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")
Charles Street Subdivision

From: Damian Bednarz, EPA Inspector DAMIAN BEDNARZ Digitally signed by DAMIAN BEDNARZ Date: 2024.01.04 11:04:18 -05'00'

Thru: Andrew Spejewski, EPA Inspector

To: File

I. Facility Information

A. *Facility Name:* Charles Street Subdivision

B. *Facility Location*: Charles Street
North Reading, MA 01864

C. *Facility Contacts:* Michael Bruno

D. *NPDES ID No(s).:* Unpermitted

II. Background Information

A. *Date(s) of inspection:* October 31, 2023

B. *Weather Conditions:* Sunny, 45°

C. *US EPA Representative(s):*
Damian Bednarz, EPA Inspector

D. *State/Local Representative(s):*
Danielle McKnight, North Reading Community Planning Administrator
Dan O'Donnell, North Reading Town Engineer
Leah Basbanes, North Reading Conservation Agent

E. *Federally Enforceable Requirements Covered During the Inspection:*
National Pollutant Discharge Elimination System Construction General Permit (CGP) (Effective February 17, 2022)

F. Previous Enforcement Actions:

None known

III. Type and Purpose of Inspection

The Environmental Protection Agency ("EPA") conducted a compliance evaluation inspection of a residential construction project regarding applicability under the National Pollutant Discharge Elimination System ("NPDES") Construction General Permit ("CGP") for stormwater discharges associated with construction activities. This inspection was Reconnaissance without sampling, as access to the construction site(s) was not granted since site operators were not present the day of the inspection, and EPA did not give notice of the visit. Observations recorded in this report and its attachments were made on public roadways and off-site private property where property owners granted access.

IV. Facility Description

The Charles Street Subdivision, referred to hereafter as the "Site" or "Development", is an ongoing residential construction project. Approximately six homes existed prior to this development (1-5 and 4 Charles Street). The Development is estimated to have an additional eleven lots (6, 8-12, 14-17, and 19 Charles Street). At the time of the reconnaissance inspection, seven homes were constructed. It is unknown when this development will be complete and fully stabilized. The home locations are approximated and numbered on Slide 1 of the attached Photo Album, with yellow numbers being lots within this Development and white numbers being properties that existed prior to this Development.

V. Inspection

I arrived in front of 3 Charles Street, North Reading, MA at approximately 9:30 AM to meet by prior arrangement with Town officials Danielle McKnight, Dan O'Donnell, and Leah Basbanes.

A. Opening Conference

Town officials explained that historically, and most recently in late August 2023, Charles Street experienced several clogged catch basins from displaced sediment resulting from clearing and grading of multiple individual lots. Through coordination between the Town, cleanup of Charles Street was conducted and stormwater sediment silt bags were implemented on affected drains. At some point in 2023, these undermounts were overloaded with sediment and mud, and downslope residents expressed concerns with flooding events and sediment accumulation in their front and back yards. In addition to sediment displacement by stormwater, the Development resulted in accumulation of construction debris and trash along Charles Street, that has since been cleaned up. Homes that had existed prior to this Development are downslope from the newly cleared and graded lots.

B. Facility Tour

The group initially visited a known outfall location behind 3 Charles Street. Danielle McKnight of the Town knocked on the homeowner's door and asked for permission for the group to walk behind the property. The homeowner agreed, and the group observed the outfall location (slide 1, 2) with water flowing southwest. I asked Mr. O'Donnell about the source of the flow, and he explained that catch basins along Charles Street are connected in some fashion and lead to this location. The two catch basins closest to this outfall (slide 3, 23) had little sediment surrounding them.

The group continued uphill along Charles Street in the northeast direction. I observed displaced sediment, gravel piling (slide 4, 19), and an eroded shoulder along the road (slide 5) which continued further up the road (slide 7). The bottom of 8 Charles Street's driveway featured asphalt stained by sediment and accumulation on the edge of the road (slide 11). This is indicative of significant stormwater flow from uphill. Catch basins closest to in-progress construction areas featured silt and sediment undermounts (slides 7-9, 12). One of these catch basins, closest to most of the activity within the Development, was surrounded with sediment (slide 12). On the opposite side of Charles Street, I observed a segment of land designated as a drain easement, with an approximately 2' corrugated pipe (slide 6).

One lot at 11 Charles Street contained three stockpiles, a parked loader, and tracks from use of the equipment (slides 13-14). Town officials estimated that this lot had been in a state of disturbance since August 2023. I attempted to find a construction operator of the Development, but there was nobody present besides a construction contract crew working across the street at the front of 8 Charles Street. When asked, the workers did not know who the construction operator was.

Two lots further uphill featured fully built homes and recently seeded lawns (slide 16). Two catch basins exist south of 14 Charles Street. Similar to road conditions downhill, this area also has sediment along the outermost edge (slide 15). Further to the east is a culdesac beyond the footprint of this Development (slide 17).

Turning around, the group walked downhill along Charles Street. The Town mentioned that two homeowners outside of the Development have experienced newly onset flooding resulting from continuing construction. Danielle McKnight knocked on the doors of 2 and 4 Charles Street, asking for access to the homeowner's backyards to record observations. Both homeowners accepted and I proceeded behind the neighboring homes. Each homeowner accompanied the group, and explained what they typically observe during rain events. They explained that stormwater flowing downhill along the paved roadway was not the only drainage path, as they frequently observe flow originating from the Development (slide 21) in their backyards. One homeowner explained that sometimes, the backyard flows end up pooling along the backside of their home, and it fills their basement. The homeowner established a system of pumping water out of this flooding area (slide 22) into the public roadway in front of their property because of recent flood events.

C. Records Review

There were no records to be reviewed.

D. Closing Conference

No official closing conference was held as the Development operator(s) were not present during this inspection. I explained to the Town that I will send a report with my observations to relevant person(s) within 70 days of this visit. Contact information was exchanged, and I departed at approximately 12 PM.

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.