



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

Drafted Date: 13 January 2021

Finalized Date: 26 January 2021

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

From: Andrew Spejewski

Thru: Stephanie Tougas

To: File

I. Facility Information

- A. Facility Name:* Jennings Road Construction
- B. Facility Location:* Jennings Road Extension
Charlton, MA 01507
- C. Facility Contacts:* Russell Jennings, Owner
GAIR LLC, 221 Brookfield Road
Charlton, MA 01507
508-962-9330
- D. NPDES ID No(s):* None

II. Background Information

- A. Date(s) of inspection:* January 13, 2021
- B. Weather Conditions:* Clear, near freezing
- C. US EPA Representative(s):*
Andrew Spejewski
- D. State/Local Representative(s):* Rose Conway, Town of Charlton Conservation
- E. Federally Enforceable Requirements Covered During the Inspection:*
Construction Stormwater General Permit

F. Previous Enforcement Actions: An expedited settlement agreement was completed between EPA and GAIR, LLC in 2011 for \$3,250 over inadequate maintenance of erosion controls and inadequate documentation of site inspections.

III. Type and Purpose of Inspection

Evaluation of compliance with the Construction Stormwater General Permit

IV. Facility Description

The site is a single-family residential development. The current phase is a road extending Jennings Drive to the east and south from the previous end of Jennings Drive, with house lots on either side. The road runs about 350 yards east and south along flat terrain then up a hill.

At the top of the hill, the road meets a field running south and downhill to Brookfield Road.

To the south of the current phase, in the flat area and adjacent to previous phases of the development, a large stormwater basin has been completed.

At the time of the inspection, the road was paved (first, but not final coat). Two houses were under construction to the north of the road.

V. Inspection

Mr. Spejewski contacted Mr. Jennings by phone the day before the inspection and the two agreed to meet at the site around 11:30 on Jan 13.

On Jan 13, Mr. Spejewski called Mr. Jennings about 11:00 to tell him that he and Ms. Conway would be at the site earlier, if it was possible to meet them then. Mr. Jennings said that he could not be at the site, but his representative would meet the inspectors there soon.

Mr. Spejewski and Ms. Conway arrived at the site about 11:05. Shortly thereafter Amber Howard arrived and introduced herself as the site representative. Mr. Spejewski asked if she had a formal job title and she said she did not.

A. Opening Conference

Mr. Spejewski presented his credentials to Ms. Howard and explained the purpose of the inspection. Ms. Howard stated that the current phase of the project went from the previous end of Jennings Road up the hill to the field, and a future phase would bring Jennings Road down the field back to Brookfield Road. The area going up the hill was previously wooded.

Ms. Howard explained that the houses currently under construction were not being built by the project developer, but rather the lots had been sold individually as unfinished lots to homebuilders, which was the model the developer followed for nearly all lots.

Ms. Howard was unaware of what permits had been obtained for the development, and was not aware of who was responsible for erosion controls on the house lots.

B. Facility Tour

Ms. Conway returned to Town Hall to bring back a site plan. Mr. Spejewski and Ms. Howard toured the stormwater basin and then met Ms. Conway to tour the rest of site together.

The stormwater basin had well-established grass walls on the interior and exterior. A pipe discharging into the basin was located on the north side, near the current phase of development. Small amounts of sediment were visible below the pipe, inside the basin. The outfall from the basin was on the south side, into a small bay surrounded by small berms.

A short moderate slope south of the basin (between the basin and a completed house from an earlier phase of the development) had scattered, poorly established grass and some small gullying forming. This area drained into the bay below the outlet of the basin. Mr. Spejewski pointed out the lack of good grass cover here.

A wide flat cleared area was south of the road and east of the basin. This area had some pieces of heavy equipment, various materials and two small storage trailers. Next to a dump truck were several 5-gallon buckets (one labelled as transmission fluid), a plastic gas can and several propane tanks. Mr. Spejewski noted that spillable or hazardous material should be stored under cover if possible.

The new section of road was paved. Ms. Howard said it was only the rough coat and a finish coat would be added later. Catch basins were in place and open, with no filter fabric or other barrier. Ms. Howard said all the catch basins drained to the large existing stormwater basin to the south. Mr. Spejewski noted that filter fabric over the basins would prevent sediment accumulation in the detention basin (and less maintenance of the basin).

To the north of the road, across from the flat area, a house was under construction. The lot was fairly flat, close to the level of the road and below terrain to the north. No erosion controls or stabilization was in place.

West of that lot was a depression at the foot of the slope that ran up to the west (along the road) and also up to the north. Water was present in the depression and staining on sticks and logs in the depression indicated the water level had been at times at least six inches higher. Ms. Howard stated that a cistern was to be installed in this area, draining under the road to the stormwater basin.

The next lots to the north going up the hill were only partially cleared, mostly near the road. Near the top of the hill a house was under construction. The lot sloped steeply down to the road, and the yard was bare dirt, with several-inch deep gullies in the front yard leading down to the road.

The road ended near the top of the hill. There was no gravel or other site entrance at the end of the paved road. A pickup truck was parked past the end of the pavement, on the dirt road extending to the top of the hill.

At the top of the hill was a wide field sloping down to the south to Brookfield Road. The grass was clearly long-established in the field. Two stockpiles of earth were present near the top of the hill. They appeared fairly fresh (with dark earth, no weed growth and only very small gully erosion). There was no stabilization or containment for the stockpiles.

To the south of the road, going back down the hill, a slope led down from the road to uncleared woods. The slope was bare dirt and rocks with no stabilization. An abandoned wheel with tire and other debris was sitting on the side of the road.

Between the foot of the hill and the flat area containing the stormwater basin was a cleared lot, below the level of the road and flat area, apparently draining to the south. This area was partially cleared and leveled, with brush and uncleared patches. Ms. Howard said this lot had been sold and the new owner would be grading it.

C. Records Review

No records were reviewed on-site.

D. Closing Conference

Mr. Spejewski thanked Ms. Howard for her time and left the site at about noon.

[Note that the camera's clock was set to Eastern Daylight Time, so the timestamp on picture files is one hour later than the actual Eastern Standard Time in effect during the inspection]

Picture List:

IMG_2202.JPG	Existing stormwater basin, facing south over basin
IMG_2203.JPG	Close-up, pipe into stormwater basin
IMG_2204.JPG	Lot south of road, west of basin
IMG_2205.JPG	Discharge pipe from stormwater basin
IMG_2206.JPG	Slope south of stormwater basin, leading into discharge area
IMG_2207.JPG	Lot north of road, near east of current phase
IMG_2208.JPG	Facing north from road, at foot of slope
IMG_2209.JPG	Facing west along road, from foot of slope
IMG_2210.JPG	Facing east over lot south of road, at foot of slope
IMG_2211.JPG	Facing east along road, mid-slope
IMG_2212.JPG	Facing west along south edge of road, mid-slope
IMG_2213.JPG	House lot north of road, mid-slope

IMG_2214.JPG	Facing east from top of slope
IMG_2215.JPG	Field at top of slope, showing stockpiles
IMG_2216.JPG	West edge of stockpile in field
IMG_2217.JPG	Facing east down slope along road
IMG_2218.JPG	Facing west, over end of paved road
IMG_2219.JPG	Equipment with oil containers, in flat area south of road
IMG_2220.JPG	Storage area, in flat area south of road.

** END **

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.