



REGION 1

BOSTON, MA 02109

Dated By Electronic Signature

Nicholas Mucci, Business Development Director
Clean Earth, Inc.
933 First Avenue, Suite 200
King of Prussia, PA 19406
nmucci@cleanearthinc.com

Subject: December 5, 2024 EPA Inspection of Adams Landfill

Dear Mr. Mucci:

On December 5, 2024, the U.S. Environmental Protection Agency ("EPA") performed an inspection at Adams Landfill, located on Crosby Road in Grafton, MA (the "Site"), to assess compliance with the National Pollutant Discharge Elimination System ("NPDES") program of the Clean Water Act. Copies of the inspection report and associated photolog are enclosed with this letter.

Discharges from the Site may require coverage under EPA's 2021 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity¹ ("MSGP") and/or the 2022 Construction General Permit ("CGP")². These EPA permits include requirements to maintain best management practices ("BMPs"). Such BMPs may include, but are not limited to:

- Effective onsite detention basins, rain gardens, and or leach pits
- Utilization of silt fences and other erosion/sediment controls, especially surrounding unstabilized soils or active industrial processes
- Regular and post-precipitation erosion and sediment control inspections
- Preservation of existing vegetation whenever possible
- Timely stabilization of slopes and stockpiles

¹ Landfills that "receive or have received any industrial wastes" engage in "industrial activity." See 40 C.F.R. § 122.26(b)(14)(v).

² Construction activities generally require coverage under the 2022 CGP when such activities will (a) disturb one or more acres of land or will disturb less than one acre of land but are part of a common plan of development or sale that will ultimately disturb one or more acres of land, and (b) discharge stormwater to a water of the United States.

Within 30 calendar days of receipt of this letter, provide the information requested below. Please answer each question as clearly and completely as possible, and provide a response in an electronic format to the following technical contact:

Eleanor Horvath
horvath.eleanor@epa.gov

1. If the Site has a Stormwater Pollution Prevention Plan ("SWPPP"), **provide** a digital copy of the SWPPP.
2. **Describe** any industrial activity that may take place at the site after landfill closure is completed.
3. **Describe** the status of obtaining MSGP and/or CGP coverage for the Site.
4. If MSGP and/or CGP coverage has/have been obtained since EPA's December 5, 2024 inspection, **provide** the NPDES ID (beginning with "MAR") and the date on which the Notice of Intent(s) was/were submitted.
5. If you do not believe that the Site requires coverage under the 2021 MSGP and/or the 2022 CGP, **explain** this determination.

If you have any technical questions relating to this letter, please contact Eleanor Horvath of my staff at 617-918-1061 or horvath.eleanor@epa.gov. Legal issues may be directed to Jeff Kopf, Senior Enforcement Counsel, at 617-918-1796 or Kopf.jeff@epa.gov.

Sincerely,

NEWTON
TEDDER

Digitally signed by
NEWTON TEDDER
Date: 2025.01.21
14:41:30 -05'00'

Newton Tedder, Manager
Water Compliance Section 1
Enforcement and Compliance Assurance Division

Enclosures:

Inspection Report
Photolog

CCs (electronic only):

Jeff Kopf, U.S. Environmental Protection Agency
Eleanor Horvath, U.S. Environmental Protection Agency



REGION 1

BOSTON, MA 02109

Date: *Dated as shown on electronic signature(s)*

Subj: Inspection Report – Clean Water Act (“CWA”)
National Pollutant Discharge Elimination System (“NPDES”)

From: Eleanor Horvath, U.S. Environmental Protection Agency Inspector

Thru: Newton Tedder, U.S. Environmental Protection Agency Inspector

To: File

I. Facility Information

- A. *Facility Name:* Adams Landfill Closure
- B. *Facility Location:* Crosby Road
Grafton, MA 01519
- C. *Facility Contacts:* Nicholas Mucci
Business Development Director
Clean Earth, Inc.
933 First Avenue, Suite 200
King of Prussia, PA 19406
- Jennifer Moore
Administrative Assistant
Clean Earth, Inc.
933 First Avenue, Suite 200
King of Prussia, PA 19406
- D. *ID No(s):* N/A

