



REGION 1

NEW ENGLAND REGIONAL LABORATORY
NORTH CHELMSFORD, MA 01863

Matt Hoppe, President
Oldcastle APG Northeast Inc.
331 Newman Springs Rd.
Suite 236
Red Bank, New Jersey 07701

Sent via Certified Mail
Return Receipt Requested

Subject: Request for Information Pursuant to Section 308 of the Clean Water Act (33 U.S.C. § 1318) and Inspection Report for Anchor North Concrete Products located in Holbrook, Massachusetts, Docket No. CWA-308-R01-FY24-28

Dear Mr. Hoppe:

On June 24th, 2024, the U.S. Environmental Protection Agency Region 1 ("EPA") performed a Clean Water Act (the "Act") inspection at one of the subsidiary facilities of Oldcastle APG Northeast, Inc. located at 46 Spring Street, Holbrook (dba "Anchor North Concrete Products"). The inspection specifically evaluated compliance for the National Pollutant Discharge Elimination System ("NPDES") Program Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity ("MSGP"). A copy of the facility's inspection report is enclosed with this letter.

Section 308(a) of the Act, 33 U.S.C. § 1318(a), authorizes EPA to require the owner or operator of any point source to provide EPA with information pertaining to the Act. Pursuant to this authority, EPA is requesting the below information related to Anchor North Concrete Products as well as other facilities that are subsidiaries of, or related to, Oldcastle APG Northeast, Inc.

Within 30 calendar days of receipt of this letter, provide the information requested in Attachment B of this Request for Information ("Request"). Read the instructions in Attachment A carefully before preparing your response and answer each question in Attachment B as clearly and completely as possible. Oldcastle APG's response to this Request must also be accompanied by a certificate that is signed and dated by the person who is authorized to respond to the Request. A Statement of Certification, Attachment C, is attached to this letter. Information submitted pursuant to this Request shall be in writing and **shall be provided in an electronic format** to the following individual via the provided email address:

Alex Rosenberg
Rosenberg.alex@epa.gov

CC:

Anna Hatke
Hatke.anna@epa.gov

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested in the manner described by 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret," "proprietary," or "company confidential." These separate marked sheets should be submitted to EPA by hard copy or compact disc, and **not by email**, to the address below. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public without further notice to you. If you wish to electronically submit information claimed as Confidential Business Information ("CBI"), you may arrange for secure measures for submittal (e.g., a File Transfer Protocol ("FTP"), or third-party file transfer websites) or contact Mr. Rosenberg to discuss EPA-approved tools for electronic submission.

U.S. Environmental Protection Agency, Region 1
5 Post Office Sq., Suite 100
Attn : Alex Rosenberg
Mail Code 04-4
Boston, MA 02109-3912

Although this Request's emphasis is on compliance with the Act's industrial stormwater regulations at 40 C.F.R. part 122, the Facilities may also be subject to the Act's Oil Pollution Prevention regulations at 40 C.F.R. part 112 and/or reporting requirements under the Emergency Planning and Community Right-to-Know Act ("EPCRA"), 42 U.S.C. §§ 11001 *et seq.*, and implementing regulations at 40 C.F.R. parts 370 and 372. For your information, EPA has on its website at www.epa.gov/oilspill a general guidance document on Spill Prevention, Control, and Countermeasure ("SPCC") Plan preparation, including a model SPCC Plan. Additionally, if you are required to have Material Safety Data Sheets for your Facility and store 10,000 lbs. or more of oil at the Facility, you may be required under Section 312(a) of EPCRA to prepare and submit an emergency and hazardous chemical inventory form to the Local Emergency Planning Committee, the State Emergency Response Commission, and the local fire department. More information can be found at <http://www2.epa.gov/epcra>.

If you have questions regarding this Request, please contact Alex Rosenberg, Senior Enforcement Officer of my staff, at Rosenberg.alex@epa.gov or (617) 918-1709 or have your attorney contact Jeff Kopf, Enforcement Counsel, at kopf.jeff@epa.gov or (617) 918-1796.

Sincerely,

 Digitally signed by JAMES
CHOW
Date: 2024.08.30 11:56:39
-04'00'

James Chow, Director
Enforcement and Compliance Assurance Division

Enclosures

Anchor North Concrete Products, EPA Inspection Report and Photos for June 24th, 2024

Attachments

- A - Instructions for responding
- B - Information Request
- C - Statement of Certification

Electronic cc (except to Corporation Service Company which is sent via Certified Mail):

Corporation Service Company (84 State St. Boston, MA 02109)
Melissa Kiefer, Director of Environmental and Sustainability, Oldcastle APG
Joe Neikirk, Site Manager, Anchor North Concrete Products
Thintan Amin, Deputy General Counsel, CRH
Alex Rosenberg, EPA
Elliot Anderson, EPA
Jeff Kopf, Senior Enforcement Counsel EPA
Susannah King, Massachusetts Department of Environmental Protection
Dan Disalvio, Massachusetts Department of Environmental Protection

Attachment A

Information Request Instructions

1. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Request. Precede each answer with the text and the number of the question and the subpart to which the answer corresponds.
2. If any question cannot be answered in full, answer to the extent possible. If your responses are qualified in any manner, please explain.
3. Any documents you reference or rely upon to answer any of the questions in the Request must be copied and submitted to EPA with your response. All documents must contain a notation indicating the question and subpart to which they are responsive. If the documentation that supports a response to one question also supports another question, submit one copy of the documentation, and reference the documentation in subsequent responses.
4. If information or documents not known or not available to you as of the date of the submission of the response to this Request should later become known, or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is inaccurate or incomplete, you must notify the EPA of this finding as soon as possible and provide a corrected response.

