REGION 1
NEW ENGLAND REGIONAL LABORATORY
NORTH CHELMSFORD, MA 01863

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

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination System ("NPDES")
Old Castle APG

ANNA HATKE Digitally signed by ANNA HATKE Date: 2024.08.29 13:53:58 -04'00'

From: Anna Hatke, Inspector

Thru: Alex Rosenberg, Manager

To: File

I. Facility Information

A. *Facility Name:* Oldcastle APG (dba Anchor Concrete)

B. *Facility Location*: 46 Spring Street
Holbrook, MA 02343

C. *Facility Contacts:* Joe Neikirk, Site Manager
46 Spring Street
Holbrook, MA 02343
(781) 767-2202
Joe.neirkirk@oldcastle.com

D. *NPDES ID No(s).:* MAR053837

II. Background Information

A. *Date(s) of inspection:* June 24, 2024

B. *Weather Conditions:* Sunny, 80 °F

C. *US EPA Representative(s):*
Anna Hatke, 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) (40 C.F.R part 122), Oil Pollution Prevention regulations (40 C.F.R. part 112).

F. *Previous Enforcement Actions:*
None

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 Discharges Associated with Industrial Activity as well as the Federal Clean Water Act ("CWA") Oil Pollution Prevention Regulations.

IV. Facility Description

The business is a concrete production Facility that primarily makes concrete pavers for architecture, patios and walkways and is located at 46 Spring Street, Holbrook, MA (the "Facility" or "site"). According to Federal Emergency Management Agency ("FEMA") flood information,[1] the site is not within a federally identified Flood Hazard Zone.

The site is approximately 36 acres. There is an unnamed pond located South of the Facility and Lake Holbrook is located approximately 0.6 miles to the Northeast. According to the Facility's Notice of Intent to discharge, Stormwater from the Facility discharge into the separate storm sewer owned by the town of Holbrook Massachusetts.

The Facility (refer to Attachment A, Photo Album, Slide 2) consists of the product storage building, retail storage building, paver plant, tumbler building, main office building, and outdoor stockpiling areas of product, waste product and material (course and fine sand).

[1] https://msc.fema.gov/portal/home

Public records indicate that the Facility is primarily engaged in Sector E: Class, Clay, Cement, Concrete and Gypsum Product Manufacturing activity classified under Standard Industrial Classification (SIC) Code 3271 (Concrete block and brick). The Facility was covered under the previous 2015 MSGP and reapplied for coverage under the current 2021 MSGP with a permit identification number, MAR053837.

V. Inspection

Inspection was unannounced.

Inspectors arrived at approximately 8:53.

A. Opening Conference

At approximately 9:10, Anna Hatke, Nafisah Ali and Alex Rosenberg presented their credentials to John Carroll, the plant manager and Joe Neikirk, the site manager.

John and Joe provided the following information to inspectors regarding the Facility.

The Facility has been in business for 24 years. There are currently 20 full time employees and 7 temporary workers who all work 1 extended shift staggered from 6 A.M. to 5 P.M.

According to Mr. Carroll, the entrance and exit are on the south side of the Facility. A production entrance where materials are delivered and weighed is located on the Western portion of the southern property border and a facilities entrance and truck exit is located on the eastern portion of the south side. A wetland borders the property to the Northwest.

According to Mr. Carroll, the Facility's front-end loaders and fork-lifts are serviced and maintained off-site by the third-party company, 'Lift Truck'.

The Facility uses a third-party engineering firm, Loureiro Associates, for stormwater inspections and sampling. Loureiro has been hired to sample for the past 5 years. The laboratory used for sample analysis is Absolute Resource Associates, located in Portsmouth, NH.

Mr. Neikirk explained that APG New England oversees 6 facilities located in Cranston, RI, West Lebanon, NH, Cain, CT, Oxford, MA, Holbrook, MA and Rehobeth, MA. He stated that that all 6 facilities have stormwater permits.

Mr. Carroll has been in his position for three months, as of the time of the inspection, and took over from the prior plant manager, Erin Francone. Mr. Neikirk is listed as the Facility representative on the NOI and within Net-DMR is the authorized signatory for each of the 6 facilities.

Aggregate deliveries enter the Facility by trucks that enter via the production entrance. Aggregate is deposited on the top of the aggregate storage hill. From there, a hopper at the North-end of the hill is loaded by a front end loader to convey the aggregate into the paver plant for product manufacturing. Depending on the product type, packaged product from the paver plant is then stored in either the East, North or West storage isles on the property.

