



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews.

Inspector Name(s)	Stephanie Andreescu Austin Jepsky (in-training)	Time In	11:25 AM	Start Date	July 18, 2023
		Time Out	1:05 PM	End Date	July 18, 2023
Inspector's Organization	U.S. EPA Region 2				
Organization Requesting Inspection (if different)					
Inspection Type	Evaluation	Inspection Status	Original		
Site Name	Mastro Ready Mix, Inc				
Site Address*	154-33 Brookville Blvd				
City*	Rosedale	County*	Queens	State*	NY
				Zip Code*	11422
Mailing Address*	154-33 Brookville Blvd				
City*	Rosedale	County*	Queens	State*	NY
				Zip Code*	11422
Latitude*	40.6412	Longitude*	-73.7422		
Estimated Size of Site (acres)	1.75	Is there a home on the site?	☐ Yes ☒ No		
Inspector Signature	Digitally signed by STEPHANIE ANDREESCU Date: 2023.09.11 14:37:25 -04'00'			Date	9/11/23
Supervisor Signature	MARCO FINOCCHIARO Digitally signed by MARCO FINOCCHIARO Date: 2023.09.11 14:53:26 -04'00'			Date	9/11/23

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Site Name	Mastro Ready Mix, Inc	Start Date	July 18, 2023
		End Date	July 18, 2023
Inspection Purpose	Initial site visit		
Opening Conference			
☒ Presentation of Inspector Credentials			
Name and Title (Use N/A if owner/operator not available to join the inspection)			
Credentials were presented to Anthony Mastronardi, CEO of 154-33 Brookville Blvd. (owner)			
☒ Opening Conference			
Name of person authorizing access if applicable			
EPA scheduled the multi-agency inspection with Anthony Mastronardi.			
Notes from Opening Conference			
The opening conference was brief and included introductions of individuals present and what their authorities were.			
☐ Access Issues if Any			
Describe			
N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information)			
Site owner and operator: Anthony Mastronardi, CEO of 154-33 Brookville Blvd., LLC; U.S. FOIA (b)(6); U.S. FOIA (b)(6)			
Additional Persons Present at Inspection			
Robbin Petrella, D&B Engineering; Tom Fox, D&B Engineering; Shyamal Sen, NYSDEC; Jackie Wu, NYSDEC; Joanna Field, NYSDEC; Mark Creedon, NYSDEC; Luis Rodriguez, EPA; Anthony Mastronardi, Owner			
General Site Characteristics (layout of property, etc.)			
154-33 Brookville Blvd is a 1.75-acre parcel bordered by the waters of Hook Creek on the east, Brookville Blvd on the west, private property on the south, and NYC Department of Parks and Recreation property on the north. Hook Creek is a tidal creek that is part of the larger Idlewild Marsh Complex and Preserve that drains to Jamaica Bay.			
With the exception of the 30 foot buffer between the facility and Hook Creek waters, the parcel is developed and operates as a concrete supplier. Portions of the 30 foot buffer had been disturbed by recent filling activity.			
Purpose and Need for Discharge of Dredged and/or Fill Material			
Fill material was discharged to Hook Creek waters for unknown reasons.			
Site Overview (Past inspections, site description, permits, etc.)			
EPA's Wetland Protection Section had not previously inspected the property. However, on July 10, 2023, EPA conducted a construction stormwater inspection at the site. On July 18, 2023, the Underground Injection Control (UIC) office inspected the property along with the Wetland Protection Section.			



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Site Name	Mastro Ready Mix, Inc	Start Date	July 18, 2023
		End Date	July 18, 2023
The U.S. Army Corps of Engineers does not have any records of a Clean Water Act permit being issued for the site for recent filling activity.			
Scope of Inspection (Areas inspected or not inspected)			
EPA inspected areas on the eastern edge of the parcel adjacent to Hook Creek waters.			

