



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")
Trojan Recycling Inc.

From: Alex Rosenberg, Lead Inspector

Thru: Todd Borci, Manager

To: File

[Handwritten signature of Alex Rosenberg] Digitally signed by
ALEX ROSENBERG
Date: 2023.11.28
15:34:31 -05'00'

I. Facility Information

- A. *Facility Name:* Trojan Recycling Inc.
- B. *Facility Location:* 71 Forest Street
Brockton, MA 02302
- C. *Facility Contacts:* Steve Trojano, District Manager
1-508-588-2332
stevejr@trojanorecycling.com

Mark Trojano, Operations Manager
- D. *NPDES ID No(s):* No Permit

II. Background Information

- A. *Date(s) of inspection:* November 7, 2023
- B. *Weather Conditions:* Had rained early in the A.M., clear 60 degrees fahrenheit.
- C. *US EPA Representative(s):*
Alex Rosenberg, Nafisah Ali
- D. *State/Local Representative(s):*
None

E. Federally Enforceable Requirements Covered During the Inspection:
National Pollutant Discharge Elimination System Multi-Sector General Permit (September 29, 2021), Oil Pollution Prevention regulations (40 CFR Part 112).

F. Previous Enforcement Actions:
N/A

III. Type and Purpose of Inspection

Environmental Protection Agency (“EPA”) inspectors conducted a compliance evaluation inspection of the Facility’s applicability under the National Pollutant Discharge Elimination System (“NPDES”) multi-sector general permit (“MSGP”) for stormwater associated with industrial activities as well as the Federal Clean Water Act (“CWA”) Spill Prevention Control and Countermeasure (“SPCC”) Oil regulations.

IV. Facility Description

The business is a material recycling transfer and processing station located at 71 Forest St, in Brockton Massachusetts (“Facility” or “site”). Material is accepted from public as well as industrial contractors, such as cardboard, plastic, construction and demolition debris, wood, leaves/brush, bulky waste (such as mattresses) and metal. Approximately 20 full-time, and approximately 14 part-time, employees work at the Facility, six days per week.

The Facility is approximately 2.5 acres and is bordered to the west by the French Brook and to the east by Forest Street. The entrance and exit are located on the east side.

Incoming material is weighed on a scale before being dumped inside the processing building. Inside the processing building, once sorted and processed, material is then either trucked off-site or transported off-site by rail car.

The Facility (refer to Attachment A, Photo Album, Slide 2, and Slide 51) consists of an office, roll off containers, a processing building, truck scales, a vehicle maintenance garage, and, outdoor stockpiling areas. The maintenance garage is located at 91 Forest Ave., an adjoining property.

The Facility is primarily engaged in industrial activity classified under Standard Industrial Classification (SIC) Code 5093 (Scrap and Waste Materials).

V. Inspection

On November 7, 2023, United States Environmental Protection Agency personnel (Alex Rosenberg, and Nafisah Ali, conducted an industrial stormwater Compliance Evaluation

Inspection (“CEI”) at Trojan Recycling Inc. The inspection was unannounced, and the inspectors arrived on site that 11:00 AM.

A. Opening Conference

Alex Rosenberg showed EPA Clean Water Act inspector credentials to the district manager, Steve Trojano. The opening conference was also attended by Mark Trojano, Operations Manager, and a second EPA Inspector, Nafisah Ali.

The EPA Inspection Team explained the purpose of the CEI was to assess the Facility’s compliance status with respect to the requirements of the Clean Water Act (“CWA”) and the National Pollutant Discharge Elimination System (“NPDES”) regulations. At the time of the inspection, the Facility did not have coverage under the 2021 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (“MSGP”), nor did they possess an oil pollution prevention Spill Prevention Controls and Countermeasures (“SPCC”) plan.

Mr. Steve Trojano provided the following information with respect to the Facility and its operations:

- a. Facility operates 6 days a week, 7am-5pm, and on Saturday 7am-12pm.
- b. Accept construction and demolition debris (“C&D”), as well as other recyclables such as bulky items (refrigerators, TVs, mattresses), and metal, wood, brush and leaves. etc.
- c. There are 2 functioning scales; one inbound, and one outbound.
- d. Washing and power washing of trucks occurs in front of (to the east of) processing building.
- e. Rail cars are used to ship out construction debris and other non-recyclable.
- f. Facility owns and operates the following equipment: Excavator, bob cat, 10 trucks (6 on the road, 3 spares, 1 in shop).
- g. Trucks kept in garage at southern end of 71 Forest Street (processing building). Truck repairs done at dealership. Repairs of other machinery done at maintenance garage 91 Forest St.).
- h. Freon in refrigeration and air conditioner units is removed by third party, Interstate Refrigerant.
- i. Scrap metal is trucked to Spiegel Scrap Metal in Brockton.
- j. Stormwater is conveyed off-site to the French Brook via catch basins, through an oil water separator.
- k. Waste Connections recently hired a third-party environmental audit, particularly for SPCC compliance. Catch basins and oil water separator were inspected 1 month ago by the environmental consultant, Green Seals Environmental. The consultant said that the amount of oil within the oil water separator was not great enough to require cleaning out at the time of their inspection.

- l. SPCC Plan: Waste Connections is working on plan. Matt Crockett, who works for Waste Connections, (Matthew.Crockett@WasteConnections.com) is the engineer in charge.
- m. An additional building, with the address 61 Forest St., is located at the North End of the property. Mr. Steve Trojano's father, who currently owns the property on which the Facility operates and until recently owned and operated the Trojano's Recycling business, rents the building to a machinist. The machinist activities are unrelated to the Trojano Recycling business.

