



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

Drafted Date: 07/12/2019

Finalized Date: 08/20/2019

Subj: Inspection Report - B. Beard, Jr. Trucking & General Contractors

From: Solanch Pastrana-Del Valle

Thru: Stephanie Tougas

To: File

I. Facility Information

A. Facility Name: B. Beard, Jr. Trucking & General Contractors

B. Facility Location: 361 Calef Highway, Epping, New Hampshire

C. Facility Contacts: William "Buddy" Beard, Owner
617-901-7303, beardtrucking@verizon.net

D. ID No(s): None

II. Background Information

A. Date(s) of inspection: June 20, 2019

B. Weather Conditions: Mid 60s, Rain

C. US EPA Representative(s):
Solanch Pastrana-Del Valle, Stephanie Tougas

D. State/Local Representative(s):
David Price, New Hampshire Department of Environmental Services
("NHDES")

E. Federally Enforceable Requirements Covered During the Inspection:
NPDES 2015 Multi-Sector General Permit for Stormwater Activities
Associated with Industrial Activity ("2015 MSGP") (June 4, 2015) (40 C.F.R.
Part 122)

F. Previous Enforcement Actions:
No Clean Water Act enforcement actions in Agency records.

III. Type and Purpose of Inspection

U.S. Environmental Protection Agency (“EPA”) staff, accompanied by NHDES staff, conducted an announced compliance evaluation inspection under EPA’s National Pollutant Discharge Elimination System (“NPDES”) 2015 Multi-Sector General Permit (“2015 MSGP”) for stormwater discharges associated with industrial activities at B. Beard, Jr. Trucking & General Contractors, Epping, New Hampshire facility (“Beard”, the “Facility,” or the “Site”).

Slide numbers mentioned throughout the report correspond to the slides in the attached photo album.

IV. Facility Description

B. Beard, Jr. Trucking & General Contractors, is a sand and gravel facility located in Coffin Road, Epping, New Hampshire. The Facility manages sand, loam, and compost in site. Loam and compost are trucked in from private clients and screened on-site. The site has been operated by the Beard family since the late 1970s and it is approximately 21 acres. It operates five days a week and employees approximately 3 people.

At the time of the inspection, the Facility had not submitted a Notice of Intent (“NOI”) for authorization of its stormwater discharges under the 2015 MSGP.

V. Inspection

The inspection was announced to the facility on June 19, 2019, by Inspector Pastrana-Del Valle over a voicemail. Mr. Beard called back with regards to the voicemail and Inspectors Tougas confirmed the inspection.

The Inspector(s) arrived at approximately 9:30AM.

A. Opening Conference

The inspectors met with Mr. Beard, Owner, and Mr. Price from the NH DES, at the entrance of the facility.

Inspector Pastrana-Del Valle explained that EPA would be reviewing the Facility’s industrial activities exposed to stormwater and verifying if the Facility was subject to comply with EPA’s NPDES 2015 MSGP permit. Inspector Pastrana-Del Valle stated that if the Facility had any industrial activities exposed to stormwater and could potentially reach a waterbody, the Facility would be subject to the regulations, given their operations. If the Facility was subject, the Facility would need to apply for coverage by submitting a Notice of Intent and comply with the 2015 MSGP permit.

Inspector Pastrana-Del Valle explained to Mr. Beard that under the 2015 MSGP, sand and gravel facilities are not authorized to discharge groundwater or accumulated stormwater from a pit, unless such waters are first effectively managed [Part 8.J.4.2.9 of the 2015 MSGP]. Mr. Beard mentioned that the facility stopped dewatering as soon as

NH DES notified them that it was an unpermitted activity. The water in the pit was being pumped and discharged to an adjacent wetland. Mr. Beard expressed interested in working with the EPA and the NH DES to be in compliance.

The Inspectors presented their credentials to Mr. Beard, provided their business cards and the Small Business Resources Information Sheet. EPA Inspectors requested permission to inspect and take pictures of the site. Mr. Beard granted access.

B. Facility Walkthrough

The group started moving north on the driveway. At the entrance of the site, there's a metal beam (slide 3). Mr. Beard mentioned that the beam is their security system and it's locked at the end of every day.

At the left side of the driveway Mr. Beard had parked his heavy equipment, waste container and trailer (slide 4). Inspector Pastrana-Del Valle indicated that a good practice to have is to maintain the waste container covered when not in use, and that it's also a permit requirement.

The group proceeded to move north, the wetland west of the driveway had visible amounts of water (slide 5).

Mr. Price pointed to an area in the wetland where Mr. Beard had cut some trees. This activity stopped when NH DES first visited the site. Mr. Beard did not stump any of the trees (slide 6).

Once in the main area of the site, the group moved counter-clockwise. Multiple trailers, lumber, tires and silted materials were observed (slide 8 and 9). At site, Mr. Beard operates a mobile screening machine, used for screening the compost (slide 10).

Inspectors moved past the screen towards the southern east corner of the site. At the end, a vernal pool was observed (slide 11).

Inspectors observed over grown vegetation between the stockpiles and the site border (slide 12).

The gravel pit was observed full of water (slide 13 and 14). Mr. Beard indicated that the approximate depth of the pit was 9 feet at the southeastern corner and 20 feet at the center of it.

In multiple areas of the site inspectors observed accumulated water (slide 15-17). Mr. Beard indicated that the dewatering lines he used had been removed (slide 18).

Inspectors observed stormwater from the unpaved road flowing to the adjacent wetland (slide 19). Sand was observed at the site border.

Inspector Pastrana-Del Valle asked Mr. Beard if he knew the sites' Standard Industrial Classification ("SIC") Code. Mr. Beard indicated that he did not.

The group made their way back to the entrance of the site. To the west of the entrance, there was an empty lot. Mr. Beard indicated that it's a different property, and that it's only used for parking equipment. He mentioned that no excavating or industrial activities take place in that area. Both properties are owned by Mr. Beard's wife.

D. Closing Conference

The inspectors provided a summary of their observations from the site walkthrough.

Inspector Pastrana-Del Valle indicated that the Facility must determine if they are applicable to the 2015 MSGP Permit. If applicable, the Facility would need to develop a Stormwater Pollution Prevention Plan ("SWPPP") and submit a Notice of Intent ("NOI") to EPA electronically to obtain coverage.

The Inspectors also mentioned that he cannot dewater his pit to the adjacent wetland without an appropriate permit.

The Inspector(s) departed at approximately 11:45 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.