



REGION 1

BOSTON, MA 02109

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

Subj: Inspection Report – Clean Water Act (“CWA”)
National Pollutant Discharge Elimination System (“NPDES”)

From: Andrew Spejewski, EPA Inspector

**ANDREW
SPEJEWSKI**

Digitally signed by ANDREW
SPEJEWSKI

Date: 2025.02.05 09:30:31 -05'00'

Thru: Margarita Chatterton, EPA Inspector

To: File

I. Facility Information

- A. *Facility Name:* Angel Court Construction
- B. *Facility Location:* 32 Casey Drive
Milford, MA 01757
- C. *Facility Contacts:* Dominic Afonso
D & F Afonso Builders Inc
32 Casey Drive
Milford, MA 01757
- D. *ID No(s):* None Known
Click or tap here to enter text.

II. Background Information

- A. *Date(s) of inspection:* 12/10/2024
- B. *Weather Conditions:* overcast but dry, rain previous day

C. *US EPA Representative(s):* Andrew Spejewski
Margarita Chatterton

D. *State/Local Representative(s):* None

E. *Federally Enforceable Requirements Covered During the Inspection:* EPA's General Permit for Construction Stormwater

F. *Previous Enforcement Actions:* None known

III. Type and Purpose of Inspection

Evaluation of compliance with EPA's General Permit for Construction Stormwater

IV. Facility Description

The site is a construction site, planned for eventual single-family residential construction. It is currently only being cleared and rock removal underway. It includes a smaller mostly flat area southeast of Casey Drive, consisting mostly of stockpiles, with a large infiltration basin farther southeast. The main site is northwest of Casey Drive, and slopes up steeply away to the northwest, sloping down again at the far northwest end of the site.

At the time of the inspection, the northwest section had been cleared and extensively graded; the southeast area was stockpiles of gravel and dirt, and the retention basin was in place.

V. Inspection

The EPA inspectors arrived unannounced on the site about 9:30 AM. An excavator was moving rock on the site. The inspectors approached the equipment operator to ask for the superintendent. The operator identified himself as Kyle Crowley of G. Lopes Construction; he said he was just a subcontractor tasked with removing rock from the site. He identified the site owner as Dominic Afonso. Mr. Crowley contacted his supervisor at G. Lopes after Mr. Spejewski provided his phone number, and the supervisor then called Mr. Spejewski. The supervisor, identified as "Dan", confirmed Mr. Crowley's account and contacted Afonso Construction. Within a few minutes, Brendon Ferreira called Mr. Spejewski. Mr. Ferreira identified himself as working for Afonso Construction and agreed to meet the inspectors on site. Mr. Ferreira gave permission for the EPA inspectors to walk the site unaccompanied while they waited for him.

Mr. Spejewski and Ms. Chatterton then toured the northwestern portion of the site [details below].

Within a half hour Mr. Ferreira arrived, as the inspectors returned to the site entrance, and quickly thereafter Dominic Afonso arrived. Mr. Ferreira and Mr. Afonso stated they were representatives of D & F Afonso Builders, Inc.

[Mr. Afonso introduced himself as "Dominic" and provided a business card which identified him as "Domingo Afonso"]

A. Opening Conference

Mr. Spejewski explained the purpose of the inspection, showed his credentials to Mr. Afonso and Mr. Ferreira, and gave them a copy of the Small Business Information Sheet.

Mr. Afonso said that he ran the construction company, and that Brendan, his grandson, was also an employee. Mr. Afonso said he had built the roads and homes in most of the surrounding area over many years, and confirmed the active construction site nearby on Casey Drive was also a D & F Afonso project [See inspection report for Black Bear Condos, from the same date].

Mr. Afonso said that this site was planned for residential development, but they were still removing rock to get the grade down, Mr. Afonso indicated that overburden and rock removal had been going on for years.

Mr. Afonso was unsure whether there was a NPDES permit for the site; he said his engineers would have taken care of that.

Mr. Afonso and Mr. Ferreira said they look at erosion controls regularly, but do not document it anywhere.

B. Facility Tour

The inspectors toured the northwest portion of the site unaccompanied. The site sloped steeply up to the northwest from Casey Drive; it was at or below the terrain along the southwest edge, to the north, and along the northeast edge, while the northwest corner ended in a steep slope down to the northwest.

The northwest edge of the site sloped down steeply at least 30 feet to bordering undisturbed woodlands (which sloped down away to the northwest). The slope was constructed of bare dirt and rocks with no stabilization on the slope or perimeter controls at the base.

The entire site was cleared and stripped of topsoil.

Several stockpiles of dirt were located at various locations, including a pile along the southwest edge that was covered in weed growth (it appeared to be multiple years' growth) and farther northwest a pile with no stabilization or perimeter protection.

The pile's uphill edge formed a temporary pond/basin that captured stormwater from a portion of the site; standing water was present forming a small pond during the inspection.

There were no erosion controls on the dirt/gravel road leading up the site from the main entrance.

The site entrance (from Casey Drive to the site's main unpaved road) had gravel, but was partially covered with mud. There was a small amount of dirt washed onto Casey Drive.

