



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

Drafted Date: 23 Sept 2021

Finalized Date: 15 October 2021

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
U-Haul Construction

From: Andrew Spejewski, Enforcement Officer

Thru: Stephanie Tougas, Enforcement Officer

To: File

I. Facility Information

- A. Facility Name:* U-Haul Construction
- B. Facility Location:* Duval Road
Lancaster, MA 01523
- C. Facility Contacts:* Jeff Vaine, Project Manager
U-Haul Co.
499 Montgomery St.
Chicopee, MA 01020
413-535-0150, Jeffery_vaine@uhaul.com
- D. NPDES ID No(s):* None

II. Background Information

- A. Date(s) of inspection:* September 17, 2021
- B. Weather Conditions:* Clear
- C. US EPA Representative(s):*
Andrew Spejewski
- D. State/Local Representative(s):*
David Koonce, Town of Lancaster Conservation Agent
Thomas Christopher, Chair, Town of Lancaster Conservation Commission

*E. Federally Enforceable Requirements Covered During the Inspection: 2017
NPDES General Permit for Discharges from Construction Activities (2017
Construction General Permit)*

F. Previous Enforcement Actions: No federal actions known

III. Type and Purpose of Inspection

Unannounced evaluation of compliance with the 2017 Construction General Permit

IV. Facility Description

The site lies north of a pre-existing parking lot and building. The high point is in the center of the west side of the currently cleared area, and it slopes downward to the east over most of the site, as well as down to the south in the southwest corner and slightly down to the north towards the north end.

At the time of the inspection, a large area of several acres had been cleared and partially graded.

V. Inspection

Mr. Spejewski arrived at the parking lot at about noon. Mr. Koonce and Mr. Christopher also arrived at the same time. No workers were on the construction site itself, but two U-Haul employees were working on the existing building. They provided contact information for Jeff Vaine (see details below).

A. Opening Conference

Mr. Spejewski called Mr. Vaine and explained the purpose of the inspection. Mr. Vaine described himself as the owner representative. Mr. Spejewski requested that either a representative come to the site, or that Mr. Spejewski get permission to walk the site unaccompanied. Mr. Vaine granted permission to Mr. Spejewski to walk the site. Shortly thereafter, Mr. Vaine called back and said he could be at the site in fifteen minutes or so. Mr. Spejewski agreed to meet him on site.

B. Facility Tour

The site had been cleared and partially graded, with bare dirt exposed over the entire site. No areas had any stabilization. Several soil stockpiles had no stabilization or perimeter protection, except one small stockpile in the northeast that was partially covered in weeds. At various places, several-inch-deep gullies had formed on the multiple moderately steep slopes on the site.

A line of new silt fence was in place across the center of the site, running north-south across the general slope of the site.

Along the south edge of the cleared area (with the parking lot to the south), the site was mostly graded slightly away from the parking lot and down to the southeast corner of the site.

The southeast corner of the site had new-looking lines of silt fence and either hay bales or gravel berm, between the east edge of the parking lot and the site, and along the east edge of the site. The corner included a berm channeling flow to a small shallow informal stormwater retention basin (with standing turbid water). The basin discharged to the east through a gravel berm.

Along the east side of the site, a line of stumps and debris was in place several yards inside of (and uphill from) a silt fence/haybale line along the east edge of the cleared area. There was extensive sediment inside the silt fence at the foot of the slope, and in several places, sediment deposits were in the woods past the silt fence, with no sign of silt fence failure

Near the north edge of the east side, more sediment was deposited in the woods, leading perhaps 20-30 yards to an area with wet ground and puddles, full of reeds and cattails.

Another spot in the northeast corner had sediment past the new line of silt fence.

Another small shallow informal stormwater retention basin was located in the northeast corner of the site. It appeared to discharge over a low point in the earth wall just inside of the silt fence line.

To the north, the terrain was at or above the cleared site. The terrain to the west was generally at or above the site.

At the west side of the south edge of the site, just north of the existing building, the site drained to a very shallow wide ditch running south through a flat area west of the building, with turbid standing water. South of the building, the ditch ran more steeply down the hill to join a drainage ditch running west along the north side of Duval Road.

C. Records Review

N/A (see below)

D. Closing Conference

Mr. Vaine arrived on site soon after the tour completed. Mr. Spejewski introduced himself and presented his credentials. Mr. Vaine introduced himself as the owner representative [his business card lists him as 'project manager' for UHaul of Western Massachusetts and Vermont].

Mr. Spejewski asked when the project first disturbed earth. Mr. Vaine said he believed it was in April, before his involvement with the site, however Mr. Koonce said he believed it was actually July of this year.

Mr. Vaine said the construction was on hold, and current plans were only to comply with the Conservation Commission's orders for erosion control.

Mr. Spejewski asked about NPDES permits and a Stormwater Pollution Prevention Plan. Mr. Vaine said he did not believe permit coverage was obtained, nor a SWPPP prepared.

Mr. Spejewski noted that the site appeared to need coverage under the Construction General Permit.

Mr. Spejewski also noted that the permit requires temporary or permanent stabilization of areas not being actively worked, but EPA would discuss the site with the Conservation Commission before making any formal or informal recommendations for next steps.

Mr. Spejewski then thanked Mr. Vaine for his time and departed at approximately 1:00 PM.

Picture List:

IMG_2492.JPG	Facing west, south edge of site
IMG_2493.JPG	Facing east, south edge of site
IMG_2494.JPG	Facing north over site, from south edge
IMG_2495.JPG	Facing southeast over southeast corner
IMG_2496.JPG	Detail, east side of site
IMG_2497.JPG	Facing north along east side of site
IMG_2498.JPG	Center-north of east side
IMG_2499.JPG	East border and woods, center north
IMG_2500.JPG	Facing north to northeast corner
IMG_2501.JPG	Facing west over northeast corner
IMG_2502.JPG	Sediment deposits in woods, east of north edge of site
IMG_2503.JPG	Woods, east of north edge of site
IMG_2504.JPG	Wet area at end of sediment deposits
IMG_2505.JPG	Facing onto site from near wet area
IMG_2506.JPG	Northeast edge of site
IMG_2507.JPG	Northeast part of site, with part of informal basin
IMG_2508.JPG	Facing onto site, over informal basin in northeast
IMG_2509.JPG	Facing north from north-center of site
IMG_2510.JPG	Drainage to informal basin in northeast
IMG_2511.JPG	Facing over informal basin in northeast
IMG_2512.JPG	Facing north to north edge of site
IMG_2513.JPG	Facing west, north of existing building
IMG_2514.JPG	Shallow ditch west of existing building
IMG_2515.JPG	South part of drainage ditch, facing Duval Road
IMG_2516.JPG	Slope down to Duval Road, facing southwest
IMG_2517.JPG	Facing east, north of existing building

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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.