



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 Post Office Square
Boston, MA 02109

Sent via Electronic Mail (*Dated as shown on electronic signature*)

Mr. Hank Galante, Owner
Regal Auto Parts, Inc. d/b/a Brockton Auto Parts
511 Thatcher Street
Brockton, MA 01007
brocktonautoparts@gmail.com

Subject: May 19, 2023 EPA Inspection of Regal Auto Parts, Inc. d/b/a Brockton Auto Parts

Dear Mr. Galante,

On May 19, 2023, the U.S. Environmental Protection Agency ("EPA") performed an inspection at Brockton Auto Parts, located at 511 Thatcher Street, Brockton, MA ("the Facility" or "site"), regarding compliance with the National Pollutant Discharge Elimination System ("NPDES") program of the Clean Water Act ("CWA" or the "Act"). A copy of the inspection report and associated photo album are enclosed in this letter.

During the inspection, EPA inspectors observed exposed scrap metal and automobiles used for the sale of parts in close proximity to stormwater catchment basins. The inspectors verified that the Facility does not have any NPDES permit coverage for stormwater discharges associated with industrial activity at the site.

Provide a response to each of the sections below by the deadlines identified in each section. Communicate your decision as to which action the Facility has taken and proof of completion of that action in an electronic format to Damian Bednarz of my staff at bednarz.damian@epa.gov. The questions in section #3 relate to the presence of oil storage containers at the Facility and compliance with the Oil Pollution Prevention regulations found at 40 C.F.R. Part 112.

1. The industrial activities taking place at the Facility are classified under both the Standard Industrial Classification ("SIC") codes 5093 (Scrap and Waste Materials) and 5015 (Motor Vehicle Parts, Used) which are applicable codes under the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity ("MSGP") Subpart N—Sector N—Scrap Recycling and Waste Recycling Facilities and Subpart M—Sector M—Automobile Salvage Yards. Stormwater discharges from the Facility are not authorized unless and until the Facility obtains coverage under the MSGP.
 - a. **Within 30 days of receipt of this letter**, submit an estimate of the date by which you expect the Facility to submit a Notice of Intent ("NOI") to discharge under the MSGP. The NOI must be submitted via the Central Data Exchange ("CDX"). General information on e-reporting can be found here <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities->

[ereporting#accessingmsgp](#). Steps for obtaining coverage under the MSGP include:

- i. Signing-up for an account on CDX – see attachment (#1), also available at: <https://cdx.epa.gov/about/userguide>;
- ii. Adding Net-MSGP program service within CDX – see attachment (#2);
- iii. Submitting an NOI – see attachment (#3); and
- iv. Adding NeTDMR account for monitoring data submission – see attachment (#4).

Upon submission of your Facility's NOI, notify Mr. Bednarz by email, indicating the date of such submission.

Within 60 days of receipt this letter, submit a copy of the facility's Stormwater Pollution Prevention Plan ("SWPPP"). A SWPPP template can be found on the national MSGP website.¹

2. The Brockton Auto Parts Facility contains a berm that cannot be adequately maintained or inspected due to excessive vegetation and inventory blocking access to the berm.
Within 60 days of receipt of this letter, provide an explanation of what measures the company has taken to ensure that the efficacy of the Facility's berm and other existing stormwater control measures can be verified.
3. Based on EPA's on-site compliance evaluation of the Facility, it appears an oil discharge from the site could reasonably be expected to enter nearby surface waters as described in 40 C.F.R. § 112.1.
 - a. Identify the total oil storage capacity of the Facility.
 - b. If the Facility's total oil storage capacity is above the thresholds set forth in 40 C.F.R. § 112.1 (d)(1) (i.e., the Spill Prevention Control and Countermeasures "SPCC"-regulated underground oil storage capacity of the Facility is greater than 42,000 gallons—or—the aboveground oil storage capacity of the Facility is greater than 1,320 gallons (including, at a minimum volume, 55-gallon drums), state whether the Facility has an SPCC Plan and, if so, provide a copy of the SPCC Plan to EPA.
 - c. If your Facility must create an SPCC Plan or revise its existing SPCC Plan, submit a copy of such new or revised SPCC Plan **within 30 days**. If completion of the SPCC Plan is not feasible within 30 calendar days, submit a detailed schedule of when it will be completed and fully implemented.

¹ <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-fact-sheets-and-guidance#guidance>

- d. If you believe that your Facility is not subject to the Oil Pollution Prevention Regulations at 40 C.F.R. Part 112 and is therefore not required to have an SPCC Plan, explain that basis for your belief, including appropriate documentation.

You may refer any questions related to technical issues in this letter to Damian Bednarz of my staff at 617-918-1482 or bednarz.damian@epa.gov. Legal issues may be directed to Sam Horowitz, Enforcement Counsel, at (617) 918-1512 or horowitz.samuel@epa.gov.

TODD BORCI

Digitally signed by TODD
BORCI
Date: 2023.07.13 15:59:54
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Sincerely,
Todd Borci, Manager
Enforcement and Compliance Assurance Division

Enclosures:

Brockton Auto Parts Inspection Report and Photo Album

Attachment #1 - Step 1 CDX_Quick_User_Guide.pdf
Attachment #2 - Step 2 How_to_Add_NeT-MSGP_Program_Service.pdf
Attachment #3 - Step 3 NOI_MSGP_2021.pptx
Attachment #4 - Step 4 Creating_New_Account_NetDMR.pptx

CCs (electronic only):

Susannah King, MA DEP

Dan DiSalvio, MA DEP

Sam Horowitz, Enforcement Counsel, US EPA