAME:

Occidental Chem Corp-Ludington-General Inspection Transmittal.pdf

ATTACHMENT TYPE:

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STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY



GRETCHEN WHITMER
GOVERNOR

WATER RESOURCES DIVISION

PHILLIP D. ROOS
DIRECTOR

May 28, 2025

VIA EMAIL

Seth Garrity
Occidental Chem Corp-Ludington
1600 South Madison Street
Ludington, Michigan 49431

Dear Seth Garrity:

SUBJECT: National Pollutant Discharge Elimination System (NPDES)
Permit No. MI0003026
Designated Name: Occidental Chem Corp-Ludington

On May 23, 2025, the Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), performed an inspection at the Occidental Chem Corp-Ludington facility located at 1600 South Madison Street, Ludington, Mason County, Michigan (hereinafter "Facility"). The purpose of this inspection was to determine compliance with the Industrial Stormwater component of permit No. MI0003026; Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); and the Part 21 Rules, Wastewater Discharge Permits, promulgated pursuant to Part 31, Water Resources Protection, of the NREPA.

Inspection participants included yourself, and me. Based on the results of this inspection, it was determined that the Facility is operating in general compliance with the industrial stormwater permit conditions. The inspection report is included with this letter. A response to this letter is not requested.

The WRD appreciates the Facility's efforts to maintain compliance with the permit. If you have any questions regarding this letter or the storm water regulations, please contact me at 231-429-1278; AndersonM70@Michigan.gov; or EGLE, WRD, 120 West Chapin Street, Cadillac, Michigan 49601-2158.

Sincerely,

Matthew Anderson
Cadillac District Office
Water Resources Division

ma/sh
Attachment

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

Permitted Facility Evaluation Details

1. Facility/Site name:	Occidental Chem Corp-Ludington
2. Address:	1600 South Madison Street
3. County:	Mason
4. Certificate of Coverage or Individual Permit Number:	MI0003026
5. Date of onsite inspection:	05/23/2025

6. Inspection Participants:

Participant Name	Title	Affiliation	Phone Number	Email Address
Seth Garrity	HES&S Superintendent	Occidental Chem Corp.	231-845-4423	seth_garrity@oxy.com
Matthew Anderson	Environmental Quality Analyst	EGLE	231-429-1278	andersonm70@michigan.gov

7. Is the current industrial storm water discharge authorization appropriate for the facility's industrial activity and operations? Yes No

Posting of the Certificate of Coverage Evaluation

1. Is the current Certificate of Coverage posted in a publicly accessible location in plain sight? Yes No NA

Cover page of NPDES permit is posted.

Permit Fee Payment Evaluation

1. Does the permittee have any outstanding permit fees? Yes No

Industrial Storm Water Certified Operator Evaluation

1. Is there a valid Industrial Storm Water Certified Operator overseeing the program? Yes No

Seth Garrity - 18977

PFAS Survey

1. Has Aqueous Film Forming Foam (AFFF) ever been stored, trained with, or deployed during a fire at the site? Yes No NA

2. Has the facility ever stored or used PFAS-containing chemicals as part of industrial operations such as, coatings or protectants, paint or pigments, or fume suppressants? Yes No NA

Storm Water Exposure Evaluation

1. Are there any outdoor exposure concerns related to operations occurring inside the facility? Yes No

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

Storm Water Exposure Evaluation

2. Are there any confirmed or potential illicit connections to the storm sewer system? Yes No

3. Are there outdoor exposure concerns that require corrective actions by the permittee? Yes No

4. Are there any unauthorized discharges to the storm sewer system or surface waters of the state? Yes No

5. If the discharge points are viewable, is there any evidence to suggest the discharge is not meeting the conditions of the permit? Yes No NA

Special Use Area Evaluation

1. Has the permittee implemented an approved Short Term Storm Water Characterization Study as required by the permit? Yes No NA

