



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")
Deep Brook Estates

From: Andrew Spejewski, Inspector
ANDREW SPEJEWSKI Digitally signed by
ANDREW SPEJEWSKI
Date: 2023.02.15 13:45:44
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Thru: Stephanie Tougas, Inspector

To: File

I. Facility Information

- A. *Facility Name:* Deep Brook Estates
- B. *Facility Location:* Park Drive
Acushnet, MA 02743
- C. *Facility Contacts:* Jose Castelo
1815 Acushnet Ave
New Bedford, MA 02746
508-889-1260, jcastelo@castelgroup.com
- D. *NPDES ID No(s):* MAR1004A8

II. Background Information

- A. *Date(s) of inspection:* February 2, 2023
- B. *Weather Conditions:* clear, dry, near freezing
- C. *US EPA Representative(s):*
Andrew Spejewski
- D. *State/Local Representative(s):* Pat Hannon, Town of Acushnet Conservation
Agent

E. Federally Enforceable Requirements Covered During the Inspection: EPA construction general permit for stormwater

F. Previous Enforcement Actions: No federal actions known.

III. Type and Purpose of Inspection

Unannounced Evaluation of Construction Stormwater Compliance

IV. Facility Description

The facility is a future residential development. It includes a road running east from the current end of Park Drive extending about 300 yards (“Park Drive”), and an unfinished road running about 500 yards north from roughly the midpoint of the new portion of Park Drive, that “Tuckaway Road”).

The site is fairly flat; Tuckaway Road slopes slightly down to the south. Park Drive is more or less at the level of the surrounding terrain.

Both roads had been cleared and somewhat graded before the start of the current project (two small stockpiles were observed near the roads with at least several years of weed growth). A road running east from the north end of Tuckaway Road had been cleared and graded; according to site personnel this road was not part of the current project (it was not made clear whether a future phase of the development would use this road)

At the time of inspection, the developer had partially regraded the new section of Park Drive and Tuckaway Roads, installed storm sewers, and constructed a basin at the east end of Park Drive. A water line was being installed under the main road, and preliminary clearing was underway for a basin east of Tuckaway Road.

V. Inspection

Mr. Spejewski and Mr. Hannon arrived unannounced at about 12:30 PM.

A. Opening Conference

Present on site was Nathan Gomes. Mr. Gomes said he was not the owner or the overall contractor, but hired to do site work only.

Mr. Spejewski explained the purpose of the inspection, presented his credentials, and gave Mr. Gomes a copy of the Small Business Information Sheet.

Mr. Gomes produced a copy of the SWPPP for the site. Mr. Gomes stated that he had not been hired to do erosion control inspections under the NPDES permit.

Mr. Gomes explained that the roads had been originally built years ago, before the current project. Mr. Gomes said that he began site work about August 2022.

B. Facility Tour

The only cleared areas on the site were the roads, a small staging area near the entrance, and the stormwater basin area. The roads were rough graded only.

Along Park Drive a trench was being constructed; according to Mr. Gomes it was for installing water lines.

Mr. Gomes said that catchbasins were installed but closed off. He showed a catchbasin on Tuckaway Road near the intersection with Park Drive: the basin top was a few inches above the surrounding dirt, there was a steel plate covering the opening, and filter fabric had been placed over the opening (under the steel plate).

A little north of Park Drive, a small pool was east of and about ten feet below Tuckaway Road. There was a channel a couple inches deep eroded into the slope leading down to the pool, and some signs of sediment deposited in the pool. Mr. Gomes said this wetland was going to be filled, with replication immediately north of it. There was no sign of sediment being carried out of the pool to other areas.

A channel with flowing water ran south along the west side of Tuckaway Road. The channel led to standing water on the west side of Tuckaway Road, which appeared to drain across the road to the pool east and below Tuckaway Road.

Except at the pool (noted above), Tuckaway Road was generally at or slightly below the surrounding terrain, with no signs of significant flow off of the road.

Mr. Gomes stated heavy equipment east of Tuckaway Road about halfway to the end was about to begin clearing trees for a stormwater basin east of the road; he said another basin would be near the north end of the Tuckaway Road.

A culvert with a moderate flowing stream passed under Tuckaway Road. There was silt fence around the stream on both sides. Mr. Gomes explained that during storms, the stream would overflow onto the road, and that he was planning to build up dirt and rock around the culvert entrance to prevent that.

The north end of Tuckaway Road was below the terrain to the north. A dirt road ran to the east. The dirt road and area around it had heavy weed growth and did not appear to have been disturbed in several years.

Park Drive was also near or below the surrounding terrain with no signs of significant flow off the road. At the east end a large area (at least an acre) had been cleared and graded. A stockpile was present at the west side of the cleared area, with no signs of stabilization.

A sediment basin was in the cleared area. Mr. Gomes stated that the basin had overflowed earlier, but he had built up the walls since then. No stabilization was seen on the basin or the flat cleared areas surrounding it.

Mr. Gomes said that hydroseeding was planned soon. Mr. Spejewski asked how the grass would be established in February. Mr. Gomes agreed it would be difficult to grow.

Sediment was deposited into the flat wooded area east of the basin, but no deposits could be observed more than about 20 yards from the site.

The group returned to the site entrance and had a short closing conference with Mr. Gomes.

While leaving the site, Mr. Spejewski observed the condition of the site entrance: A 20-foot section of gravel and rip-rap was in place, but significant quantities of mud and sediment had tracked onto the gravel and onto the paved pre-existing part of Park Drive.

D. Closing Conference

Mr. Spejewski confirmed with Mr. Gomes that Mr. Castelo was the owner and had control of spending at the site, and that Mr. Castelo would be the best person to contact for follow-up about the site.

Mr. Spejewski and Mr. Hannon thanked Mr. Gomes for his time and departed at approximately 1:30 PM.

Picture List:

[Note: the camera was set for Eastern Daylight Time, while the inspection took place during Eastern Standard Time, therefore the timestamps for photos are one hour later than actual time]

IMG_2883.JPG	SWPPP cover page
IMG_2884.JPG	SWPPP operator identification
IMG_2885.JPG	Facing west to existing Park Drive
IMG_2886.JPG	Facing east along Park Drive, about midway point
IMG_2887.JPG	Facing north up Tuckaway Road, from Park Drive intersection
IMG_2888.JPG	[Inspector camera error, showing Mr. Gomes]
IMG_2889.JPG	Catchbasin on Tuckaway Road, with steel plate lifted
IMG_2890.JPG	Wetland east of Tuckaway Road, slightly north of Park Drive
IMG_2891.JPG	Westland east of Tuckaway Road, and slope draining to wetland
IMG_2892.JPG	Facing north along west side of Tuckaway Road
IMG_2893.JPG	Facing southeast over Tuckaway Road, near midpoint
IMG_2894.JPG	Inlet to culvert under Tuckaway Road
IMG_2895.JPG	Outlet from culvert under Tuckaway Road
IMG_2896.JPG	Facing east from north end of Tuckaway Road
IMG_2897.JPG	Facing southeast over basin at east end of Park Drive
IMG_2898.JPG	Basin east of Park Drive
IMG_2899.JPG	Facing north, over outlet of basin
IMG_2900.JPG	Sediment in woods east of basin
IMG_2901.JPG	Sediment deposits east of basin

IMG_2902.JPG	Stockpile just west of basin
IMG_2903.JPG	Site entrance, facing west along existing Park Drive
IMG_2904.JPG	Detail, existing Park Drive next to site entrance
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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.