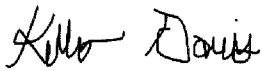


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Enforcement and Compliance Assurance Division
Water Compliance Branch

Clean Water Act (CWA) Inspection Report

Program: Industrial Stormwater	Inspection Type: Compliance Evaluation Inspection (CEI)	
Permittee Name: Culpeper of Belchertown, LLC	NPDES/ICIS No.: MAR053808	
Inspection Entry Date: November 3, 2022 Inspection Entry Time: 8:00 AM	Inspection Exit Date: November 3, 2022 Inspection Exit Time: 11:10 AM	
Facility Inspected: Culpeper of Belchertown, LLC 201 Springfield Road, Belchertown MA 01007	Lat, Long: 42.260739°, -72.402248° NAICS / SIC Code: 2491 – Wood Preserving	
EPA Region 1 Representative(s): None		
State Representative(s): None		
On-site Facility Representative(s): Chris Doucette, Plant Manager - 413-323-7811 cdoucette@culpeperwood.com Sandra Tyburski, Environmental Assistant - styburski@culpeperwood.com		
Responsible Official: Chris Doucette, Plant Manager		
Name and Signature of Lead Inspector Kelly Davis 	Agency/Office/Phone Number Eastern Research Group, Inc. (ERG) (703) 633-1646 kelly.davis@erg.com	Date 12/20/2022

INTRODUCTION:

On November 3, 2022, a United States Environmental Protection Agency (EPA) contractor, ERG, conducted an industrial stormwater Compliance Evaluation Inspection (CEI) at Culpeper of Belchertown, LLC (aka Northeast Wood Treaters & Culpeper Wood Preservers) located at 201 Springfield Road, Belchertown Massachusetts, 01007 (hereinafter, the Facility). Ms. Kelly Davis of ERG (EPA Inspector) led the inspection. Ms. Davis presented her Clean Water Act (CWA) inspector credential to the Facility representatives, Mr. Chris Doucette and Ms. Sandra Tyburski, and conducted an opening conference.

During the opening conference, the EPA Inspector explained the purpose of the CEI was to assess the Facility's compliance status with respect to EPA's 2021 Industrial Stormwater Multi-Sector General Permit (MSGP). On May 24, 2021, the Facility submitted a Notice of Intent (NOI) to obtain coverage the current MSGP, MAR050000, which became effective on September 29, 2021, and expires on February 28, 2026. A change NOI was submitted on September 28, 2022 that updated facility operator and contact names. Per the MSGP, the Facility falls under Sector A – Timber Products, Subsector A2 – Wood Preserving, and is subject to benchmark monitoring of total recoverable copper and arsenic.

The weather at the time of the inspection was sunny and approximately 35°F. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA), the closest precipitation monitoring station in the town of Brimfield last received approximately 0.06 inches of rainfall on November 1st, two days before the day of the inspection.

FINDINGS AND OBSERVATIONS:

Facility Description

The Facility, owned by Culpeper of Belchertown, LLC, is primarily a wood treating plant that includes the treatment and preservation of raw lumber and the storage of both untreated and treated lumber. The Facility treats approximately 60 million board-feet of raw wood (3.5 million feet³) yearly. The Facility uses treatment products such as two moldicides (Cleanwood 46-Plus and Cleanwood AC), a sodium nitrite corrosion prohibitor, and Micronized Copper Azole (MCA) for treatment of wood.

The Facility comprises 13 acres located off Springfield Road in Belchertown, Massachusetts (refer to Appendix A, Photograph 1). The Facility is bordered by a forested wetland area and Jabish Brook to the west and southwest, a forested area to the north, a forested and residential area to the east, and a solar plant to the southeast. The Facility's outdoor industrial activities included the following:

- Northeast portion – outdoor staging area for raw lumber
- Northwest portion – outdoor staging area for treated lumber
- Southeast corner – fueling area for forklifts and minor vehicle maintenance

The Facility receives raw lumber via railcar at the north perimeter. The Facility stages the raw lumber in the northwest area of the Facility for approximately 2 -7 days (refer to Appendix A, Photograph 2). The Facility treats the lumber in the treatment plant and stores it on the drip pads to the east and west of the treatment plant for approximately 24 - 48 hours (refer to Appendix A, Photographs 3, 4, and 5). The drip pads are contained by concrete berms, a roof, and are graded towards trench drains. After the treated lumber is dried, it is stored in the outdoor staging area in the Facility's northeast area (refer to Appendix A, Photographs 6 and 7). The Facility representatives stated treated lumber sits for up to a year outdoors before it is shipped out. The Facility representatives also stated that raw and dried, treated wood is occasionally pressure washed with only water to remove decaying material and dirt as needed.

