



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Drafted Date: October 16, 2024

Finalized Date: October 18, 2024

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
F&D Salvage

From: Alex Rosenberg, Inspector

Thru: Andrew Spejewski, Inspector

To: File

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ALEX ROSENBERG
Date: 2024.10.18
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I. Facility Information

- A. *Facility Name:* F&D Salvage
- B. *Facility Location:* 17 McCracken Rd
Millbury, MA 01527
- C. *Facility Contact:* Rocco Frongillo, V.P.
(508)-864-4798
Rocco.fdsalvage@gmail.com
- D. *NPDES ID No(s):* N/A

II. Background Information

- A. *Date of inspection:* October 2, 2024
- B. *Weather Conditions:* 70°F, clear
- C. *US EPA Representatives:*
Alex Rosenberg and Andrew Spejewski
- D. *Federally Enforceable Requirements Covered During the Inspection:*
National Pollutant Discharge Elimination System Multi-Sector General Permit
- E. *Previous Enforcement Actions:*
N/A

III. Type and Purpose of Inspection

Environmental Protection Agency (“EPA”) inspectors conducted a compliance evaluation inspection of the Facility’s applicability under the National Pollutant Discharge Elimination System (“NPDES”) multi-sector general permit (“MSGP”) for stormwater associated with industrial activities.

IV. Facility Description

F&D Salvage (“the Facility” or “Site”) is an scrap metal recycler. The Facility is operated by Mr. Rocco Frongillo. His father Tom Frongillo owns the business.

The Facility receives scrap metal from the public and resells the material once it is sorted.

The Site consists of a storage building, a sorting building and areas for stockpiling materials. The site is approximate 8 acres.

V. Inspection

Inspectors Alex Rosenberg and Andrew Spejewski arrived unannounced on-site at approximately 1PM on October 2, 2024.

A. Opening Conference

The Inspectors presented their credentials to Mr. Tom Frongillo (Tom) and Mr. Rocco Frongillo (Rocco) after waiting for him to return from lunch. Mr. Spejewski gave Tom his business card and Mr. Rosenberg explained that the purpose of the inspection was to evaluate whether the Facility required a permit under the Clean Water Act.

Tom mentioned that he retains the services of Shane M. Oakes of Independence Engineering LLC to ensure compliance with stormwater regulations. Tom was unaware of any applicable stormwater permit because he explained that stormwater does not run off his property. Inspectors were shown a record of the most recent quarterly invoices paid by Tom for the consultant’s services (slide 9). The correspondence from the consultant stated that he would update the facilities industrial SWPPP (stormwater pollution prevention plan). Facility representatives did not know what the SWPPP is.

B. Facility Tour

Tom and Rocco led the Inspectors around the Site.

Inspectors first observed the lowest point on the property, located along the eastern boundary of the site. A culverted drain-pipe (slide 12) channels stormwater from the eastern driveway entrance and office area (slide 8) into a topographical depression (slide 10, 11) where, according to Facility representatives, water collects before infiltrating.

The site is bordered by McCracken Rd to the North. A berm runs along the Facility boundary with the road. A fence is located between the berm and the road (slides 5, 6, and 7). The road is consistently up-gradient from the Facility along the entire boundary.

Runoff from the western driveway entrance enters an infiltration gallery located at the property's northwestern corner (slides 4, 5, and 17).

Upon entering the Facility through the western driveway a maintenance building and scale (slide 13) are located straight ahead. A non-ferrous metal collection and sorting building is located to the left upon entry into the Facility (slide 14 - the northern central part of the site).

A concrete depression for dumping and stockpiling ferrous metals is located in the center of the site (slide 15). Metal is removed from the depression directly into trucks that transport the material off site. Large ferrous metal stockpiles line the southern boundary of the property. When these stockpiles are shipped off-site is dependent on metal prices.

The Inspectors observed that the Site borders an upland wooded area to the South. Along the western boundary a fence is present (slide 16). Beyond the fence an earthen berm was observed. Facility representatives stated that the berm channels flow towards the infiltration gallery at the western driveway entrance and that no discharge ever leaves the site.

Inspectors were told by Facility representatives that the Facility does not have an aggregate storage capacity above the applicability threshold of 1,320 gallons that would require a spill pollution controls and countermeasures plan.

C. Closing Conference

Mr. Rosenberg explained that he did not observe any potential discharge location of stormwater associated with industrial activities. He recommended that once the road construction is completed, it could be beneficial to have their consultant write a memo regarding the flow paths of stormwater on-site, and whether it does or does not discharge off-site.

The Inspectors departed at approximately 2:30pm.

Unless otherwise noted, this report describes conditions at the Site as observed by the EPA Inspectors, and/or through information reported to the EPA inspectors by Facility Representatives and as understood by the EPA Inspectors. 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.

Attachments

- Small Business Resources Information Sheet
- Photo log