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")
EVERETT'S AUTO PARTS, INC.

From: Damian Bednarz, Inspector

DAMIAN BEDNARZ Digitally signed by DAMIAN BEDNARZ Date: 2023.07.13 14:43:43 -04'00'

Thru: Alex Rosenberg, Inspector

To: File

I. Facility Information

A. *Facility Name:* EVERETT'S AUTO PARTS, INC.

B. *Facility Location*: 553 Thatcher St
Brockton, MA 02302

C. *Facility Contacts:* Roy Andrade, Owner

D. *NPDES ID No(s).:* MAR053414 Everett Auto Parts

II. Background Information

A. *Date(s) of inspection:* May 19, 2023

B. *Weather Conditions:* Sunny, clear skies, 59°

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

D. *State/Local Representative(s):*
NA

E. *Federally Enforceable Requirements Covered During the Inspection:*
National Pollutant Discharge Elimination System Multi-Sector General Permit (June 4, 2015 and March 1, 2021 – modified September 29, 2021), Oil Pollution Prevention regulations (40 CFR Part 112).

F. *Previous Enforcement Actions:*
None

III. Type and Purpose of Inspection

Evaluation

IV. Facility Description

Everett's Auto Parts ("EAP"), is a used auto part dealer, warehouser, and scrap metal seller. EAP recently combined three adjacent property addresses (350, 358, and 553 Thatcher St. (the "Facility" or "site")) under one permit for the discharge of stormwater associated with industrial activities. The Facility straddles the municipal border between Brockton to the North and East Bridgewater to the South, in Massachusetts. The entire site is approximately 17 acres.

V. Inspection

EPA Inspectors arrived at approximately 9:30 AM.

A. Opening Conference

Upon arrival, Damian Bednarz and Alex Rosenberg of the Environmental Protection Agency ("EPA Inspectors") entered the main entrance of EAP and were greeted by a front-end salesperson. EPA Inspectors explained the purpose for the visit and were told to wait until the manager met us there. Roy Andrade, EAP's owner, joined EPA Inspectors soon after.

EPA Inspectors presented credentials and explained the purpose of the inspection. EPA had recently inspected this site in the past year, so questions were tailored to the activities the site had undertaken since the last visit. Mr. Andrade explained that towards the back of the property near outfall Discharge Point ("DP") 012 (Snow Gate), the tire berm had been significantly extended. This effort resulted in the Facility's discontinuation of a discharge point that had been previously referred to as Outfall 002. Mr. Andrade further explained that a waste baler was utilized to crush and compress tires to create this berm.

Inspector Alex Rosenberg expressed the urgency for collecting samples at both existing as well as new outfalls where no previous monitoring has been conducted. Since EPA's previous inspection, the Facility had reevaluated its site and discharge locations. In doing so, Discharge Points, often referred to as outfalls, were both added and renamed, most recently within a change Notice of Intent ("NOI") submitted on March 31, 2023.

Some outfalls that were previously identified as Substantially Identical to other outfalls are now identified as having unique industrial activities. At the time of the inspection, DP005 (aka Outfall 3), DP008 (aka Outfall AP2), and DP011 (aka Outfall AP2-002) were all reported in the Facility's March 31, 2023 NOI as being Substantially Identical Discharge Points to DP006 (aka Outfall 001). DP009 (aka Outfall 004), DP010 (aka Outfall AP3), and DP012 (aka Snow Gate) were identified as unique discharges. All reported discharge point locations are portrayed on Slide 41.

EPA Inspectors asked about the extent of activity that they had observed in the streetside parking area upon arriving at the site. Mr. Andrade explained that workers clean the interiors of vehicles for presentation purposes in this area. EPA Inspectors observed a sign posted in front of the sales building denoting that repair activities should not be conducted in this area (Slide 3).

In preparation for this Facility inspection, Mr. Rosenberg observed on May 18, 2023, at 1PM, that the Facility had not submitted samples from the previous quarter into NetDMR. After the conclusion of the inspection, on the afternoon of May 19, 2023, Mr. Rosenberg rechecked the NetDMR database and found that sample results (and a no discharge indicator code for Outfall 004) had been submitted by the Facility at 4:30 PM on May 19, 2023 (the day before the inspection). As a result, EPA Inspectors were unaware of the most recent sample event while conducting the inspection.

During the Facility Tour, Mr. Andrade received a phone call from JP, the site operator who Mr. Andrade said is responsible for conducting stormwater sampling and inspecting. While on speaker phone, Mr. Andrade, JP, and Alex Rosenberg discussed what inspectors believed was missing data from the 2023 calendar year first quarter monitoring period (January 1, 2023, through March 30, 2023). When questioned about missing Discharge Monitoring Reports ("DMRs") from the first quarter of the calendar year, JP mentioned that he had conducted sampling once during this quarter, and that there was not enough flow during that event for a sample to be taken at Outfall 004. JP then left the call to reach out to the Facility's stormwater consultant, Marge, for more information. When JP called Mr. Andrade back, he explained that Marge had recently received sample results from the lab, and that she had submitted DMRs for the last quarter.

B. Facility Tour

The Facility diagram and satellite image of the Facility are shown on Slides 40 and 41.

Exiting the sales office, EPA Inspectors observed staff power washing impervious concrete surfaces near a stormwater catchment drain. EPA Inspectors said that this drain should be marked on the site map and showed Mr. Andrade that it was not currently on the map, which was printed and referenced throughout the Tour. Mr. Andrade could not specify the location to which water entering the catch basin drains. Mr. Andrade told EPA Inspectors the correction to the site map would be made and he would find out where the drain discharges. Two totes of anti-freeze with attached dispensers for customer use (Slide 4) were located approximately 15 feet from the catch basin. About 30 feet northwest of the stormwater catchment drain, EPA Inspectors observed two used oil containers marked "for sale" with a visible oil leak (Slides 5–8). EPA inspectors indicated that these storage tanks must either be disposed of (removed from site) or added to the Spill Prevention, Control, and Countermeasure ("SPCC") Plan.