The Facility owns fourteen (14) forklifts and three (3) tractor trailers. The forklifts are refueled outside of the garage at the southeast corner of the Facility using a 250-gallon diesel aboveground storage tank (AST) (refer to Appendix A, Photograph 8). The tank is located under a roof and within secondary containment. Vehicle maintenance (i.e., oil changes) is performed both inside and outside the garage by staff or contractors. Used oil is stored in the garage in 50-gallon drums that are removed by a contractor approximately four times a year. The Facility has spill kits inside the garage and the treatment plant (refer to Appendix A, Photograph 9). The Facility representatives stated the garage does not have internal floor drains. An uncovered dumpster that stores plastic waste is adjacent to the garage (refer to Appendix A, Photograph 10).

The Facility representatives stated residue from pressurized wood treatment collected in drip pads is considered hazardous material. During the treatment process, the residue is collected in storage containers that are contained in the covered east drip pad adjacent to the treatment plant. The hazardous material is picked up and removed by a contractor on a quarterly basis.

Facility Drainage Systems and Discharges

The Facility representatives stated the Facility has two stormwater outfalls (Outfalls 001 and 002), three stormwater detention basins, and three catch basins. Outfall 001 is located on the south perimeter of the Facility (refer to Appendix A, Photographs 11). The Facility representatives stated they had not observed discharge from the outfall, but that the site drainage was potentially designed for the outfall to receive piped flow from a ditch along the south perimeter and piped stormwater flow from the garage rooftop. The EPA Inspector did not observe discharge from the outfall during the inspection.

The Facility representatives stated stormwater from the southeast area of the Facility flows towards a detention basin at the southeast corner of the Facility (refer to Appendix A, Photographs 12 through 14). Stormwater in the southeast basin either infiltrates or evaporates. The Facility representatives stated they have not seen standing water in the basin “for a long time”.

The EPA Inspector observed one catch basin in the mid-east area of the Facility. The Facility representatives stated the catch basin connects to a catch basin in the mid-north area of the Facility (refer to Appendix A, Photographs 16 and 17).

Stormwater from the mid-north area of the Facility drains to two catch basins located in the mid-north area located between two canopied staging areas (refer to Appendix A, Photographs 18 through 21). The two catch basins are connected to the northwest detention basin.

Stormwater in the west area of the Facility flows to both the northwest detention basin and the southwest detention basin (refer to Appendix A, Photographs 22 and 30). Stormwater in the northwest detention basin either infiltrates, evaporates, or flows into the southwest detention basin via piped flow. The EPA Inspector observed standing water in the northwest basin. Stormwater in the southwest detention basin is discharged to Outfall 002 via a concrete sump at the center of the basin. Stormwater that is discharged from Outfall 002 eventually discharges to Jabish Brook, which flows north to south (refer to Appendix A, Photographs 31 and 32).

Facility representatives stated that stormwater has the potential to discharge from the southwest corner of the Facility to Jabish Brook at the entrance at the southwest corner of the Facility. Facility representatives reported seeing stormwater pool at this location (refer to Appendix A, Photographs 33 and 34).

The Facility representatives stated the Facility does not connect to a municipal separate storm sewer system (MS4).

