



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")
Apple Road Gravel Site

From: Andrew Spejewski, Inspector
ANDREW SPEJEWSKI
Digitally signed by
ANDREW SPEJEWSKI
Date: 2023.08.01 11:46:17
-04'00'

Thru: Alex Rosenberg

To: File

I. Facility Information

- A. *Facility Name:* Apple Road Gravel Site
- B. *Facility Location:* Apple Road
Brimfield, MA 01010
- C. *Facility Contacts:* Joe Ciesla, Owner
PO Box 87
Webster, MA 01570
joedciesla@gmail.com
- D. *NPDES ID No(s):* None

II. Background Information

- A. *Date(s) of inspection:* July 20, 2023
- B. *Weather Conditions:* Clear, dry.
- C. *US EPA Representative(s):*
Andrew Spejewski
- D. *State/Local Representative(s):*
Mary Grover, MA DEP
Michael McHugh, MA DEP

E. *Federally Enforceable Requirements Covered During the Inspection: National Pollutant Discharge Elimination System Multi-Sector General Permit ("MSGP")* (March 1, 2021 – modified September 29, 2021)

F. *Previous Enforcement Actions:*
No federal actions known.

III. Type and Purpose of Inspection

Evaluation of compliance with Industrial Stormwater requirements.

IV. Facility Description

The site includes three areas, and in total encompasses about 20 acres. A partially cleared area ("western area") is immediately south and west of Apple Street; this area is fairly flat and close to the level of Apple Road. From that area, a gravel road goes south, crosses a stream, and goes uphill to the west end of the second area ("central area"). The central area is approximately 7 acres. It slopes down from south to north and drains to a retention pond to the northeast. From the central area, a gravel road crosses another stream via a culvert to the third area ("eastern area"). The eastern area was recently cleared and is currently being graded and used for gravel mining. The eastern area slopes down to the west and to the north towards the eastern stream; the central part of this area is slightly below the outer areas in elevation to the west and north.

V. Inspection

The inspection was arranged my MA DEP, at least a week before the inspection.

Mr. Spejewski arrived at the site at about 1:00 PM, and parked at a small parking area just off of Apple Street, with MA DEP inspectors arriving at about the same time. There, they met MaryAnn DiPinto, a consultant for the owners, who suggested all driving onto the site where the owners were waiting. Mr. Spejewski and the MA DEP inspectors followed her in their own vehicles onto the site, stopping just past (east of) the second stream crossing. There, they met the owners and additional consultants.

A. Opening Conference

Present were: Joe Ciesla, Stan Ciesla, owners.

David Faist, CMG (consultant), with another CMG employee

MaryAnn DiPinto, Three Oaks Environmental (consultant)

The inspectors described the purposes of their inspections. Mr. Spejewski presented his credentials to Joe Ciesla and Stan Ciesla and provided a copy of the Small Business Resources Information Sheet.

Commented [RA(1)]: PRIVATE? OR DOES SHE HAVE A COMPANY NAME?

Mr. Stan Ciesla explained that he and Joe Ciesla were brothers and owned the site together. He said the site had been used for gravel mining since the 1950's. He said a residential subdivision had been permitted for the western area near Apple Road in the early 2010's, but it was abandoned before any building construction, by 2014. He said that area was now only used for storage and stockpiles.

Mr. Ciesla continued to explain that more recently, the second stream crossing was built, in part to allow the owner of the neighboring property to the east to have access for logging. He explained the gravel operation was also expanded at that time to the east side of the stream. He said trees had been cut on the Cieslas' property, but only to allow access to the gravel.

Neither the Cieslas or any consultants were aware of any EPA stormwater permits for the site.

The group left on a tour of the site, with the Cieslas joining some of the time.

B. Facility Tour

The eastern section is clear and recently disturbed. Except at the crossing itself, there is generally a 10-20 yard strip of undisturbed trees between the cleared area and the flowing stream. To the south and east, the surrounding terrain is above the level of the site in elevation. The central part of the area has been excavated/graded to an elevation slightly below a 20-30 yard wide perimeter on the south and east; the central part of the site appears to infiltrate stormwater, as there is no visible flow path from the central part through the perimeter. The southern and eastern portion of the outer perimeter itself was recently graded to slope gently down towards the site boundary (except for a short section of dirt berm along the edge of the site just north of the stream crossing). Silt fence was generally in place along the boundary between the cleared site and undisturbed woods.

At the time of the inspection no significant channels or areas of concentrated flow were observed coming off of the central area, except on the northern edge where very slight erosion rills beginning to form. Mr. Stan Ciesla explained that some of the outer perimeter is planned to be permanently stabilized, and some will eventually have gravel removed.