2. Has the permittee implemented an approved Benchmark Monitoring Study as required by the permit? Yes No NA

Program Document Availability Evaluation

1. Is there a Storm Water Pollution Prevention Plan (SWPPP) and records available for review? Yes No

2. What SWPPP and Record Keeping Evaluation form will be used? Long - Permit Requirements Visible on Report

SWPPP Long Form - Evaluation Details

1. Is the SWPPP developed for a facility operating under SIC code 5015? Yes No

2. Is the SWPPP developed for a facility operating under SIC code 5093? Yes No

3. Is the SWPPP developed for a portable facility? Yes No

SWPPP Long Form - Facility Information

1. Does the SWPPP include the required facility information? Yes No

***Permit Requirement: An acceptable SWPPP shall include the facility name, address, and COC number.

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Source Identification

1. Does site map sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: The site map shall identify and label the following:*

- 1) buildings and other permanent structures;*
- 2) all outdoor areas of industrial activity, industrial equipment, and/or industrial material storage;*
- 3) storage, disposal, and/or recycling areas for significant materials;*
- 4) the location of all storm water discharge points and monitoring points (numbered or otherwise uniquely labeled for reference);*
- 5) the location of all storm water inlets (e.g., catch basins, roof drains, etc.) contributing to each storm water discharge point (numbered or otherwise uniquely labeled for reference);*
- 6) the location of non-storm water NPDES-permitted discharges;*
- 7) the location of all storm water conveyances (e.g., pipe, ditch, channel, etc.) and outlines of the drainage areas contributing to each storm water discharge point;*
- 8) all structural controls (e.g., secondary containment, inlet filters, etc.) and/or storm water treatment equipment/devices;*
- 9) area(s) of vegetation (with appropriate labeling such as lawn, old field, marsh, wooded, etc.);*
- 10) area(s) that have the potential for soil erosion and sediment discharges (e.g., gravel lots, access roads, material stockpiles, outfalls, etc.);*
- 11) impervious surfaces (e.g., roofs, asphalt, concrete, etc.);*
- 12) name and location of receiving water(s); and*
- 13) contaminated areas of the site regulated under Part 201 of the NREPA.*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Source Identification

2. Does the list of significant materials associated with industrial activity section sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: This list shall identify all significant materials that have a reasonable potential to pollute storm water and identify the activity or area in which the significant materials are handled or stored. For each activity or area identified, the inlet(s) and discharge point(s) impacted in the event of a spill or leak shall be included on the list. The following industrial activities and/or areas shall be evaluated for the potential to expose significant materials to storm water, as applicable:*

- 1) loading, unloading, and other industrial material handling activities;*
- 2) outdoor industrial material storage areas, including secondary containment structures;*
- 3) outdoor manufacturing or processing activities;*
- 4) dust or particulate generating processes/activities;*
- 5) discharges associated with vents, stacks, and air emission controls;*
- 6) industrial waste or recyclable material storage or disposal areas;*
- 7) activities associated with the maintenance and cleaning of vehicles, machines, and equipment;*
- 8) area(s) that have the potential for soil erosion and sediment discharges (e.g., gravel lots, access roads, material stockpiles, outfalls, etc.);*
- 9) areas of contamination regulated under Part 201 of the NREPA;*
- 10) areas of significant material residues;*
- 11) areas where animals (wild or domestic) congregate and deposit wastes;*
and
- 12) other areas where storm water may come into contact with significant materials.*

3. Does the list of significant spills and leaks sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: This list shall identify the date, volume, and location of the significant spill/leak as defined under the permit, and the cleanup actions undertaken. Significant spills/leaks shall be controlled in accordance with the SWPPP and are cause for the SWPPP to be updated as specified in the permit. The permittee shall notify the Department of significant spills/leaks as specified in the permit. Written reports regarding significant spills/leaks shall be retained with the SWPPP records in accordance with the permit (3yrs).*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Source Identification

4. Does the summary of storm water discharge sampling data sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: If data has been collected, the SWPPP shall include a list of the pollutants detected, sources identified, and the control measures implemented to reduce the discharge of the detected pollutants. Storm water discharge sampling data shall be retained in accordance with the permit (3yrs).*

5. Does the illicit connection investigation and elimination written description sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: The permittee shall implement an illicit connection investigation and elimination program. The SWPPP shall include a written description of the actions taken to identify, investigate, and eliminate illicit connections to Municipal Separate Storm Sewer Systems (MS4s) or surface waters of the state. Any discharge from an illicit connection to an MS4 or surface water of the state is a violation of this permit.*

6. Does the written description of the dust suppression material used onsite sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: The SWPPP shall include a description of the dust suppression material used onsite, the areas where the material is used, and the actions implemented to prevent an unauthorized discharge of the material. If the permittee does not use dust suppression material onsite, the SWPPP shall indicate this.*

SWPPP Long Form - Total Maximum Daily Loads (TMDL)

1. Does the TMDL list and written description in the SWPPP sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: The permittee shall implement nonstructural and/or structural controls to reduce the discharge of the pollutant(s) associated with any applicable TMDL(s). The SWPPP shall include a list of all applicable TMDL(s), as well as references to control measures already listed in the SWPPP intended to reduce the discharge of the applicable TMDL pollutant. The implementation of an acceptable SWPPP shall meet the control measure expectations of all applicable TMDL(s); however, the Department may require additional control measures if it is determined that the storm water discharge is negatively impacting the applicable TMDL(s). If there are no applicable TMDLs, this condition does not apply*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Nonstructural Controls

1. Do the preventative maintenance written procedures sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: Preventive maintenance procedures shall list the storm water management and control devices, treatment systems, industrial equipment, etc. that will be routinely serviced and maintained to prevent significant material exposure to storm water. The written procedures shall include a maintenance schedule for each item listed.*

2. Do the good housekeeping inspection procedures sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: Good housekeeping procedures shall list the areas that will be routinely inspected and cleaned to prevent significant material exposure to storm water. The areas associated with the items listed in the preventative maintenance procedures shall also be included. The written procedures shall include an inspection and cleaning schedule for each area listed.*

3. Do the good housekeeping inspection records sufficiently meet the expectations of the permit? Yes No NA

****Permit Requirement: A written report documenting the implementation of the housekeeping inspection and cleaning schedule shall be retained in accordance with the permit (3yrs).*

4. Do the comprehensive site inspection procedures sufficiently meet the expectations of the permit? Yes No

****Permit Requirement: Comprehensive site inspection procedures shall include all items listed on the site map, the significant material inventory, and areas where significant spills or leaks have occurred in the last three years that will be inspected by an Industrial Storm Water Certified Operator to ensure compliance with this permit. At a minimum, one inspection shall be performed during normal facility operating hours within each of the following quarters unless the Department has approved an alternate schedule in accordance with the permit: January – March, April – June, July – September, and October – December.*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Nonstructural Controls

5. Do the comprehensive site inspection records sufficiently meet the expectations of the permit?

Yes No NA

****Permit Requirement: A written report documenting the comprehensive site inspection shall be retained in accordance with the permit (3yrs) and shall include the following information:*

- 1) the date of the inspection;
- 2) the Industrial Storm Water Certified Operator's name(s) and certification number(s);
- 3) all observations regarding significant material exposure and any necessary corrective actions related to the inspection of the following:
 - a) areas identified in the site map and the significant material inventory,
 - b) areas where significant spills or leaks have occurred in the past three years,
 - c) all storm water inlets, conveyances (not including subsurface piping), and discharge points, and
 - d) all structural controls and/or storm water treatment equipment/devices;
- 4) a review of the good housekeeping reports, and any other paperwork associated with the SWPPP; and
- 5) a written statement, based on the results of the comprehensive site inspection, certifying compliance with the terms of this permit and with the permittee's SWPPP.

6. Do the visual assessment procedures sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: At a minimum, one (1) storm water sample shall be collected for visual assessment during normal facility operating hours at each discharge point within each of the following quarters unless the Department has approved an alternate schedule in accordance with the permit: January – March, April – June, July – September, and October – December. Visual assessment guidance is available on the Industrial Storm Water Program webpage at www.michigan.gov/industrialstormwater. The following are the requirements of the visual assessments and shall be included in the written procedures:*

- 1) The storm water sample(s) shall be collected during normal hours of operation by an Industrial Storm Water Certified Operator, Qualified Personnel as defined in the permit, or automatic sampling device.
- 2) The storm water sample(s) shall be collected: a) with clean equipment and containers, and b) within the first 30 minutes of the start of a discharge resulting from a qualifying storm event as defined in Part II.A. of this permit. If it is not possible to collect the sample within the first 30 minutes of discharge, the sample shall be collected as soon thereafter as practicable. In the case of snowmelt, samples shall be collected during a period with measurable discharge from the site.
- 3) The visual assessment of the storm water sample(s) shall be performed and documented by an Industrial Storm Water Certified Operator.

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Nonstructural Controls

7. Do the visual assessment records sufficiently meet the expectations of the permit?

Yes No NA

****Permit Requirement: Documentation shall be retained in accordance with the permit (3yrs) and shall include the following information:*

- a) Sample location(s).*
- b) Storm water sample collection date(s), time(s), and if applicable, an explanation as to why sample(s) were not collected within the first 30 minutes of discharge.*
- c) Visual assessment date and time.*
- d) Name and certification number of the Industrial Storm Water Certified Operator.*
- e) Storm event information, including the length of event expressed in hours, approximate size of event expressed in inches of precipitation, duration of time since previous event that caused a discharge, date and time the discharge began, and nature of event (i.e., rainfall or snowmelt).*
- f) Name(s) of personnel who obtained the storm water sample(s) or document that an automatic sampling device was used.*
- g) Any notable observations of the discharge while the storm water samples were collected. This requirement is waived if an automatic sampling device was used to collect the storm water samples.*
- h) Sample(s) shall be observed in a colorless glass or plastic container for the following characteristics: color, oil sheen, turbidity, floating solids, suspended solids, settleable solids, foam, and any other unusual characteristics.*
- i) Unaltered, full-color photograph of the storm water sample(s) against a white background.*
- j) A description of corrective actions taken if any unusual characteristics are identified during the visual assessment.*

When a visual assessment cannot be completed for any reason (e.g., adverse weather conditions, no discharge, qualifying event occurred outside the normal facility operating hours, etc.) during any quarter, written documentation explaining the reason for not completing the visual assessment shall be included with the SWPPP records. Adverse weather conditions are those that are dangerous or create inaccessibility for personnel, such as local flooding, high winds, electrical storms, or situations that otherwise make sampling impractical such as drought or extended frozen conditions.

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Nonstructural Controls

8. Do the material handling and spill prevention / response procedures sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: Significant material handling and storage procedures shall be developed to minimize the potential for leaks and spills that may be exposed to storm water. For each potential spill or leak area, the procedures shall identify the significant material handling and storage requirements, spill response actions, and locations of spill/leak kits. The SWPPP shall include language describing what a reportable spill or leak is, and the appropriate reporting requirements in accordance with the Noncompliance Notification and the Spill Notification sections of the permit. For Polluting Materials defined in the Part 5 Rules, the SWPPP may reference any of the following plans:*

- *Pollution Incident Prevention Plan (PIPP) prepared in accordance with the Part 5 Rules (R 324.2001 through R 324.2009 of the Michigan Administrative Code)*
- *Hazardous Waste Contingency Plan prepared in accordance with 40 CFR 264 and 265 Subpart D, as required by Part 111 of the NREPA*
- *Spill Prevention Control and Countermeasure (SPCC) plan prepared in accordance with 40 CFR 112*

9. Does the written description of the annual employee training program sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: The SWPPP shall include a written description of the employee training program that will be implemented on an annual basis to inform appropriate personnel of the components of the SWPPP and requirements of this permit.*

10. Do the records of the annual employee training program sufficiently meet the conditions of the permit?

Yes No NA

****Permit Requirement: Records of the annual employee training program shall be retained in accordance with the permit (3yrs).*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Structural Contols

1. Does the list and description of the structural controls sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: Structural controls shall be used to reduce significant material exposure and/or the concentration of significant materials in the discharge to ensure compliance with Final Effluent Limitations and Monitoring Requirements section of the permit. The SWPPP shall provide a list of all structural controls utilized onsite and the significant material(s) intended to be managed by the structural controls. Where applicable, structural controls shall, at a minimum, be utilized to achieve the following:*