B. Facility Tour

Trucks enter the Facility via a driveway entrance (slide 3), and immediately are weighed on a scale (slide 5, 7). A sign indicates what materials are accepted (slide 4).

Stormwater catch basins were observed: one at the southeastern corner of the office building (slide 6), one square basin in front of the northern portion of the processing building (slide 10), one circular basin closer to the weigh stations (slide 11), one junction basin approximately 20-yards in front of the three primary tipping bays (slides 13 and 14) and one further south.

The oil water separator manhole access points are located directly beside the processing building (slides 15 and 16), and in-line between the junction basin and the outfall on the western side of the building at a location on the bank of the French Brook (slides 26 and 27). French Brook flows from north to south when passing the Facility, and then underneath the railroad tracks through two 12-foot culverts (slide 28). Facility representatives stated that the stormwater outfall is submerged.

A pile of "clean wood" is stored outside (slide 7).

The Facility's rail spur exits the property north of the processing building (slide 8).

Uncovered dumpsters for recyclable waste are stored uncovered outside of the processing building (slides 9, 17, 19 and 20).

Extra machinery is stored outside (slides 20, and 23). Old machinery such as a street sweeper and bailer were observed in the back of the processing building (slide 24). Materials such as old and new replacement railroad ties are stockpiled in the same area (slides 24 and 25).

Scrap metal sent to Spiegel Scrap Metal Inc in Brockton.

EPA inspectors discussed with facility representatives that the opened dumpsters, material stockpiles, and equipment stored outside are all considered exposed industrial activities under the MSGP.

Facility representatives explained that their fleet of trucks are recent model years, and therefore do not leak oil. The fleet is parked inside a large garage bay every night (slides 22, and 31). The garage has a DPF tank, a pallet of oil spill litter (slide 29) and a power washer (slide 30).

Part 2.1.2.9 (Non-Stormwater Discharges) of the MSGP states a permittee must evaluate for the presence of non-stormwater discharges and must eliminate any non-stormwater discharges not explicitly authorized in Part 1.2.2 or covered by another NPDES permit, including vehicle and equipment/tank wash water.

Facility representatives explained that they use the power washer to spray the exterior of their trucks (without detergents) to keep them shiny, and do not power wash the undercarriage. Inspectors explained that vehicle wash water is not an allowable stormwater discharge under the MSGP.

A covered storage container outside of the garage bay entrance (slide 21) contains track sand, a 1,000-gallons diesel tank, an oil spill kit, antifreeze, a 1,000 gallon Ultra-low sulfur, and a 500-gallon Fillrite tank.

Material is piled on the tipping floor (slides 33, 34, and 35), before being crushed and put onto a conveyor (slides 38 and 39) belt for sorting. Single stream waste/recyclables is delivered at the northern end of the processing building where sorted material is stockpiled (slides 36, and 40).

Non-recyclables are loaded into rail cars under a covered section of track (slide 41). The rail cars are moved along the track by a new pushing machine (slide 42).

A second storage locker containing oil storage was present beside the tipping floor entrance (slide 37). The container houses three oil storage tanks: two 1,000-gallons, and one 750-gallons. All three tanks are double walled tanks.

The facility's heavy machinery undergoes maintenance within a one-bay maintenance garage whose address is 91 Forest St. (slide 45). Facility representatives stated that the floor drain within the building does not function and that no what operations are conducted within the garage. It was also explained that the power washer (slide 47) is used to clean their equipment in the area just outside the garage. Inspectors reiterated that vehicle and equipment power washing could not be discharged under the MSGP, BUT mentioned that it is accepted to either evaporate or infiltrate wash water. No discharge flow path from the area outside the garage was observed.

A third covered storage container with oil tanks inside is located to the South of the maintenance garage (slides 48 and 49). Three waste oil tanks, each with approx. 275-gallons capacity were observed (slide 50).

Inspectors explained the need for a SPCC plan if the Facility has an aggregate above ground oil storage capacity of greater than 1320 gallons in containers of 55 gallons or

more. It was also explained that diesel exhaust fluid is not counted as an oil product when calculating total storage capacity, and that a requirement of the oil pollution prevention regulations for SPCC applicable facilities is the need for secondary containment of all above ground oil storage containers.

Facility representatives explained that the office building to the north of the processing building was recently built, and that as part of the process, their employee parking area had a stormwater detention swale constructed (slide 44), that discharges to the north, also to French Brook (slide 43).

C. Records Review

No records were reviewed besides the site diagram (slide 51).

D. Closing Conference

Inspectors conducted a brief closing conference at the head of the exit driveway. Inspectors explained the following basic observations and asked if Mr. Trojano had any questions of his own. He did not.

- Inspectors observed industrial activities exposed to stormwater such as open dumpsters, material stockpiling, fueling, vehicle washing, and loading and unloading of waste materials;
- The Facility conducts industrial activities covered by a standard industrial classification code (SIC 5093). This SIC code is applicable to the MSGP;
- The Facility does not currently have coverage to discharge stormwater under the MSGP;
- Stormwater conveyance infrastructure as well as outfalls are currently not being inspected, maintained, or monitored. Such activities are requirements under the MSGP;
- The discharge of vehicle pressure wash water off-site into a water of the U.S. is prohibited, and must be ceased; and
- Inspectors observed a number of above ground oil storage containers on site. Inspectors were unable to obtain exact capacity information for all of the containers. If the aggregate on-site capacity of all oil storage containers of 55-gallon or more is greater than 1,320 gallons then the Facility must additionally comply with the oil pollution prevention regulations, having to create and maintain a SPCC plan.

Facility representatives repeated the fact that an SPCC plan is currently being developed for the site.

Inspectors departed at approximately noon.

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.