



REGION 1

BOSTON, MA 02109

Dated as shown on electronic signature

Sent via Electronic Mail

Mike Tancreti, President
Bastion Building and Development
740 Pine St
Manchester, New Hampshire 03104
bgtea@aol.com

Subject: March 15, 2024, EPA Inspection at Falcon Ridge

Dear Mr. Tancreti:

On March 15, 2024, the U.S. Environmental Protection Agency ("EPA") performed an inspection at the Falcon Ridge Subdivision in Milford, New Hampshire regarding compliance with the National Pollutant Discharge Elimination System program of the Clean Water Act. A copy of the inspection report is enclosed with this letter. Also please find a copy of EPA's Small Business Information Sheet with resources for small businesses.

Specific comments, informed by the inspection, are as follows:

The site did not appear to have current permit coverage under EPA's General Permit for Construction Stormwater discharges. Please submit either a tracking number (beginning with "NHR") provided by EPA indicating current permit coverage, a plan and timeline for obtaining coverage, or your reason for believing permit coverage is not required. If permit coverage was previously obtained, but not renewed, you may wish to submit evidence of that coverage (such as the permit tracking number or correspondence from EPA indicating coverage was granted). Information on the current construction general permit can be found at:
<https://www.epa.gov/npdes/2022-construction-general-permit-cgp>

To have permit coverage, the site must have an up to date Stormwater Pollution Prevention Plan ("SWPPP"). Please submit the SWPPP for the site; an unsigned electronic copy is acceptable.

The permit requires regular inspections of erosion controls. Please submit any reports of inspections of erosion controls done by the site operator (or designee) in 2024.

Please provide a plan and timeline for final stabilization of the unstabilized backyard north of Falcon Ridge Road.

Where applicable, please provide a response to these comments in hard copy or in an electronic format **within 30 days of receipt of this letter** to the following technical contact:

Andrew Spejewski
Mail Code: 4-MO
5 Post Office Sq - Suite 100
Boston, MA 02109-3912
(617) 918-1014
Spejewski.andrew@epa.gov

Legal issues may be directed to Jeff Kopf, Senior Enforcement Counsel, at (617) 918-1796 or at Kopf.jeff@epa.gov.

Sincerely,
**NEWTON
TEDDER**

Digitally signed by
NEWTON TEDDER
Date: 2024.03.28
15:55:32 -04'00'

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

Enclosures:

Inspection Report for March 15, 2024, EPA Inspection
EPA Small Business Information Sheet

CCs (electronic only):

Jeff Kopf, US EPA
Andrew Spejewski, US EPA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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

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

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
Falcon Ridge Subdivision

From: Andrew Spejewski, Inspector

ANDREW SPEJEWSKI Digitally signed by ANDREW
SPEJEWSKI
Date: 2024.03.26 09:43:17 -04'00'

Thru: Karissa Oakes, Inspector

To: File

I. Facility Information

- A. *Facility Name:* Falcon Ridge Subdivision
- B. *Facility Location:* Falcon Ridge Road
Milford, NH 03055
- C. *Facility Contacts:* Mike Tancreti, President, Bastion Building and
Development
740 Pine St
Manchester, NH 03104
603-557-6409
bgtea@aol.com
- D. *NPDES ID No(s):* None known

II. Background Information

- A. *Date(s) of inspection:* March 15, 2024
- B. *Weather Conditions:* Scattered light rain
- C. *US EPA Representative(s):*
Andrew Spejewski
Eleanor Horvath
Karissa Oakes

D. State/Local Representative(s):

Nicole Crawford, Town Engineer Milford, NH

E. Federally Enforceable Requirements Covered During the Inspection: EPA's Construction General Permit for Stormwater Discharges ("CGP")

F. Previous Enforcement Actions: None known

III. Type and Purpose of Inspection

Unannounced evaluation of compliance with EPA's Construction General Permit for Stormwater Discharges.

IV. Facility Description

The site is a single-family residential development, along Falcon Ridge Road and Peregrine Way (both of which were constructed as part of the development). Falcon Ridge Road runs roughly north and east from Maple Street, curves west then south to a dead end. Peregrine runs north from Falcon Ridge to Whiting Hill Road. The site slopes down to the east away from Falcon Ridge in the southern part, and down to the north in the northern part; the end of Falcon Ridge is roughly at the top of a hill. A stream drainage crosses Peregrine running east-west.

At the time of the inspection, houses east and south of Peregrine had been completed and were apparently occupied.; all but one or two had been finally stabilized. Falcon Ridge west of Peregrine was only cleared areas and stockpiles west of the end of the road. Peregrine had one lot completed, and a cleared lot at the northeast end.