Sampling and Records

At the time of the inspection, the EPA Inspector reviewed the following records provided onsite:

- a. Northeast Treaters, Inc. Stormwater Pollution Prevention Plan (SWPPP) dated May 24, 2021 (not signed) (refer to Appendix B, Exhibits 1 and 2).
- b. 2021 Annual report
- c. Change NOI dated third quarter, 2022. NOI updated the name of the operator from Northeast Treaters, Inc. to Culpeper of Belchertown, LLC.
- d. Letter for authorization for 2021 MSGP coverage

- e. A copy of EPA's 2021 MSGP
- f. The Site Drainage Plan (May 14, 2021) (refer to Appendix B, Exhibit 3)
- g. Quarterly Visual Monitoring Forms – Outfall 002 (first quarter 2022 through third quarter 2022)

During the inspection, Facility representatives stated that they maintained copies of Monthly Facility Inspection Reports, Quarterly Visual Monitoring Forms from 2021, and records of training, however the office had recently moved the documents and they were not immediately accessible. On November 7, 2022, the EPA Inspector requested the following records from the Facility representative:

- a. Monthly Facility Inspection Reports from the previous 12 months
- b. Corrective action reports from the previous 12 months
- c. Quarterly Visual Monitoring Forms from 2021
- d. Records of routine trainings, including a sign-in sheet

Additionally, on November 10, 2022, the EPA Inspector requested a copy of the Notice of Intent (NOI).

On November 21, 2022, the EPA Inspector received the following records:

- a. The NOI (August 28, 2022)
- b. A copy of the signed SWPPP certification page (November 9, 2022) (refer to Appendix B, Exhibit 4)
- c. Monthly Inspections (January 29, 2021 through October 21, 2022)
- d. J.J. Keller's 5-Minute Workplace Safety Talks (September 9, 2021; September 28, 2021; December 17, 2021; January, 31, 2022; February 14, 2022; May 27, 2022; June 20, 2022)
- e. Weekly hazardous waste storage area (garage) inspections (January 8, 2021 through November 11, 2022)

CLOSING:

At the conclusion of the inspection, the EPA Inspector held a closing conference with the Facility representatives and discussed the preliminary findings and observations of the inspection. The closing conference began at 10:50 AM (EST) and concluded at approximately 11:10 AM (EST).

POTENTIAL NONCOMPLIANCE ITEMS:

1. Permit Part 2.1.2.8.b states, "Personnel must be trained in at least the following if related to the scope of their job duties (e.g., only personnel responsible for conducting inspections need to understand how to conduct inspections):
 - i. An overview of what is in the SWPPP;
 - ii. Spill response procedures, good housekeeping, maintenance requirements, and material management practices;
 - iii. The location of all the controls required by this permit, and how they are to be maintained;
 - iv. The proper procedures to follow with respect to the permit's pollution prevention requirements; and
 - v. When and how to conduct inspections, record applicable findings, and take corrective actions; and
 - vi. The facility's emergency procedures, if applicable per Part 2.1.1.8."

Page 11 of the Facility's SWPPP (refer to Appendix B, Exhibit 2) states, "Employee training is held on an annual basis. Any personnel associated with Facility operations or product handling at the Facility is required to attend the training. Northeast Treaters will retain documentation of all stormwater training

provided to facility personnel, either by using the form included in Appendix D or another suitable means. The training topics include the following items:

- Review of the content and relevance of the Stormwater Pollution Prevention Plan;
- Discussion of the Stormwater Pollution Prevention Team and their responsibilities;
- Review of the proper BMPs to be used by facility employees on a regular basis, including good housekeeping measures, materials handling procedures and spill prevention and response practices;
- Discussion of the most recent site inspection results and any resulting changes to this SWPPP Plan; and
- Review of the Facility’s stormwater drainage structures and the Outfall location.”

The Facility representatives stated that regular stormwater training is not performed. The Facility representatives provided documentation of 5-minute workplace safety talks that took place on September 9, 2021; September 28, 2021; December 17, 2021; January, 31, 2022; February 14, 2022; May 27, 2022; and June 20, 2022. The material did not cover stormwater topics.

2. Permit Part 5.2.2 states, “If an annual average exceeds an applicable benchmark threshold based on the following events, the AIM requirements have been triggered for that benchmark parameter. You must follow the corresponding AIM-level responses and deadlines described in Parts 5.2.3, 5.2.4, and 5.2.5 unless you qualify for an exception under Part 5.2.6. An annual average exceedance for a parameter can occur if:
5.2.2.1 The four-quarterly annual average for a parameter exceeds the benchmark threshold, or
5.2.2.2 Fewer than four quarterly samples are collected, but a single sample or the sum of any sample results within the sampling year exceeds the benchmark threshold by more than four times for a parameter. This result indicates an exceedance is mathematically certain (i.e., the sum of quarterly sample results to date is already more than four times the benchmark threshold). (For pH, an annual average exceedance can only occur if the four-quarter annual average exceeds the benchmark threshold.)”

