

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1, ECAD-WCB**

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

Clean Water Act (CWA) Inspection Report

Program: Industrial Stormwater	Inspection Type: Compliance Evaluation Inspection (CEI)	
Permittee Name: Mid City Body and Frame	NPDES/ICIS No.: (Unpermitted at time of inspection)	
Inspection Entry Date: November 2, 2022 Inspection Entry Time: 2:10 PM (EDT)	Inspection Exit Date: November 2, 2022 Inspection Exit Time: 3:00 PM (EDT)	
Facility Inspected: Mid City Body and Frame 518 Silver Street, Manchester, New Hampshire 03103	Lat, Long: 42.977490°, -71.449495° NAICS / SIC Code: 7532 – Top, Body, and Upholstery Repair Shops and Paint Shops	
EPA Representative(s): None		
State Representative(s): Laurel Pushee, New Hampshire DES, Solid Waste Management Bureau		
On-site Facility Representative(s): David D'Amore – Owner, (603) 669-8331, midcitybodyandframe@gmail.com		
Responsible Official: David D'Amore – Owner		
Name and Signature of Inspector Kate Forsmark – Contract Inspector, PG Environmental 	Phone Number/Email (720) 696-0935 Kate.Forsmark@pgenv.com	Date: 12/8/2022

INTRODUCTION:

On November 2, 2022, a U.S. Environmental Protection Agency (EPA) contractor, PG Environmental, conducted a Compliance Evaluation Inspection (CEI) at Mid City Body and Frame located in Manchester, New Hampshire, Hillsborough County (Facility). Ms. Kate Forsmark of PG Environmental (EPA Inspector) presented her Letter of Authorization to conduct inspections under the Clean Water Act (CWA) to the Owner, David D'Amore (hereinafter the Facility representative) upon arrival at the Facility and conducted an opening conference. The EPA Inspector was joined by Ms. Laurel Pushee from the New Hampshire Department of Environmental Services (NHDES).

The EPA Inspector explained the purpose of the CEI was to assess the Facility's compliance status with respect to EPA's 2021 Industrial Stormwater Multi-Sector General Permit (MSGP). At the time of the inspection, the Facility did not have coverage under the 2021 MSGP.

Weather at the time of the inspection was sunny and approximately 60°F. According to precipitation data from the National Oceanic and Atmospheric Administration (NOAA), the Manchester, New Hampshire area had not received any rainfall on the day of the inspection or the two days prior.

ATTACHMENTS:

Appendix A – Photograph Log

FINDINGS AND OBSERVATIONS:

Facility Description

The Facility, owned by Mid City Body and Frame, is primarily an autobody repair and refinishing shop. According to the Facility representative, Mid City Body and Frame is primarily engaged in industrial activity classified under Standard Industrial Classification (SIC) Code 7532 (Top, Body, and Upholstery Repair Shops and Paint Shops).

The owner of Mid City Body and Frame leases portions of his property to three tenants:

- Jon's Shafts & Stuff – Truck repair shop
- Sena Tire – Tire shop
- All Around Towing – Towing services

The EPA Inspector did not speak with any of these three tenants about their businesses or their SIC codes.

The Facility comprises approximately 1.3 acres located on Commercial Street in the City of Manchester, Hillsborough County, New Hampshire. The Facility is bordered by Harvard Street to the north, Silver Street to the south, private businesses to the east, and a warehouse to the west. The Facility includes two buildings: a garage housing the Mid City Body and Frame business and Jon's Shafts & Stuff and a building on the western perimeter housing Sena Tire. According to the Facility representative, the Facility began operations in 2006 after its purchase in December 2006 and at the time of the inspection, had a full-time staff of approximately three (3).

According to the Facility representative, the Facility (Mid City Body and Frame) is an auto body repair and refinishing business which does body work and changes parts such as fenders and doors. The Facility does "80% of work for merchants" and predominantly fixes vans for logistic companies such as Amazon. All of Mid City Body and Frame's operations occur indoors with the exception of some body parts stored outside at the southwest corner of the main building (refer to [Appendix A, Photograph 1](#)).

Jon's Shafts & Stuff (tenant) shares the garage with Mid City Body and Frame and takes up approximately 2/3 of the property, according to the Facility representative. Jon's Shafts & Stuff is primarily a truck repair shop. At the time of the inspection, Jon's Shafts & Stuff was storing eight (8) uncontained, 300-gallon totes of waste oil (approximately 2,400 gallons of aggregate aboveground storage capacity) outside of the garage along with some

oily used parts and vehicles awaiting repair (refer to [Appendix A, Photographs 2 through 7](#)). According to the Facility representative, the waste oil is used for the waste oil furnace.