The eastern most stream crossing is a culvert buried several feet deep under the road. Rip-rap lines the slope from the road down to the stream. A silt fence is in place along the stream edge. Outside of that silt fence, almost in the stream, an additional line of failed silt fence is in place (Photo 141432). All of the silt fence appeared to be slightly weathered (as if it had not been installed recently), with fresh-looking straw silt roll along the upgradient side of the fence. The current silt fence appeared to be containing most sediment. There was a bed of gravel in the stream just below (north of) the crossing. Mr. Joe Ciesla did not know whether it was there before the crossing was constructed.

The central area slopes down to the north, with a higher elevation area to the west, and has a berm along the eastern edge. Except for the western portion of the area, it slopes toward a detention basin located to the north. The basin had standing water in it. The

Commented [RA(2)]: Can you use some estimate that is quantitative or more descriptive?

Commented [RA(3)]: Do you mean that they will mine the gravel?

Commented [RA(4)]: Check this is cprrect?

Commented [RA(5)]: Not sure about past tense. I understand you are writing about what you observed on a prior date, but I thought we should write like we're describing what we saw and what is present when we saw it.

lowest point of the basin wall, to the northeast, was at least a foot above the current water level. No evidence was observed to indicate whether the basin overflows.

The western part of the central area slopes slightly toward the gravel driveway that runs down toward the first stream crossing. Based on observations of the site topography, stormwater runoff is assumed to run down the gravel driveway along the west side and into an area of rip-rap on the southwest corner of this western most stream crossing. Some erosional channels observed along the driveway provide further evidence of the direction of stormwater flow. No significant sediment deposits were observed in the rip-rap. On the east side of the driveway where it crosses the stream, there is a small depression lined with rip-rap.

The western portion appears fairly flat, with dirt roads running into it.

C. Records Review

No records were reviewed.

D. Closing Conference

The group returned to the second stream crossing. Mr. Spejewski told the Cieslas that the site likely did not require a construction stormwater permit, but appeared that it may require an industrial stormwater permit. Mr. Faist, the consultant, appeared to be familiar with the MSGP. Mr. Spejewski suggested EPA follow up with Mr. Faist about MSGP coverage, and he and the Cieslas agreed. Mr. Spejewski asked if Mr. Faist would also be appropriate to contact for sending the inspection report and other questions, and Mr. Faist said that general interactions should be with the Cieslas.

Mr. Spejewski departed at approximately 3:00 PM

Picture List:

[Due to a battery error with EPA-issued camera, the inspector used a personal cell phone to take pictures]

IMG_20230720_133040_HDR.jpg	Northeast of second stream crossing, edge of site
IMG_20230720_133042_HDR.jpg	West edge of east site, near stream crossing
IMG_20230720_133051_HDR.jpg	Facing southeast over east site, from north of stream crossing
IMG_20230720_133101_HDR.jpg	Facing northeast over east site, from north of stream
IMG_20230720_133502_HDR.jpg	Facing north along west edge of east site
IMG_20230720_133751_HDR.jpg	Northwest corner of east site
IMG_20230720_133757_HDR.jpg	North edge of east site
IMG_20230720_134913_HDR.jpg	Facing east over stockpile at east edge of east site
IMG_20230720_134927_HDR.jpg	Facing east to edge of east site
IMG_20230720_141410_HDR.jpg	Second stream crossing, facing north
IMG_20230720_141416_HDR.jpg	Northeast side of second stream crossing
IMG_20230720_141432_HDR.jpg	Facing south, second stream crossing

IMG_20230720_142405_HDR.jpg	Facing west over central site, from east edge
IMG_20230720_142413_HDR.jpg	East side of central site, facing north
IMG_20230720_142648_HDR.jpg	Center of central site
IMG_20230720_142655_HDR.jpg	Central site, facing north to basin
IMG_20230720_142841.jpg	Basin in central site, facing north
IMG_20230720_142849_HDR.jpg	Central site basin facing north
IMG_20230720_143321_HDR.jpg	North edge of central site basin
IMG_20230720_144457_HDR.jpg	Facing west edge of central site
IMG_20230720_144459_HDR.jpg	West end of central site, facing south
IMG_20230720_144557_HDR.jpg	First stream crossing, facing west
IMG_20230720_144830_HDR.jpg	Southeast of first stream crossing
IMG_20230720_144905_HDR.jpg	Rip-rap basin southwest of first stream crossing

END

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.