



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

Sent via Electronic Mail (*Dated as shown on electronic signature*)

David Knight, Owner
Dave's Automotive Enterprises
42 Roxbury Road
Marlborough, NH 03455
kelly@davesautoent.com

Subject: November 6, 2023 EPA Inspection

Dear Mr. Knight:

On November 6, 2023, the U.S. Environmental Protection Agency Region 1 ("EPA") performed an inspection at Dave's Automotive Enterprises located at 42 Roxbury Road in Marlborough, New Hampshire (the "Facility"). The purpose of the inspection was to evaluate the Facility's compliance with the National Pollutant Discharge Elimination System ("NPDES") Program of the Clean Water Act (the "Act"). A copy of the inspection report is included as an attachment to this letter along with a photo album from the inspection.

The industrial activities taking place at the Facility are classified under Sector M – Automobile Salvage Yards (SIC Code 5015: Motor Vehicle Parts, Used) of the Multi-Sector General Permit¹ for Stormwater Discharges Associated with Industrial Activity ("MSGP"). EPA notes that the Facility states it was previously covered under the 2015 MSGP, but did not reapply for coverage under the 2021 MSGP. This means that, as currently configured, stormwater discharges from the Facility are not authorized, and are being discharged in violation of the Act, unless and until you obtain permit coverage under the 2021 MSGP.

To show that you are taking action to come into compliance with the Act, take the following steps and report your progress in an electronic format to Alex Rosenberg at rosenberg.alex@epa.gov, within the time frames identified below.

1. **Within 30 days of receipt of this letter**, submit an estimated date by which the Facility will submit a Notice of Intent ("NOI") to discharge under the 2021 MSGP. The NOI must be submitted via the Central Data Exchange ("CDX"). General information on e-reporting can be found here: <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-e-reporting#accessingmsgp>. Steps include:
 - i. Signing-up for an account on CDX – see attachment (#1), and also available at: <https://cdx.epa.gov/about/userguide>.
 - ii. Adding Net-MSGP program service within CDX – see attachment (#2).
 - iii. Submitting an NOI – see attachment (#3); and
 - iv. Adding NeTDMR account for monitoring data submission – see attachment (#4).
2. **Upon submission of your Facility's NOI**, notify Mr. Rosenberg indicating the date of such submission.

3. **Within 60 days of receipt of this letter**, provide a copy of an updated Facility Stormwater Pollution Prevention Plan (“SWPPP”). A SWPPP template can be found on the national MSGP website.¹

Please refer any questions related to technical issues in this letter to me at 617-918-1709 or rosenberg.alex@epa.gov. Legal issues may be directed to Samuel Horowitz, Enforcement Counsel, at (617) 918-1512 or horowitz.samuel@epa.gov.

Sincerely,



Digitally signed by
ALEX ROSENBERG
Date: 2023.12.19
14:52:18 -05'00'

Alex Rosenberg, Water Compliance Unit Inspector
Enforcement and Compliance Assurance Division

Enclosures:

Inspection Report
Inspection Photo Album
Fact Sheet – Applying for MSGP Coverage Step 1 (CDX)
Fact Sheet – Applying for MSGP Coverage Step 2 (Adding NeT-MSGP Program

Service)

Fact Sheet – Applying for MSGP Coverage Step 3 (NOI & SWPPP)
Fact Sheet – Applying for MSGP Coverage Step 4 (NetDMR)

CCs (electronic only):

Laurel Pushee, NHDES
Sam Horowitz, Enforcement Counsel, US EPA

¹ <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-fact-sheets-and-guidance#guidance>