Attachment B

Respond to the Following Questions

I. General Business Information:

- a. Specify the full legal name(s) with exact spelling, the business mailing address, telephone number, and address(es) of each of the following facilities¹:
 1. Oldcastle- Anchor located at 46 Spring Street, Holbrook, MA 02343;
 2. Oldcastle APG Northeast – Cranston, 30 Budlong Road, Cranston, RI 02920;
 3. Oldcastle APG Northeast, Inc. (DBA Anchor Concrete), 204 Old Webster Road, Oxford, MA 01540;
 4. Oldcastle APG Northeast Inc., 41 Almeida Road, Rehoboth, MA 02769;
 5. Oldcastle Precast - Avon Manufacturing Co. 151 Old Farms Road, Avon, CT 06001.
 6. Oldcastle APG Northeast, Inc., 35 Glen Road, West Lebanon, NH 03784
- b. Describe the relationship between the facilities listed above and Oldcastle APG Northeast, Inc. If Oldcastle APG Northeast, Inc. is incorporated, specify the state of incorporation and the principal place of business. If a partnership, provide the names and addresses of all the partners. Provide the full name and address of the parent company of Oldcastle APG Northeast, Inc. and the full name and address of any parent company of the facilities listed above if not Oldcastle APG Northeast, Inc.
- c. Specify the entity or entities that own or have owned each entity listed in question I.a. above from January 1, 2020, to the present. If any transfer of ownership has occurred, specify the owner(s) prior to and following the transfer, and the date of transfer.
- d. Provide a chart/diagram that illustrates the corporate and management structure of the Oldcastle APG Northeast, Inc. entities, including parent companies, subsidiaries, and affiliated entities that do business in New Hampshire, Vermont, Maine, Massachusetts, Connecticut, and Rhode Island (collectively, "New England"). Identify the entity or individual with responsibility for environmental compliance at each facility.
- e. If there are any other facilities owned or operated by Oldcastle APG Northeast, Inc. or their affiliates in New England not already listed in Question 1.a., provide their:

¹ Five of the six facilities had their names taken from their Notice of Intent for coverage under the MSGP. The facility located in Rehoboth, MA, does not appear to have coverage under the MSGP, but was mentioned during the inspection.

full legal name(s); business mailing address; any other address where each listed entity does business; if incorporated, specify the state of incorporation; if a parent company exists, provide the parent company's name and address; and the date that the entity became an Oldcastle APG Northeast, Inc. affiliate. In addition, for each facility listed in response to this question:

1. Describe the operation(s) that have taken place at any of the facilities owned and/or operated by Oldcastle APG Northeast, Inc. since January 2020, in chronological order, including the period of time and dates in which the operations occurred;
2. Provide a site map that shows the locations where each of these operations take/have taken place and the discharge point where stormwater leaves the property;
3. If the facility's stormwater discharges to a waterbody or a municipal separate storm sewer system ("MS4"), identify the waterbody or MS4;
4. Indicate whether each facility is authorized to discharge stormwater under either a federal or EPA-approved state NPDES permit; and
5. Provide the primary and secondary standard industrial classification ("SIC") codes for each facility and its associated primary and secondary operations as applicable.

II. General Industrial Stormwater Questions. Provide separate answers for each of the Entities identified in Question I.a. and I.e above.

- a. Provide a copy of the current Stormwater Pollution Prevention Plan (SWPPP);
- b. Provide a copy of the 2023 Annual Report; and
- c. Identify whether truck washing occurs on-site and if so identify where the wash water is discharged.

III. General Oil Spill Prevention, Control and Countermeasure Questions. Provide separate answers for each of the Entities identified in Question I.a. and I.e above.

- a. Describe the total oil storage capacity at 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)(2)(i)–(ii) (i.e., the 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 55-gallon drums)), state whether the Facility has an SPCC Plan and, if it does, provide a copy of the Facility's SPCC Plan to EPA.

- c. If the Facility must create an SPCC Plan or revise its existing SPCC Plan,² submit a copy of such new or revised SPCC Plan. If completion of the SPCC Plan is not feasible within 30 calendar days, submit a detailed schedule identifying when it will be completed and fully implemented.

IV. Holbrook Facility Specific Questions (informed by Inspection):

- a. Provide a copy of the current SWPPP. The copy of the SWPPP should contain copies of all reports documenting implementation of the SWPPP since the beginning of the current permit cycle (June 2024) including, at a minimum, the following:
 - 1. Routine Facility Inspections - Quarterly Inspections conducted to evaluate the efficacy of any applicable storm water pollution control measures;
 - 2. Comprehensive Site Compliance Evaluation Inspections;
 - 3. Quarterly Visual Monitoring of the storm water discharges;
 - 4. Training logs; and
 - 5. Benchmark Monitoring results. Include Chain-of-Custody, and laboratory analytical reports for all storm water sampling events, not only those reported previously to EPA. If more than one sample was collected within a single quarter, explain the reason for selecting the value that was reported on that quarter's discharge monitoring result in Net-DMR.

End of questions.

Attachment C - Statement of Certification

(To be returned with the Response to the Request)

I declare under penalty of perjury that I am authorized to respond on behalf of Oldcastle APG Northeast, Inc. I certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Print Name)

(Title/Company)

(Date)