Permit Part 5.2.3.1 states, “If any modifications to or additional control measures are necessary in response to AIM Level 1, you must implement those modifications or control measures within 14 days of receipt of laboratory results, unless doing so within 14 days is infeasible. If doing so within 14 days is infeasible, you must document per Part 5.3 why it is infeasible and implement such modifications within 45 days.”

The Facility reported the following benchmark monitoring results of total recoverable copper from Outfall 002 from the fourth quarter of 2021 through the third quarter of 2022 shown in Table 1. The Facility’s monitored concentration of total recoverable arsenic did not exceed the benchmark concentration.

Table 1: Total Recoverable Copper Benchmark Exceedances (µg/L) from Quarter 4, 2021 through Quarter 3, 2022

Quarter	Four Times Parameter	Limit	Copper Value
Quarter 4, 2021	20.8	5.19	2
Quarter 1, 2022	20.8	5.19	N/A*
Quarter 2, 2022	20.8	5.19	5.2
Quarter 3, 2022	20.8	5.19	135

N/A* = Outfall did not have measurable flow during the quarter.

The sample collected during the Quarter 3 2022 (received by Net-DMR on July 6, 2022) monitoring event was greater than four times the parameter limit of 5.19 µg/L, triggering an AIM Level 1 action. The Permittee's SWPPP did not include plans to address the AIM event.

3. Permit Part 6 states, "The SWPPP is a living document. Facilities must keep their SWPPP up-to-date throughout their permit coverage, such as making revisions and improvements to their stormwater management program based on new information and experiences with major storm events."

The Facility was referred to by its previous name, Northeast Treaters, throughout the SWPPP (refer to Appendix B, Exhibits 1, 2, and 4). The Facility's name was changed to Culpeper of Belchertown, LLC on July 1, 2022, as stated on the SWPPP certification page signed on November 9, 2022.

4. Permit Part 6.2.2.3 states the permittee must, "Provide a map showing:
 - a. Boundaries of the property and the size of the property in acres...
 - i. Locations of all stormwater monitoring points;
 - j. Locations of stormwater inlets and discharge points, with a unique identification code for each discharge point (e.g., 001, 002), indicating if you are treating one or more discharge points as "substantially identical" under Parts 3.2.4.5, 6.2.5.3, and 4.1.1, and an approximate outline of the areas draining to each discharge point..."

The EPA Inspector observed the Site Drainage Plan provided during the inspection was missing the following (refer to Appendix B, Exhibit 3):

- The size of the Facility in acres
- The locations of all stormwater monitoring points at the Facility
- The mid-east catch basin that had the potential to discharge to Outfall 002 (refer to Appendix A, Photographs 16 and 17)

The Site Drainage Plan depicted a stormwater outfall (Outfall 001) at the mid-west perimeter that the Facility representatives stated does not experience discharge and is not monitored (refer to Appendix A, Photograph 11). The Site Drainage Plan also did not depict the northwest and southwest detention basins as two separate basins but as one continuous basin.

5. Permit Part 6.2.7 states, "You must sign and date your SWPPP in accordance with Appendix A, Subsection 11."

At the time of the inspection, the EPA Inspector identified that the onsite SWPPP had not been signed (refer to Appendix B, Exhibit 1). On November 21, 2022, the Facility representatives sent the EPA Inspector an updated copy of the SWPPP certification page that was signed on November 9, 2022 (refer to Appendix B, Exhibit 4).

POTENTIAL AREAS OF CONCERN:

- The northwest and southwest detention basins were overgrown with vegetation and required maintenance. Due to the vegetative growth, the EPA Inspector was unable to observe the inlets where flow from the mid-north catch basins discharge into the basin (refer to Appendix A, Photograph 22 through 27).

- The Facility representatives stated that a potential outfall exists at the southwest corner of the Facility at the site entrance because they had observed stormwater pooled at that location (refer to Appendix A, Photograph 34). The Facility representative stated they have never observed discharge at this location, but it is not regularly monitored. This location was not depicted as an outfall on the Site Drainage Plan or in the NOI.

ATTACHMENTS:

Appendix A – Photograph Log

Appendix B – Exhibit Log