**ELEANOR
HORVATH** Digitally signed by
ELEANOR HORVATH
Date: 2025.01.22
09:21:36 -05'00'

II. Background Information

- A. *Date(s) of inspection:* 12/05/2024

B. *Weather Conditions:* 37 degrees Fahrenheit, overcast. Snow on ground.

C. *US EPA Representative(s):* Newton Tedder
Eleanor Horvath

D. *State/Local Representative(s):* N/A

E. *Federally Enforceable Requirements Covered During the Inspection:*

National Pollutant Discharge Elimination System
Construction General Permit ("CGP"), Effective February 17th, 2022

F. *Previous Enforcement Actions:* N/A

III. Type and Purpose of Inspection

Evaluation

IV. Facility Description

Adams Landfill Closure is a prior landfill and current construction site in Grafton, Massachusetts (hereafter referred to as the "site"). The site comprises approximately five acres and is surrounded by residential areas to the north and west, open space to the south, and a wetland complex and stream, which is a tributary of the Quinsigamond River, to the east.

V. Inspection

A. Opening Conference

Inspectors Newton Tedder and Eleanor Horvath arrived onsite at approximately 11:30 AM. They entered the construction trailer, introduced themselves to Ms. Jennifer Moore, presented their credentials, and explained the purpose of the inspection. Ms. Moore granted EPA site access and explained that she would gather copies of the site's permits and operator's contact information for review at the closing conference.

Outside the construction trailer, EPA observed two signs facing the public roadway (Crosby Road) with information about the site and its permits (*photo locations 95, 96*).

B. Facility Tour

EPA began the site tour at the northwestern corner of the site near the construction trailer, walking clockwise around the outer perimeter of the site. There were silt fences along northern, eastern, and southern edges of the disturbed area. EPA observed locations where sediment-laden water had accumulated against the silt fence (*photo locations 88, 100, 101*) and/or silt fences had fallen (*photo locations 88, 91, 100, 101, 104, 105, 107, 112*). At the northeastern corner of the site, EPA observed a detention basin and its spillway pointing east toward the offsite stream and wetlands (*photo locations 90, 102*). Along the eastern edge of the site, Inspectors Tedder and Horvath observed wetlands and a streambed through a strip of trees

(*photo location 91, 92*), as well as what appeared to be wetland delineation flags approximately two feet from the disturbed area (*photo location 93*).

The interior of the site was comprised of many large unstabilized stockpiles of soil. Heavy machinery (e.g., excavators) were actively working with stockpiles on the southern end of the site. The center of the site was approximately 30 feet higher in elevation than the silt fences around the edge, and the site was steeply sloped from the higher elevation to the lower along the eastern portion of the site toward the wetlands and stream (*photo location 106, 110*). At the site entrance, EPA observed considerable trackout from the site onto the public roadway (*photo locations 94, 113*).

C. Closing Conference

The closing conference occurred at approximately 12:05 PM in the construction trailer where the opening conference was held. Ms. Moore provided EPA a copy of the site's Wetlands permit from the Massachusetts Department of Environmental Protection, as well as the name and contact information of herself and her supervisor, Mr. Nicholas Mucci, the project manager.

Mr. Mucci was on the phone for the closing conference, allowing EPA to ask further questions about the site. He explained that construction began around the spring of 2022. The near-term construction timeline includes an estimated six more months of soil import, followed by six months of the soil capping process. Portions of the site require 10 to 15 more feet of fill before they are at the target grade.

Inspector Horvath asked Mr. Mucci whether the site would remain active through the winter, and he explained that they are unsure about whether the site will shut down some or all of its operations, as it depends on the demand for soil. Inspector Horvath then asked Mr. Mucci about the plan for the stockpiles in the meantime. Mr. Mucci stated that the largest pile, near the construction trailer and the northern end of the site, would be inactive for the next month before it is relocated and then used later in the capping process. Mr. Mucci explained that the capping process was expected to begin in approximately six months, after the soil import process concluded, and last for approximately six months after that before the site is stabilized. Inspector Horvath asked whether the site had a Stormwater Pollution Prevention Plan ("SWPPP") – Mr. Mucci said that they likely had one somewhere in the trailer, but that he could send EPA a copy via email.

Inspector Horvath told Mr. Mucci and Ms. Moore that they would receive an inspection report within 70 days of the inspection. She also indicated that she would be requesting a copy of the site's SWPPP over email and would likely have some follow-up questions for Mr. Mucci.

EPA departed at approximately 12:15 PM.

D. Inspection Photos

Photo Location ID	Field Description
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114	
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94	Track out
93	Wetlands flags
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90	Spillway
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88	

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.