Some product is given a weathered appearance by passing through the tumbler building after manufacturing, where product's edges are smoothed.

To the West of the paver plant, cement is delivered once per day and stored in two-70,000 lbs silos at a time. The cement is then deposited into mixers in the paver plant.

Pigment is kept in sealed powder bags and stored in the product storage building. The North-facing back-side of the property is used for waste product which can be re-ground to use in new product at later date.

The Facility washed aggregate on-site in the past. During those times, the washwater was discharged into an on-site retention pond. The pond is no longer in use, and a swale has been constructed around its entire perimeter that prevents stormwater from entering the pond. Stormwater runoff infiltrates within the swale.

Dust collectors exist in both the paver plant building and outside of the tumbler building. Dust emissions from the property in general are managed by the Best Management Practices ("BMP") of sweeping paved surfaces. A sub-contractor is hired to do the sweeping at a frequency of approximately once per year. Mr. Carroll is unaware of what type of sweeper is used.

EPA Inspectors raised the fact that the Facility is currently in Additional Implementation Measure ("AIM") level 3 at Discharge Point (outfall) 002 for exceeding the average annual benchmark threshold concentrations for the parameter Total Suspended Solids ("TSS"). Mr. Carroll explains that he cannot recall receiving a notice from Loureiro that the 2023 4th-quarterly data results from outfall 002 had triggered AIM Level 3. Mr. Carroll was unaware of the AIM level or its significance. He stated that, beyond yard sweeping, there have been no other actions carried out since the triggering event.

Mr. Carroll followed up by saying that he last corresponded with Loureiro in May, after the completion of yard sweeping in April. According to the corrective action log, there appears to only be one corrective action recorded this year on June 30, 2024. Ms. Hatke and Mr. Rosenberg explain to Mr. Carroll that benchmark concentration exceedances for TSS have been recorded for outfalls 001 and 002 for multiple consecutive years.

John is not aware about Pollution control measures used for runoff from snow storage areas.

Mr. Neikirk and Mr. Carroll explain that, when conducting outfall sampling, Loureiro is permitted to access the Facility between 6 am and 6 pm. It is also explained that, although Facility representatives are to be present when sampling occurs, this is not always the case.

Ms. Hatke brought to Mr. Neikirk's attention that on the Net-MSGP program servix e within the Central Data Exchange network ("CDX"), the annual reports for 2021 and 2022 were drafted but never submitted.

B. Facility Tour

At 10:16, Mr. Neikirk and Mr. Carroll showed EPA inspectors around the Facility.

EPA inspectors are brought to outfall 001, which is located by the Eastern entrance. (Slides 7, 8, 9). The outfall is a metal storm grate that is surrounded by course granite chunks, situated in a slight dip of the ground.

Inspectors are brought to the product storage building where pigment bags are stored (Slide 10). The building in question is roofed and enclosed in by concrete walls, with a concrete floor. The pigment bags are stored on wooden pallets. There are no floor drains. White crystals of some material were observed on the floor. It Could not be determined what the source of the material was.

When questioned about spill- procedures, Mr. Carroll and Mr. Neikirk explain that, if a pigment spill happens, a spill kit is used. The spill is disposed of in trash cans, to avoid being tracked out of the building. Mr. Neikirk explains that this building is relatively new and should not suffer from leaks or other structural integrity issues.

Inspectors observe the former concrete processing plant, which was demolished in 2019, and is now used as temporary product storage area. In this area, inspectors also observe an uncovered metal dumpster, used for scrap and miscellaneous material (Slide 11).

Inspectors observe the Facility's 5,000-gallon oil tank. The tank is mounted on a concrete pad, with a small ditch surrounding the exposed sides of the pad. There are Concrete barriers that surround the tank and security cameras that observe the area the tank is stored on. When asked by Mr. Rosenberg, Mr. Neikirk explains that the oil tank does not have a lock-out mechanism/system (Slide 12).

Inspectors observed pallets of polymeric sand that are not produced on site but are simply stockpiled for pick up by purchasing companies. (Slide 13).

On the way to outfall 002, Inspectors observe 4 separate metal grated stormwater catch basins. (Slides 14, 15, 16). One was observed to have vegetation growing in it. Mr. Rosenberg recommends that cleaning out conveyances could be an appropriate AIM

Level 2 response. He also recommends grit strainers to catch sand and other debris, prior to entering the stormwater sewer system.