At this point, the inspectors having returned to the site entrance at Casey Drive, they met Mr. Ferreira and Mr. Afonso. Mr. Afonso said there was an underground drainage adjacent to Casey Drive, extending on either side of the site entrance; according to him the drainage was a

perforated pipe that discharged (along with catchbasins) to the stormwater basin to the southeast, on the other side of Casey Drive.

Mr. Afonso and Mr. Spejewski walked to the stormwater basin.

Immediately adjacent to Casey Drive were multiple large stockpiles. There was no stabilization or perimeter protection. Some appeared fairly fresh; others had significant weed growth. The southeast border of this area was a slope down about ten feet of unstabilized dirt and rocks, ending at undisturbed woods.

Set farther southeast in the woods was a stormwater retention basin. It was difficult to approach the basin, as it required going down the slope and through woods; there was no path or other obvious access to reach the basin (Mr. Afonso was not familiar with exactly where the basin was).

A forebay on one side had muddy water flowing into it from a hidden outfall apparently buried in dirt. The forebay had muddy water in it, but not enough to flow over the berm between the forebay and main basin. An outfall was present in one corner of the main basin; Mr. Afonso said it was for high-flow, while low-flow went to the forebay. [later, at his office, Mr. Afonso was able to produce plans for the basin].

The basin walls and floor were covered in weed and small tree growth.

C. Records Review

After touring this site (Angel Court), the group went to the Black Bear Condos site [See separate inspection report for Black Bear Condos Construction]. The group then went to Afonso Builders offices in Milford. Mr. Afonso was able to produce an engineering plan for the stormwater basin. He was unable to locate a Stormwater Pollution Prevention Plan for either site, or any information about a NPDES permit for either site.

Mr. Afonso put Mr. Spejewski on the phone with a man who identified himself as an engineer working for Afonso Construction, and said that he would look for a SWPPP or any NPDES application information. [The engineer subsequently emailed Mr. Spejewski stating they do not typically file NPDES permits for clients].

Mr. Spejewski noted concerns to Mr. Afonso, including slope stabilization, the difficulty of inspecting the stormwater basin at Angel Court, the downed silt fences at Black Bear, and the potential lack of NPDES permits for both sites. Mr. Spejewski then thanked Mr. Afonso and others for their time, and left the offices, concluding the inspection.

D. Closing Conference

Mr. Spejewski told Mr. Afonso there were some issues, including lack of stabilization of stockpiles, some sediment washed into Casey Drive from Angel Court, difficulty of access to the basin at Angel Court to support inspections and downed silt fence around Black Bear, but also apparently a lack of permit coverage; Mr. Spejewski said that Afonso Construction should get any evidence of permit coverage to him as soon as possible.

Mr. Spejewski and Ms. Chatterton then thanked Mr. Afonso for his time and left his office at about 12:15 PM.

E. Inspection Photos

Picture List:

IMG_0141.JPG	Main entrance immediately northwest of Casey Drive
IMG_0142.JPG	Facing northeast along Casey Drive, at main entrance
IMG_0143.JPG	Facing west from main entrance
IMG_0144.JPG	Southwest edge of site
IMG_0145.JPG	Facing southwest to edge of site
IMG_0146.JPG	Detail, berm along southwest edge
IMG_0147.JPG	[operator error] terrain along southwest edge
IMG_0148.JPG	Facing onto site from above center of southwest edge
IMG_0149.JPG	Facing northwest from center of southwest edge
IMG_0150.JPG	north-center of site from center of southwest edge
IMG_0151.JPG	south-center of site
IMG_0152.JPG	[operator error] sky, along southwest edge
IMG_0153.JPG	temporary pond, north center of site
IMG_0154.JPG	Facing northeast from near northwest corner
IMG_0155.JPG	Facing north over northwest corner
IMG_0156.JPG	Slope down at northwest corner
IMG_0157.JPG	Facing off site at northwest corner
IMG_0158.JPG	Northwest corner of site, facing northwest
IMG_0159.JPG	Center of site, showing temporary pond
IMG_0160.JPG	Northeast edge of site
IMG_0161.JPG	Facing Casey drive along northeast edge of site
IMG_0162.JPG	Northeast edge of site, facing Casey Drive
IMG_0163.JPG	northwest of Casey Drive, in infiltration area
IMG_0164.JPG	Main site entrance and edge of site
IMG_0165.JPG	Stockpile southeast of Casey Drive
IMG_0166.JPG	Forebay of basin to southeast
IMG_0167.JPG	Discharge to forebay
IMG_0168.JPG	Forebay, southeast basin
IMG_0169.JPG	Edge of forebay
IMG_0170.JPG	Main bay, southeast basin
IMG_0171.JPG	Wall of main bay
IMG_0172.JPG	Inlet to main bay
IMG_0173.JPG	Stockpile, southeast edge of site (southeast of Casey)
IMG_0174.JPG	Detail, stockpile in southeast area
IMG_0175.JPG	Facing northwest along northeast edge of site, from Casey Drive
IMG_0176.JPG	Facing southwest along Casey Drive
IMG_0177.JPG	Main site entrance
IMG_0196.JPG	Plan of stormwater basin

** 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.