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Site Name	Mastro Ready Mix, Inc	Start Date	July 18, 2023
		End Date	July 18, 2023
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
Temperatures in the 80s; overcast with some sun; start of precipitation as we were leaving the site			
Field Work Conducted			
The purpose of the inspection was to document whether there had been a discharge of dredged/fill material into waters of the United States without proper Corps authorization. Data recorded during the inspection included GPS points; handwritten notes including soils, vegetation, and hydrology observations; and photographs. EPA observed that fill material had been discharged within the 30 foot vegetated buffer between Hook Creek waters and the concrete facility. Fill material at the southern end of the disturbance consisted of dirt and gravel- and cobble-sized river stone. River stone was observed below the high tide line of the creek and in the water. EPA dug an exploratory hole near the edge of the Hook Creek waters and adjacent to the fill. Shovel refusal occurred at approximately 9" deep because of rock. Vegetation in the area included cordgrass (<i>Spartina</i>) in the water, marsh elder (<i>Iva frutescens</i>) and seepweed (<i>Suaeda maritima</i>) near the high tide line, and common reed (<i>Phragmites australis</i>) and smooth sumac (<i>Rhus glabra</i>) at elevations above the high tide line. Mussels and small crabs were observed in the low marsh areas. Fill material at the northern end of the disturbance consisted of mostly sand with some gravel mixed in. This fill material was observed below the high tide line of the creek and extended several feet into the water.			
Closing Conference			
Documents Received and/or Requested During the Inspection			
N/A			
Compliance Assistance Provided (If any)			
N/A			
Observations Relayed to Site Owner/Operator			
N/A			
Actions Taken by Owner/Operator During the Inspection (If any)			
N/A			
Potential Issues of Concern Including Regulatory Citations			
Fill material had been discharged to the tidal waters of Hook Creek without proper U.S. Army Corps of Engineers authorization.			
Attachments*			
☒ Maps and Sketches ☒ Photographs (including location) and Photo Log			



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Site Name	Mastro Ready Mix, Inc	Start Date	July 18, 2023
		End Date	July 18, 2023
☐ Other (SSIP, Wetlands Delineation Forms, etc.)			
Attachments: Map of GPS points; Photograph Log			
Additional Notes			



Contributing counties, NYS Office of Information Technology Services
Geospatial Services and NYS Department of Taxation and Finance's Office of
Real Property Tax Services (ORPTS). Primary Contact: nysgis@its.ny.gov,
518-242-5029.



Clean Water Act Section 404 Inspection July 18, 2023

Mastro Ready Mix, Inc. / 154-33 Brookville Blvd., LLC
154-33 Brookville Blvd, Rosedale, Queens, NY
(40.6412, -73.7422)

- 7/18/2023 EPA GPS Point
- 7/18/2023 EPA GPS Line
- NYS_Tax_Parcel_Public

HTL - High Tide Line
LOD - Limit of Disturbance

EPA CWA 404 Inspection Photolog
Mastro Ready Mix, Inc.

Rosedale, Queens, NY

July 18, 2023



Date: 7/18/2023
Time: 11:46 AM
Photographer: S. Andreescu
Photo ID: 1 – P7180107

Description:
(1/4) Panorama of fill material
in Hook Creek ecosystem



Date: 7/18/2023
Time: 11:46 AM
Photographer: S. Andreescu
Photo ID: 2 – P7180108

Description:

(2/4) Panorama of fill material
in Hook Creek ecosystem



Date: 7/18/2023
Time: 11:46 AM
Photographer: S. Andreescu
Photo ID: 3 – P7180109
Description:
(3/4) Panorama of fill material
in Hook Creek ecosystem



Date: 7/18/2023
Time: 11:46 AM
Photographer: S. Andreescu
Photo ID: 4 – P7180110
Description:
(4/4) Panorama of fill material
in Hook Creek ecosystem



Date: 7/18/2023
Time: 11:52 AM
Photographer: S. Andreescu
Photo ID: 5 – P7180111

Description:

Marine organisms found
adjacent to fill material



Date: 7/18/2023
Time: 11:58 AM
Photographer: S. Andreescu
Photo ID: 6 – P7180112
Description:
(1/3) Panorama of high tide line



Date: 7/18/2023
Time: 11:58 AM
Photographer: S. Andreescu
Photo ID: 7 – P7180113
Description:
(2/3) Panorama of high tide line



Date: 7/18/2023
Time: 11:58 AM
Photographer: S. Andreescu
Photo ID: 8 – P7180114
Description:
(3/3) Panorama of high tide line



Date: 7/18/2023
Time: 12:14 PM
Photographer: S. Andreescu
Photo ID: 9 – P7180115
Description:
Soil profile



Date: 7/18/2023
Time: 12:16 PM
Photographer: S. Andreescu
Photo ID: 10 – P7180116
Description:



