



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Drafted Date: 2 July 2021
Finalized Date: 27 July 2021

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
The Woods at Farm Road Construction

From: Andrew Spejewski, Enforcement Officer

Thru: Stephanie Tougas, Enforcement Officer

To: File

I. Facility Information

A. Facility Name: The Woods at Farm Road Construction

B. Facility Location: Farm Road
Bolton, MA 01740

C. Facility Contacts: James Hryniewich
Rhino Construction Company, LLC
171 Newtown Road
Acton, MA 01720
978-502-0702
james@rhinoma.com

D. NPDES ID No(s): MAR10034L

II. Background Information

A. Date(s) of inspection: July 1, 2021

B. Weather Conditions: Cloudy, scattered rain during the day

C. US EPA Representative(s):
Andrew Spejewski
Rachel Olugbemi

D. State/Local Representative(s):
Rebecca Longvall, Conservation Agent, Town of Bolton
Valerie Oorthuys, Town Planner, Town of Bolton

E. Federally Enforceable Requirements Covered During the Inspection: NPDES Permit for Discharges from Construction Activities (“CGP”)

F. Previous Enforcement Actions: No enforcement known by EPA.

III. Type and Purpose of Inspection

Evaluation of compliance with the CGP requirements.

IV. Facility Description

The site is a residential development, south of Farm Road and east of Berlin Road, covering one to two acres. The area is fairly flat, with a slope down just south of the west end of the site, and a gradual slope down to the south and east off the site in other areas. At the time of the inspection, the site had been partially cleared, with the pre-existing meadow grass remaining on the eastern part of the site. The western portion was mostly bare dirt with the loam removed. Construction entrances led to Farm Road to the north and Berlin Road to the east. One concrete foundation was in place in the west part of the site.

V. Inspection

Mr. Spejewski phoned Mr. Hryniewicz the day before the inspection (June 30) and arranged to meet at the site.

A. Opening Conference

The four inspectors arrived at the site at about 10:00 AM. Present were Mr. Hryniewicz, of Rhino Construction, and Seth Donohoe, of Dillis and Roy Civil Design Group. Mr. Spejewski presented his credentials to Mr. Hryniewicz and provided a copy of the Small Business Information Sheet. Mr. Hryniewicz explained the project, saying that Rhino Construction was not the owner, just hired to do site work. Mr. Donohoe said his firm prepared the SWPPP and he carried out the operator inspections of the site erosion controls required by the NPDES permit. Mr. Hryniewicz said the project began in March 2021, and that work was currently stopped to address concerns from the Town. He said the site was previously mostly a field, with a small maple sugaring shed that had been removed.

B. Records Review

Mr. Donohoe produced a paper copy of the Stormwater Pollution Prevention plan (“SWPPP”) and paper copies of site inspection reports. The SWPPP was not signed. It identified Rhino Construction as the operator. Inspection reports included reports for 3/25/21, 4/1/21, 4/8/21, and many others through 6/18/21 and 6/24/21. [see pictures 19-22]. Inspection reports noted specific issues and some included photographs of relevant spots on the site.

C. Facility Tour

The western end of the site was cleared and bare soil with the loam/topsoil removed. The only significant erosion was leading into the foundation area (with no drainage leading away from it). Along the north side of the site, a small area of white deposits appeared to be concrete wash-out onto the bare dirt/grass.

Both construction entrances had fresh gravel and no significant mud deposits. A short slope down to the south was mostly undisturbed and had silt roll and silt fence at the bottom; there was no sign of concentrated flow or deposits. A stockpile (apparently loam) stood in the center of the site. Mr. Hryniewicz said it had been hydroseeded. The area around it and to the east was apparently undisturbed pre-existing grass. A line of silt fence ran around the perimeter, in the middle of undisturbed grass. One small shallow gully led through the grass to the south past the silt fence. There was no sign of significant erosion or deposition. A plastic tank and spray nozzle were lying in the grass, next to a five-gallon plastic bucket with the lid on. Mr. Hryniewicz said the tank was just water. The site sloped slightly down to the east, with a line of silt fence in undisturbed grass.

D. Closing Conference

Mr. Spejewski noted that concrete wash-out should be done in a designated spot; he also noted the small gully would be the most important place to keep an eye on in the future for erosion. The group then arranged to meet at Keyes Farm (another site in Bolton operated by Rhino Construction) for an inspection there, and all left the site, at about 10:30 AM.

Picture List:

IMG_2317.JPG	SWPPP cover page
IMG_2318.JPG	SWPPP contacts page
IMG_2319.JPG	Operator site inspection 3/17/21, page 1
IMG_2320.JPG	Operator site inspection 3/17/21, page 2
IMG_2321.JPG	Operator site inspection 6/24/21, page 1
IMG_2322.JPG	Operator site inspection 6/24/21, page 7
IMG_2323.JPG	Detail, slope near foundation
IMG_2324.JPG	West edge of north border of site, showing concrete debris
IMG_2325.JPG	Site entrance, west side to Berlin Road
IMG_2326.JPG	Site border, south of west end of site
IMG_2327.JPG	Facing southeast from east part of site, over stockpile
IMG_2328.JPG	Facing east along south border of site
IMG_2329.JPG	Northeast edge of site

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Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time

of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.