



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

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

Jason Hutchens, President
Raw Seafoods, Inc.
481 Curren Road
Fall River, Massachusetts 02720
jhutchens@rawseafoods.com

Subject: June 6, 2024 EPA Inspection and Request for Follow-up Information

Dear Mr. Hutchens:

On June 6, 2024, the U.S. Environmental Protection Agency ("EPA") performed an inspection at Ice Cube Cold Storage and Logistics regarding compliance with the National Pollutant Discharge Elimination System ("NPDES") Program of the Clean Water Act (the "Act"). A copy of the inspection report is enclosed with this letter.

The construction activities taking place at Ice Cube Cold Storage and Logistics, 615 Innovation Way, Fall River, Massachusetts (the "Site") fall under the jurisdiction of EPA's 2022 Construction General Permit ("CGP"). EPA notes that the Site was previously covered under the 2017 CGP, but did not reapply for coverage under the 2022 CGP. The 2017 CGP expired on February 16, 2022. This means that, as currently configured, stormwater discharges from construction activities at the Site are not authorized, and are being discharged in violation of the Act, unless and until you obtain permit coverage under the 2022 CGP.

Within 30 calendar days of receipt of this letter, provide the information requested below. Please answer each question as clearly and completely as possible, and provide a response in an electronic format to the following technical contact:

Eleanor Horvath, Clean Water Act Inspector
(617) 918-1061
horvath.eleanor@epa.gov

1. General Business Information:

- a. Specify the full legal name(s) with exact spelling, the business mailing address, telephone number, and address(es) of each entity's operations for each of the following:
 - i. Hutchens Holding III, LLC

ii. Ice Cube Logistics, LLC

iii. Raw Seafoods, Inc.

- b. Provide a chart/diagram that illustrates the corporate and management structure of the three entities listed above, including parent companies, subsidiaries, and affiliated entities. In addition, explain whether “Ice Cube Cold Storage and Logistics” is a tradestyle, and its relationship to the three entities listed above.

2. Site Construction Information:

- a. Provide the date that construction commenced at the Site (615 Innovation Way, Fall River, MA).

- b. For periods of active construction at the Site:

- i. Provide the beginning and end date of each stage of construction, as well as the specific activities that took place during each stage.
- ii. Provide a Site map that shows the areas of the Site that were being actively worked on during each stage.
- iii. Describe the erosion control measures that were used to stabilize the Site during periods of active construction.
- iv. How frequently were erosion control inspections completed during active construction? Who completed the erosion control inspections?
- v. Provide copies of Site erosion control inspection reports or documentation for, at minimum, the past 3 months of active construction.

- c. If there were periods of inactivity at the Site:

- i. Provide the beginning and end date of each inactive period.
- ii. Describe the erosion control measures that were used to stabilize the Site during periods of inactivity.
- iii. How frequently were erosion control inspections completed during each period of inactivity? Who completed the erosion control inspections?
- iv. Provide copies of Site erosion control inspection reports or documentation for, at minimum, the past 3 months of Site inactivity.

- d. Describe the status of the Site today, including existing erosion control measures and current construction activities.

- e. During the inspection, EPA identified locations where existing erosion controls were in poor condition (photos 5-11, 13, 16 in attached photolog). Provide narrative and photographic evidence that these issues were addressed.
- f. Describe the plans for the Site in the future, including planned erosion control measures and forthcoming construction activities.
- g. Provide any available stormwater drainage plans for the Site.
- h. Provide any available Site plans detailing future construction.

Please refer any questions related to technical issues in this letter to Eleanor Horvath at (617) 918-1061 or horvath.eleanor@epa.gov. Legal issues may be directed to Jeff Kopf, Senior Enforcement Counsel, at (617) 918-1796 or kopf.jeff@epa.gov.

Sincerely,



Digitally signed by
ALEX ROSENBERG
Date: 2024.06.18
13:41:21 -04'00'

Alex Rosenberg, Acting Manager
Water Compliance Section 1
Enforcement and Compliance Assurance Division

Enclosures:

Inspection Report for June 6, 2024 EPA Inspection
Inspection Photolog for June 6, 2024 EPA Inspection

CCs (electronic only):

Eleanor Horvath, Clean Water Act Inspector, U.S. EPA
Jeff Kopf, Senior Enforcement Counsel, U.S. EPA