- a. prevent unauthorized discharges from industrial waste and recyclable material containers,*
- b. prevent the discharge of sediment and other particulates that can be mobilized by storm water, and*
- c. minimize channel/streambank erosion and scour in the immediate vicinity of outfalls*

2. Are the structural controls identified on the site map?

Yes No

****Permit Requirement: The location of the structural controls shall be identified on the site map.*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Non-Storm Water Discharges

1. If the permittee has any authorized non-storm water discharges, does the SWPPP sufficiently identify the pollution prevention controls implemented onsite as required by the permit.

Yes No NA

****Permit Requirement: Storm water is defined in the permit to encompass non-storm water discharges included under the conditions of this permit. Any discharge of wastewater other than storm water as defined under the conditions of this permit shall be in compliance with an NPDES permit issued for the discharge. The non-storm water discharges included under the conditions of this permit are authorized under this permit, provided pollution prevention controls for the non-storm water component are identified in the permittee's SWPPP. The non-storm water discharges included under the conditions of this permit are as follows:*

- a. discharges from fire hydrant flushing*
- b. potable water sources, including water line flushing*
- c. water from fire system testing and fire-fighting training without burned materials or chemical fire suppressants*
- d. irrigation drainage*
- e. lawn watering*
- f. routine building wash-down that does not use detergents or other compounds*
- g. pavement wash waters where contamination by toxic or hazardous materials has not occurred (unless all contamination by toxic or hazardous materials has been removed) and where detergents are not used*
- h. uncontaminated condensate from air conditioners, coolers, and other compressors, and from the outside storage of refrigerated gases or liquids*
- i. springs*
- j. uncontaminated groundwater*
- k. foundation or footing drains where flows are not contaminated with process materials such as solvents, and*
- l. discharges from fire-fighting activities. Discharges from fire-fighting activities are exempted from the requirement to be identified in the SWPPP.*

SWPPP Long Form - Keeping the SWPPP Current

1. Is the SWPPP being reviewed annually by the permittee and/or the Industrial Storm Water Certified Operator and do the annual reports sufficiently meet the expectations of the permit?

Yes No

****Permit Requirement: The permittee and/or an Industrial Storm Water Certified Operator shall review the SWPPP annually after it is developed and maintain a written report of the review. Based on the review, the permittee or an Industrial Storm Water Certified Operator shall amend the SWPPP as needed to ensure continued compliance with the terms and conditions of this permit. A SWPPP Annual Review Report form is available on the Industrial Storm Water Program webpage at www.michigan.gov/industrialstormwater. The written report of the SWPPP Annual Review shall be retained in accordance with the permit (3yrs).*

Occidental Chem Corp-Ludington : 12137

ISW - Compliance Evaluation Inspection Form - Permitted Facility

Inspector: Matthew Anderson

Start Date: 05/23/2025 Completed Date: 05/27/2025

SWPPP Long Form - Keeping the SWPPP Current

SWPPP Long Form - Contact Information

1. Does the SWPPP include contact information for the Facility Contact, Industrial Storm Water Certified Operator(s), environmental consultants, and/or any other appropriate program contacts? Yes No

****Permit Requirement: The SWPPP shall include contact information (i.e., name, mailing address, phone number, and email address) for the Facility Contact, Industrial Storm Water Certified Operator(s), environmental consultant, and/or any other appropriate individuals who manage the storm water program at the facility. The SWPPP shall be updated, as necessary, to ensure the contact information is current.*

SWPPP Long Form - Signature and SWPPP Certification

1. Is the SWPPP signed by the Industrial Storm Water Certified Operator and the permittee or authorized representative? Yes No

****Permit Requirement: The SWPPP shall be reviewed and signed by an Industrial Storm Water Certified Operator and by either the permittee or an authorized representative in accordance with 40 CFR 122.22. The SWPPP and associated records shall be retained on-site at the facility that generates the storm water discharge.*

Permitted Facility Compliance Determination

1. Based on the results of the evaluations identified above, the permittee's compliance with the current permit is rated as: Satisfactory