Inspectors visited outfall 002 which is located by the Western entrance (Slides 17, 19) and also has a metal grate. The outfall is observed surrounded by sand (Slide 18). When inspectors ask about the methods used to collect samples from this outfall, Mr. Neikirk explains that he is unaware of the exact process.

The Inspectors walk by the customer service building where on the north side an uncovered dumpster is present. It is explained that it is used for miscellaneous trash. (Slide 20).

Inspectors are brought past a section of product storage located East of the tumbler building. The company label these products are sold under is 'Belgard'.

Inspectors are shown the elevated aggregate storage area where sand and grit are delivered when brought on-site. At the base of the hill, Inspectors observe deposits of sand, transported by stormwater, wind or truck traffic from higher elevations. (Slides 21, 22). Mr. Neikirk explains that the fine sand is stored closest to the loading ramp (Slides 23, 24) and the heavier courser sand and grit is located towards the back North, where the hopper is. The Eastern ridge of the aggregate pile is bordered with short concrete buffers (Slides 25, 26). Mr. Neikirk explains to the Inspectors that a project is in the planning stages to move the components of the aggregate pile to concrete pads, separated by walls. Along the West side of the aggregate pile, un-covered salt-sand piles are divided by concrete dividers. (Slide 28).

Inspectors are shown the dust collector storage drums on the outside of the tumbler building. Mr. Neikirk explains that the much finer sand collected from the rotary air lock is put into the junk pile and fed into the re-grinder. (Slide 27, 29).

Prior to entering the tumbler building, Inspectors observe a covered fuel tank, which is enclosed with concrete walls on a concrete floor. Inspectors noted that in order to adequately inspect a tank and its containment, it should be possible to view all sides.

Inspectors are led to the tumbler room (Slide 30). Mr. Neikirk and Mr. Carroll explain that a delayed-push conveyer belt system conveys product into a rubber lined drum, before being tumbled (Slide 31, 32). There is a dust suppressor system within the tumbler building. The tumbled product is misted before it is released onto the receiving worktable. Dust masks are required to be worn by employees that work in this building. The tumbler is run daily, Monday through Friday.

To the Northwest of the tumbler building, Inspectors observe possible erosional channels from stormwater run-off between the Facility and the abutting lumber company. (Slide 33). In this drainage area, the Facility stores metal projects and firepit kits (Slide 34). Inspectors recommended that Facility representatives walk the property

boundary during rainfall to determine whether additional discharge points exist (see MSGP Part 3.1.6.4.b.).

To the immediate North of the metal project storage, Inspectors observe what appears to be wetland and stagnant water. (Slide 35, 36).

Inspectors are shown the former aggregate wash-out pond. Mr. Neikirk explains that the Facility installed swales around the entirety of the pond, after its formal designation as a wetland by the town. (Slide 37).

Inspectors are led to the back North of the property where the junk pile and old junk pile are located (Slides 38, 39). Mr. Neikirk explains that the original junk pile was determined to be located too close to the woodland buffer and efforts were made to move the pile Southward. A cease and desist was issued (by the town?) and all efforts halted. A gravel/soil berm was installed between the old junk pile and the relocated one. (Slide 40).

Inspectors were led to outfall 003, In the same drainage area. Inspectors observed evidence of possible drainage into the wooded buffer area from the un-wooded edge of the back lot (Slide 41). The outfall is located roughly 30 feet into wooded buffer area. The outfall is a 2' concrete pipe that feeds into an un-named stream (Slides 42, 43). No flow is observed, and the receiving water appears clear-brown in color. No overt smell is noted. Some aquatic invertebrates are observed in the stream. The substrate of the stream bottom is observed to be silty.

The Inspectors are led to the North scrap storage area. An approximately 4 ft high berm made of coarse to fine aggregate and sand is present between the production area and the wooded perimeter (Slide 44). Inspectors observe litter from packaging and crushed product scattered intermittently on the ground in this area (Slide 45). An uncovered miscellaneous trash dumpster is observed in front of the North scrap storage area.

Inspectors are escorted inside of the paver production plant building. Mr. Neikirk and Mr. Carroll explain the production process. Aggregate that is conveyed from the hopper (Slide 48) is fed into mixer where it is combined with aggregate binder and concrete from the silos (Slide 47). Aggregate binder is delivered in bulk and excess is stored in the building in 265-gallon totes (Slide 49). Un-set product is then sent to the kiln, where it is fired for half a day. Fired product is then palletized and wrapped for storage. There are no floor drains in the paver plant building (Slide 46).