EPA Inspectors observed that a sheet metal covering had been constructed above a diesel fueling station and a used oil tank (Slide 10). In addition, EPA Inspectors observed that this area had been changed since EPA's previous inspection (Slide 9, 33). The implemented changes were as follows: 1) a concrete secondary containment wall had

been constructed surrounding a used oil container (Slide 32) which previously lacked secondary containment, and 2) additional sheet metal roofing was constructed over both a diesel tank and used oil tank (Slide 35–37).

Along the wall of the Facility's oil water separator ("OWS"), EPA Inspectors observed a concrete patch covering an area where they had previously observed a hole in the containment (Slide 12).

On the previous inspection, discharge from the oil water separator accumulated in the area right beside the OWS (Slide 13), labelled as "Area of Evaporation/Percolation beside OWS" in the Facility diagram (Slide 40). At the time of the current inspection, this area was dry and filled with "u-pick" vehicles (Slide 13, 15). Stormwater used to travel from the percolation area along the site's perimeter to what the Facility had previously identified as Outfall 002. By continuing the tire berm along the perimeter, the Facility reports that discharge from the OWS no longer has a potential pathway to discharge (i.e., Outfall 002 has been closed). EPA Inspectors noted that the new perimeter berm appears to block flow from the OWS to DP012, otherwise known as the "Snow Gate" (Slide 14, 16–18, 40, 41). EPA Inspectors observed erosive channeling in the ground at DP012, indicative of stormwater flow direction (Slide 19, 20).

The new tire berm continues from the southern side of the Snow Gate (Slide 21) and ends approximately 100 yards to the south at a section of chain link fence (Slide 23–24). The fence continues to the southern portion of the property (Slide 21–24).

EPA Inspectors continued the Tour at the Facility's southernmost area, where earthwork and grading had recently terminated. An area of approximately 3 acres had been leveled and compacted with gravel, effectively extending EAP's area of operation (Slide 25–27). DP010 (Outfall AP3) is located at the southeastern corner of this area (Slide 31, 40, 41). Three consecutive and attached sedimentation bays had been constructed out of rock approximately 4–6 inches in diameter. The stormwater control practice was approximately 15 feet long by 20 feet wide (Slide 28). Further downgradient from the rip rap, along the Facility boundary, EPA Inspectors observed a gravel curb approximately 4 to 6 inches (Slide 29). By observing the topography of the newly graded area (Slide 31), EPA Inspectors believed that a majority of the stormwater runoff from the graded area, particularly from an uncovered large pile of scrap metal located approximately 50 yards upgradient of the outfall, would bypass the rip rap control measure and discharge directly into the adjacent wetlands. EPA Inspectors observed this large scrap pile, which is labelled in the site diagram as the "Heavy Metal Storage Area" (Slide 40), at the time of the inspection. EPA Inspectors shared their observation and belief with Mr. Andrade who agreed with the inspectors' hypothesis and committed to regrading and area and/or installing a larger curb to funnel water into the rip rap.

EPA Inspectors observed sediments in the wetlands into which flow discharges from the outfall (Slide 30). Mr. Rosenberg explained that if the rip rap could have all flow passed through it, it may still not necessarily be completely effective at removing all pollutants of concern such as metals. EPA Inspectors noted metals as a pollutant of concern based on the presence of a large scrap metal pile located directly upgradient of this outfall

(Slide 31). Mr. Andrade could not identify the exact location where samples are collected at this outfall. Mr. Rosenberg expressed the need to ensure that samples are representative of all pollutant sources within the catchment area.

EPA Inspectors and Mr. Andrade headed north, where most vehicle processing, draining, dismantling, and crushing occurs (Slide 33). EPA Inspectors observed new secondary containment additions (Slide 32) during the walk. Stormwater arrows on the Facility diagram indicate that water from the dismantling area flows directly north toward DP009 (Outfall #004) into what is labeled as an "area of evaporation/percolation" within the perimeter of a neighboring business, Brockton Auto Parts (Slide 34, 40). Inspector Mr. Rosenberg and Mr. Andrade discussed the different options for securing a sample at this discharge location, as the Facility expressed difficulty in collecting adequate runoff. Mr. Rosenberg offered a few examples of sampling techniques he has seen in the field that might be appropriate for this facility, but ultimately recommended that the Facility and its engineers review EPA's sampling guidance[1] and expressed urgency for sampling to be conducted, as required by the MSGP.

D. Closing Conference

EPA Inspectors reiterated their observations from the Facility Tour to Mr. Andrade and offered compliance assistance for items of concern. Considering that Mr. Rosenberg was under the impression that sample data was lacking at the time of the inspection, he explained the need for sampling to begin immediately. As mentioned earlier in this inspection report, EPA Inspectors discovered after the inspection that sample data had been uploaded to the NetDMR database the night before the inspection. EPA Inspectors reiterated the urgency for sampling to be conducted at Outfall AP3 given its proximity to the "Heavy Metal Storage Area," as well as the reformation of existing stormwater control measures at this location to better handle the primary direction of flow into adjacent wetlands. EPA Inspectors also discussed with Mr. Andrade the importance of sampling at DP009 (Outfall 004) to then design and implement appropriate pollution control measures. EPA Inspectors informed Mr. Andrade that an inspection report would be sent to the Facility within 60 days and departed at approximately 11:30 AM.

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.

[1] https://www3.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf