



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")
Town Easton MS4

From: David Turin, Inspector
Turin,
David
Digitally signed by Turin, David
Date: 2023.05.15 17:48:52 -04'00'

Thru: Kevin Pechulis, EPA Region 1, ORC

To: File

I. Facility Information

- A. *Facility Name:* Town Easton MS4
- B. *Facility Location:* 116 Randall St
Easton, MA 02356
- C. *Facility Contacts:* Greg Swan, Asst Town Engineer
130 Center St
North Easton, MA 02356
- Sarah Welcome
116 Randall St
North Easton, MA 02356
- D. *NPDES ID No(s):* MAR041111

II. Background Information

- A. *Date(s) of inspection:* March 16, 2023
- B. *Weather Conditions:* Partly sunny, mid-60s° F
- C. *US EPA Representative(s):* David Turin
- D. *State/Local Representative(s):* Greg Swan, Asst. Town Engineer
Sarah Welcome, Homeowner

E. Federally Enforceable Requirements Covered During the Inspection:

CWA Sec. 301 and compliance with EPA's 2016 General Permit for Stormwater Discharges From Small Municipal Separate Storm Sewer Systems in Massachusetts (MS4 Permit)

F. Previous Enforcement Actions:

N/A

III. Type and Purpose of Inspection

This was a focused inspection in response to complaints by Ms. Welcome that the Town of Easton's ("Town") discharge of stormwater from its Municipal Separate Storm Sewage System ("MS4") onto her property at 116 Randall Street is causing disruption to her farming activity and serious illness for some of her livestock. It included inspections of a detention basin adjacent to the circle at Old Post Road off Andrews Farm Rd to the north of 116 Randall St ("Detention Basin") and an outfall pipe that runs from behind 14 Kingsley Road and discharges to the south of Kingsley Rd, adjacent to 11 Kingsley Road ("Kingsley Rd Pipe"). In addition, I observed conditions at 116 Randall Street, a private property that is located between these two structures and receives discharges from the Detention Basin. The inspection was seeking to determine if the Town has been properly maintaining these stormwater control structures to ensure they operate as intended to reduce the discharge of pollutants from the MS4 in accordance with the requirements of the MS4 Permit, Parts 2.3.7.a.iii.1. and 6.

IV. Facility Description

The Town MS4 discharges from the Detention Basin to 116 Randall Street, a private property owned by Ms. Sarah Welcome that is comprised of approximately 3.5 acres. It is operated as a small farm with horses, sheep, llamas, and other animals. According to USGS Topo maps, Beaver Brook appears to begin on Ms. Welcome's property just south of the Detention Basin and discharges to the south, under Kingsley Rd via the Kingsley Rd Pipe behind 14 Kingsley Rd.

V. Inspection

I announced the inspection to the Town of Easton and the homeowner on March 15, 2023. I arrived at the pre-arranged rendezvous point of 14 Kingsley Street at approximately 1:50 pm and was met by Greg Swan, Matt Gross, and David Field, representing the Town, and Ms. Welcome of 116 Randall St. ("property owner").

A. Opening Conference

I presented my credentials and explained that the purpose of the inspection was to better understand the nature and function of the municipal Separate Storm Sewer System in the vicinity of Ms. Welcome's property.

B. Facility Tour

We began the inspection at the downstream end of the Kingsley Rd Pipe, which conveys water from an area just south of Ms. Welcome's property under Kingsley Road to an open channel adjacent to Kensington Drive (see Figure 1). The outfall was covered in leaves and other debris; however, a low volume of flow was visible in the surface of the surface water in the channel downstream of the outfall (see Photo 1). A Town representative opened the manhole on the top of the discharge structure and water was visible in the sump. It appeared to me that the level of water in the manhole shaft was above the water level in the stream, suggesting a backwater effect, but this could not be confirmed without tools to measure the elevations of the two surfaces (see Photo 2). To assess whether the Kingsley Rd Pipe was conveying all the flow of Beaver Brook, we observed the upstream end of the pipe, behind the house at 14 Kingsley Rd. It appeared that the pipe was conveying the flow of Beaver Brook with no apparent backwatering immediately upstream of the pipe inlet (see Photo 3). I noted that without a visual evaluation of the pipe, it was not possible to determine if the pipe would be able to convey higher volumes during a rain event and I made the observation that the ability of the pipe to convey the current flow did not demonstrate its ability to convey higher volumes of flow during a rain event. A town representative said that they couldn't inspect the pipe while there was flow in it but agreed that an inspection might be possible during a low flow period, such as August.

We next went to a stormwater outlet to Beaver Brook approximately 400 feet upstream of the Kingsley Rd Pipe between 22 and 26 Kingsley Road that also appears on maps provided by the Town (see Figure 1). There was no observable flow from this outlet during the inspection; however, whether due to backwater effects or topography, standing water was visible in this area upstream of the Kingsley Rd Pipe intake (see Photo 4). Beaver Brook flows to the south from 116 Randall Street under a fence near this location (see Photo 5). Figure 2 provides a graphic representation of the origin of Beaver Brook on Ms. Welcome's property and the surface flow of Beaver Brook to the outlet of the Kingsley Rd Pipe.

Next, we drove to the Detention Basin. On the way, Ms. Welcome and I stopped briefly at the intersection of Andrews Farm Rd and Randall St, where Ms. Welcome pointed out street curbing and stormwater catch basins that were reportedly not factored in during sizing of the Detention Basin. The grass-lined Detention Basin was mowed and empty of water at the time of the inspection. Town staff said that they observed flow entering the Detention Basin during a storm on or around March 14, 2023, and debris at the inlet structure suggested recent flows into the Detention Basin. The outlet structure of the Detention Basin has upper and lower inlets in the Detention Basin. Ms. Welcome said that water was "pouring" onto her property during this storm. As I was there during dry weather, I did not observe its operation during wet weather and cannot attest to its effectiveness in curtailing or delaying discharges of stormwater to the 116 Randall Street property.

At this point, the Town representatives left, and I went to 116 Randall St with Ms. Welcome. At her property, I observed standing water up and downstream of a short, culverted segment of the stream (see Photos 6 and 7). Ms. Welcome described negative impacts on the health of her animals, including, specifically, that the standing water is providing breeding ground for meningeal worm, which has infected at least one of her animals, a baby llama. Following the inspection, Ms. Welcome provided a letter from her large animal veterinarian that stated the baby

llama is infected with meningeal worm, a parasite that has caused permanent neurological damage to the llama and paralysis of one side of the animal (see Appendix 1). During the inspection, I observed an obvious limp in the gait of the animal as it moved about the farm. The letter stated that meningeal worm is spread by slugs and snails that live in wet stagnant conditions. The veterinarian also reported that this is the first case of meningeal worm observed at 116 Randall St in the 20 years that Ms. Welcome has been farming there and they have been her vet.

C. Records Review

Letter dated April 4, 2023, from Dr. Dana Pantano, Black Pond Veterinary Service

D. Closing Conference

Prior to the Town representatives leaving, the Town representatives said that they could not do work on private property and suggested that this was Ms. Welcome's problem alone to solve. I expressed an interest seeing the Town and Ms. Welcome work together to address these issues.

After the Town representatives left, Ms. Welcome and I discussed the potential benefit of channelizing the stream to reduce the area of standing water. Ms. Welcome said that mosquito control has done so in the past, but the channelization does not last and the stream spreads out across her property again after a while. We discussed the potential for longer term channelization and Ms. Welcome said that she had expressed willingness to pay for a pipe to convey the water across her property but could not afford the studies that the Town of Easton Conservation Commission indicated would be necessary to support such a project. Any such channelization of the stream may require federal, state and/or local permits or other approvals.

Following my tour of Ms. Welcome's property, I told her that I would write up a report of my findings, which I would send to her and the Town. I departed at approximately 3:10 pm.

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.

Figure 1: Kingsley Road Drainage- Annotated (Source: Town of Easton)