On the outer Southern side of the paver production building, Inspectors observe where waste product is regularly dumped, partially contained by concrete walls. (Slide 50). Immediately downhill of this area, a metal storm grate catch basin is observed with grit and trash at the bottom of it (Slide 51).

Inspectors observe an old dump pile along the Eastern base of the aggregate hill. (Slide 52).

Inspectors are walked past the main Eastern storage area, where forklifts carry pallets of product to and from. (Slide 53). A commercial truck is seen having product loaded into it.

C. Records Review

EPA inspectors asked to see the Facility's Stormwater Pollution Prevention Plan ("SWPPP"), training records, and the most recent quarterly site inspection record, quarterly visual assessment record, and quarterly sampling documentation.

The Facility's SWPPP was dated July 2021 (Slide 54). The Facility's stormwater drainage plan (Slide 2) showed the drainage areas of the site, stormwater flow direction, and seventeen on-site catch basins as well as their underground pipe and discharge point location.

EPA inspectors reviewed an inspection report from 2023 concerning possible run-off from snowmelt on the sand storage pile. The report observed that runoff carried the sand to outfall 002.

Inspectors reviewed the Facility's SWPPP, dated July 2021.

Inspectors briefly reviewed the Facility's SPCC plan, dated April 2016 (Slide 57).

Inspectors reviewed the two available on-site employee training records dated from 2019 and from 2022. The 2019 records contain 8 workers. The 2022 records contain the names of two workers; Erin Francone, the prior manager and Nate Pacheco, who no longer works at the Facility. EPA inspectors provided basic technical assistance explaining the Permit requirements to hold annual stormwater training for all employees and maintain records demonstrating the employees took the training.

The inspectors reviewed the Facility's sample records and associated Chains of Custody ("COC") completed by the contractors. Inspectors noted on the COC Record and Analysis Request 69907, from the sample event dated May 23, 2024 that the dates of samples were recorded as 05/2023 and a note was made to "swap per email" for both outfall identifier and date/time sample was collected (Slide 56).

Inspectors noted that in some cases, multiple samples were taken at a single outfall during a particular quarter. In at least one instance, the lowest value was submitted on the Discharge Monitoring Report (DMR). Mr. Rosenberg told both Mr. Neikirk and Mr. Carroll that pursuant to part 4 of the MSGP, if multiple samples are taken during a single quarter, the reported value must be the average of all samples collected.

Inspectors reviewed some of the Facility's past inspection reports.

D. Closing Conference

Inspectors held a brief closing in the main office building at 12:08 pm. Inspectors reiterated the following observations and areas of concern;

- The Facility has no documentation to conclude whether additional discharge points exist, such as those brought to attention by inspectors at the Western and Southern edge of the property.

- The Facility's SPCC is out of date; April 2016. Mr. Rosenberg explained that SPCC's require to be updated every 5 years.

- AIM level three responses Do not meet the permit requirement of implementing structural or treatment controls Within specified time frames.

    - Ms. Hatke requested for the correspondence emails between Mr. Neikirk and or Mr. Carroll and the environmental consultant concerning AIM Level awareness and responses be provided to the inspection team.

- Mr. Rosenberg and Ms. Ali suggested the stormwater conveyance map be updated in order to comply with the requirement that the plan represent observed stormwater flow throughout the Facility.

- Mr. Rosenberg explained that employee training is required to be documented and that signed records must be kept on site.

- Mr. Rosenberg explained that inspection records are to be included in the SWPPP, on-site and kept updated.

- Ms. Hatke requested a copy of the email correspondence referenced in the stormwater sampling Chain of Custody for the sample analysis dated from 5/23/24 (Slide 56).

- Ms. Hatke requested that the prior two annual reports be submitted within the electronic submittal database Net-MSGP, because they are both currently in draft.

- Mr. Rosenberg explained to Mr. Neikirk and to Mr. Carroll that the MSGP permit requires publicly outward facing signage that lists the Facility's coverage status and contact information.

- Mr. Rosenberg and Ms. Ali observed that the consultant recommended catch filters be installed in a report from 6/30/23. The inspectors did not see catch filters being used during the Facility tour.

Inspectors departed at approximately 12:30 pm.

Unless otherwise noted, this report describes conditions at the Facility/site 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.