Sena Tires (tenant) has a separate garage on the north side of the Mid City Body and Frame building. Sena tires does not perform maintenance on vehicles and all operations are conducted inside with some tires stored outside of their garage (refer to [Appendix A, Photograph 8](#)).

All Around Towing (tenant) is a yard that houses impounded vehicles (refer to [Appendix A, Photograph 9](#)). The Facility representative stated that antifreeze drained from vehicles involved in front-end collisions is the only fluid stored at the Facility.

Facility Drainage Systems and Discharges

The entire Facility grounds are paved with asphalt or concrete, thereby creating an impervious surface for stormwater runoff. The EPA Inspector observed that the property and surrounding area slopes directly to the west. Stormwater in the northern portion of the Facility would flow west to Harvard Street (refer to [Appendix A, Photograph 9](#)). Stormwater in the southern portion of the Facility would flow west to Silver Street. The EPA Inspector walked west down Silver Street and observed one catch basin on the northeast corner of the intersection of Silver Street and Lincoln Street (refer to [Appendix A, Photograph 11](#)). The City of Manchester, New Hampshire has a permitted municipal separate storm sewer system (MS4) which ultimately discharges into the Merrimack River or one of its tributaries; however, the catch basin was unlabeled and the EPA Inspector was unable to determine the catch basins ultimate discharge location.

The EPA Inspector did not observe any storm drains on the property and the Facility representative stated there were no storm drains on the property. The EPA Inspector observed one floor drain in the garage of Jon's Shafts & Stuff (refer to [Appendix A, Photograph 10](#)). The Facility representative stated he was unsure where the drain discharges to and he assumes it's the City of Manchester's sanitary sewer.

Observations

At the time of the inspection, the EPA Inspector observed:

- the Facility's two buildings house Mid City Body and Frame, Jon's Shafts & Stuff, and Sena Tires
- the garage and outside staging area for Sena Tires ([Appendix A, Photograph 8](#))
- the yard where cars for All Around Towing are stored ([Appendix A, Photograph 9](#))
- used vehicle parts and eight (8) 300-gallon totes storing waste oil uncovered and without secondary containment outside of Jon's Shafts & Stuff (refer to [Appendix A, Photographs 4 through 6](#))
- both facility entrances on Harvard Street and Silver Street (refer to [Appendix A, Photographs 10, 13, and 14](#))
- a catch basin to the west of the Facility on Silver Street, approximately 200 feet downgradient of the Facility's Silver Street entrance (refer to [Appendix A, Photographs 12 and 14](#))

AREAS OF CONCERN:

At the time of the inspection, the EPA Inspector identified the following at the Facility:

1. The Facility is primarily engaged in industrial activity classified under SIC Code 7532 (Top, Body, and Upholstery Repair Shops and Paint Shops), an industry not regulated under 40 C.F.R. § 122.26 for stormwater discharges associated with industrial activity. The Facility has three tenants including a truck repair shop, a tire shop, and a towing company. The Facility did not have coverage under the 2021 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities.
2. As stated in the Facility Drainage Systems and Discharges section of this report, stormwater from the Facility discharges down Silver Street and Harvard Street and into the municipal storm sewer system.
3. The Facility's tenant Jon's Shaft's & Stuff maintains aggregate aboveground oil storage in excess of 1,320 gallons. The Facility representative stated that a Facility SPCC had not been developed.
4. The Facility's tenant Jon's Shaft's & Stuff may require MSGP coverage under SIC Code 3714. Buzzfile.com, an online business directory, lists SIC Codes 3714 and 7538 for Jon's Shafts and Stuff. SIC Code 3714 is covered under the MSGP in Sector AB: Transportation Equipment, Industrial or Commercial Machinery.
5. The EPA Inspector observed petroleum staining on the impervious ground at the gate to All Around Towing and around the southeast corner of the main building (refer to Appendix A, Photographs 9 and 15).

CLOSING:

At the conclusion of the inspection, the EPA Inspector held a closing conference with the Facility representative and discussed the preliminary findings and observations of the inspection. The EPA Inspector reiterated that all observations were preliminary and not compliance determinations. The closing conference began at 2:55 PM (EDT) and concluded at approximately 3:00 PM (EDT).