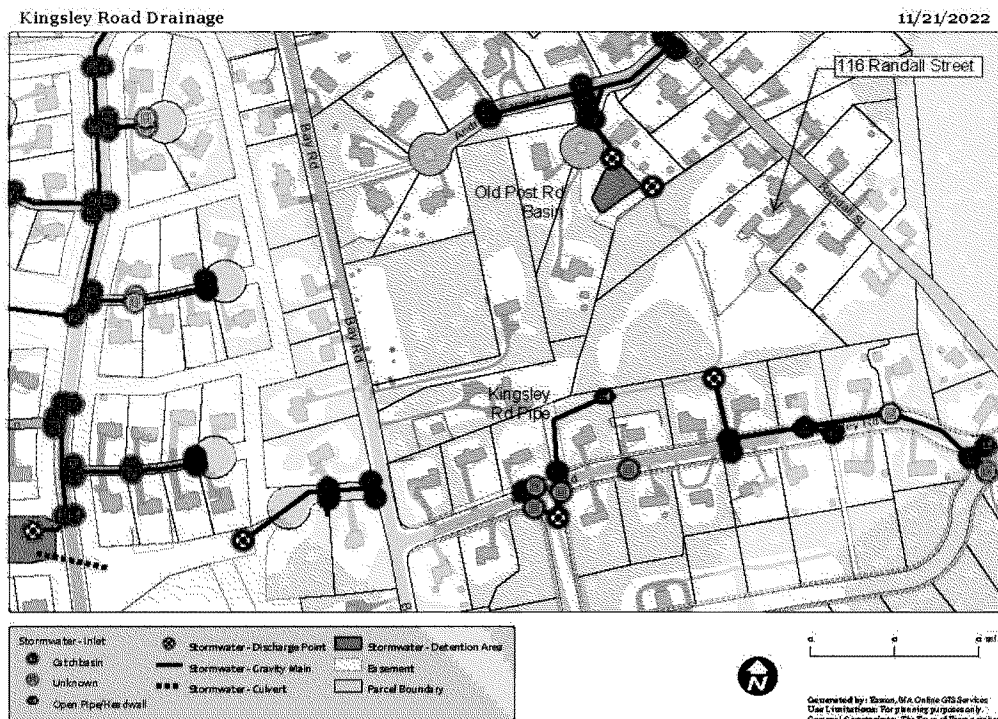


Figure 2: Origin and surface flow path of Beaver Brook (Source: EPA EJTracker Website)

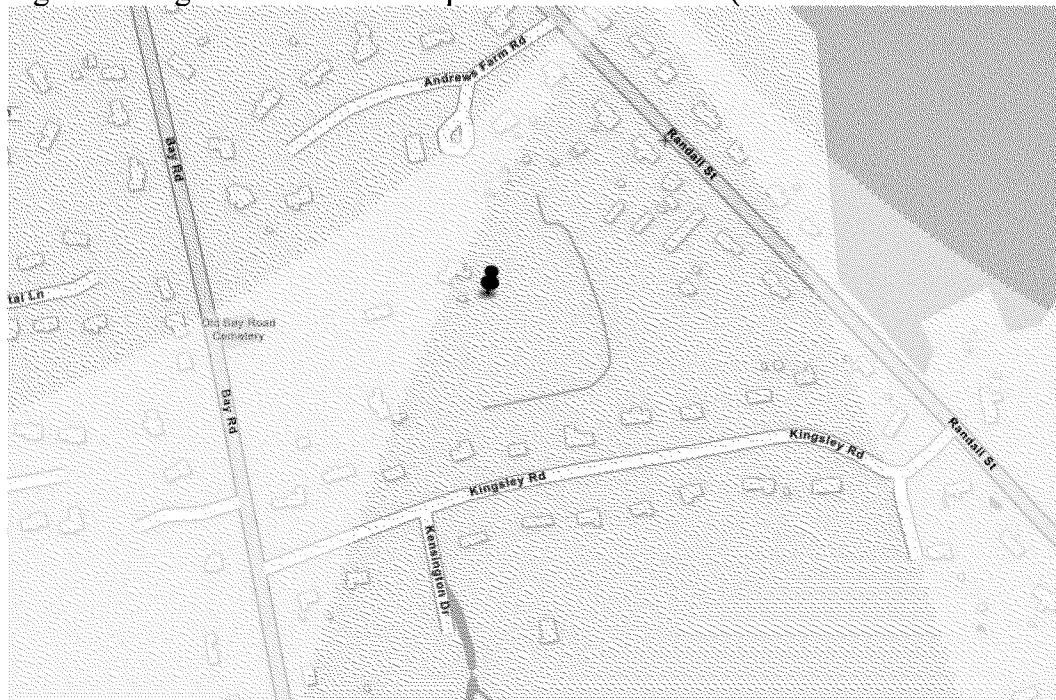


Photo 1: Downstream End of Kingsley Rd Pipe



Photo 2: Inside Outlet Manhole for Kingsley Rd Pipe Outlet



Photo 3: Upstream End Kingsley Rd Pipe - 14 Kingsley Rd



Photo 4: Beaver Brook - Downstream from 26 Kingsley Road



Photo 5: Beaver Brook - Upstream from 26 Kingsley Road



Photo 6: 116 Randall St - Upstream toward Detention Basin



Photo 7: 116 Randall St - Downstream towards Kingsley Rd