V. Inspection

A. Opening Conference

Mr. Spejewski, Ms. Horvath and Ms. Oakes arrived by car at about 10:30 AM, parked at the corner of Peregrine and Falcon Ridge, and met Ms. Crawford. As no office or workers could be seen on site, at 10:35 AM, Mr. Spejewski called Mr. Tancredi to arrange for the inspection, and left a message on his voicemail. Ms. Crawford noted that drainage from the stockpile hill could be observed from a public, town-owned path north of the hill. The group went down the path.

At about 10:55 AM, Mr. Tancredi called Mr. Spejewski back. Mr. Spejewski explained the purpose of the inspection. Mr. Tancredi said that his site manager was over 40 minutes away, and after discussion, gave Mr. Spejewski permission to walk the site

unaccompanied and to take photographs. The group then walked onto the site and toured several areas.

B. Facility Tour

The public path running west from Peregrine Way was unpaved and had erosion ruts. Sediment was deposited at the edge of the pond at the west end of the path.

The west end of Falcon Ridge was just below the top of a hill to the west, with several stockpiles on it. The hill was sloped down steeply to the north and west to pre-existing woods. The slope appeared to be constructed and had established grass.

The north slope grass was established, with a couple eroded channels (that appeared to have been established before full grass stabilization) and a rip-rap lined drainage channel, all leading to the north. To the north of the slope, two lines of silt sock were in place inside the woods. Some sediment was observed deposited between the two lines of silt sock; it did not appear recent.

The western and southern slopes were well established grass and weeds.

A large stockpile of dirt was in place on top of the hill and some smaller piles of dirt and gravel. There was no clear stabilization of the stockpiles other than scattered weed growth; they all appeared to have been disturbed at least partially recently. There was no sign of sediment being carried down the hill from the stockpiles.

Falcon Ridge Drive was paved, without curbs. South/east of the intersection with Peregrine, completed houses were in place on both sides of the road, all with established grass front yards. There was a gap of several inches to a foot between the pavement and established grass; in places erosion channels were present in the gap.

The group walked down a fire road easement from Falcon Ridge drive to the north and then west behind the houses.

A rip-rap drainage channel led north from about the northernmost point of Falcon Ridge road to an inlet on the south side of the fire road; an outlet was just north of the fire road leading into a wide constructed drainage channel leading north.

The channel appeared to have been disturbed recently. Ms. Crawford said she believed a Town official had required it to be cleaned out. Ms. Crawford stated the channel led to a completed and stabilized stormwater basin built as part of the project.

One house north of Falcon Drive had grass in the front yard but the back yard was bare dirt. A steep slope ran down the backyard to the fire road north of the house, and slightly down to either side. Fabric netting was in place along most of the north slope. In several places, erosion channels could be seen under the netting and significant sediment was washed out onto the fire road. Silt fence was in place on the north side of the fire road.

To the east and west of the backyard, a drainage channel ran along the south side of the fire road, leading in both cases to a concrete inlet south of the fire road. The eastern inlet was near the end of the rip-rap channel leading from Falcon Ridge and across from the outlet north of the fire road.

Another unstabilized area was east of the north end of Peregrine Way, covering one or two house lots. The area was cleared and partially graded, with fresh disturbance in most places. The lots were slightly below the surrounding terrain to the north and east, and a berm was in place to the south, between the lots and a stream crossing under Peregrine Way.

Sediment had been tracked onto Peregrine Way from the lots.

The group concluded the tour and left the site.

C. Records Review

No Records were reviewed during the on-site inspection.

D. Closing Conference

At about noon, just before leaving the site, Mr. Spejewski called Mr. Tancreti to tell him that the inspection was completed, that there were no immediate issues requiring an operator to come to the site, and that Mr. Spejewski would be contacting Mr. Tancreti next week to discuss permitting and any issues from the inspection.

On March 20, Mr. Spejewski called Mr. Tancreti. Mr. Spejewski noted concerns with the unstabilized backyards north of Falcon Ridge, potential erosion at the edge of pavement on Falcon Ridge Road, and sediment deposit on the north end of Peregrine Way. Mr. Spejewski asked about permits; Mr. Tancreti did not have any specific information, but said that he believed he had a permit in the past and at that time it was not required to renew the permit. Mr. Spejewski noted that at any rate, the site appeared to be unpermitted at the present, and immediately applying for permit coverage would bring them into compliance sooner. Mr. Tancreti asked for Mr. Spejewski to send him specific questions; Mr. Spejewski agreed.

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.