Date: 7/18/2023
Time: 12:25 PM
Photographer: S. Andreescu
Photo ID: 11 – P7180117
Description:
Crab holes below high tide line



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 12 – P7180118

Description:

(1/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 13 – P7180119

Description:

(2/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 14 – P7180120

Description:

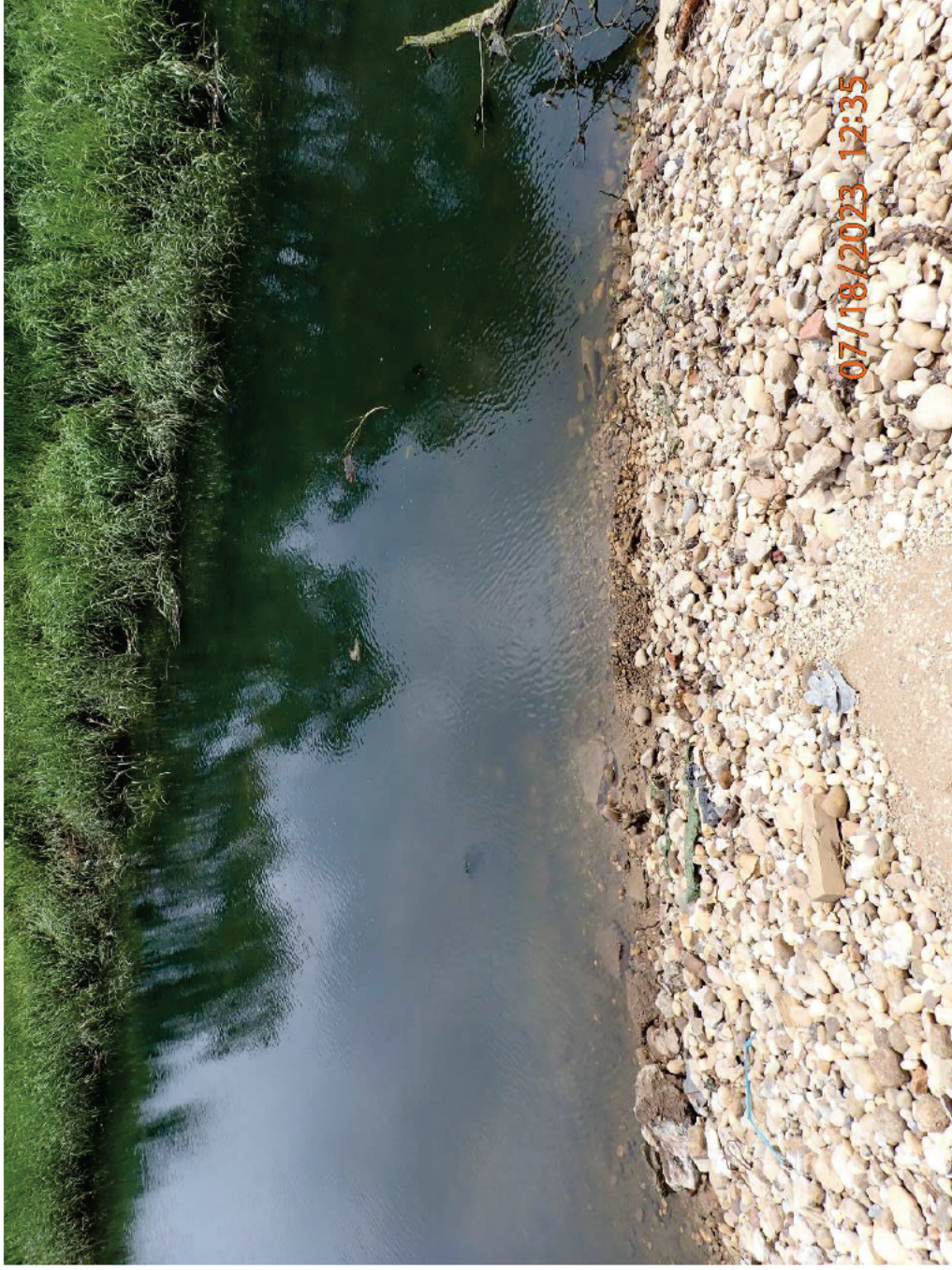
(3/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 15 – P7180121

Description:

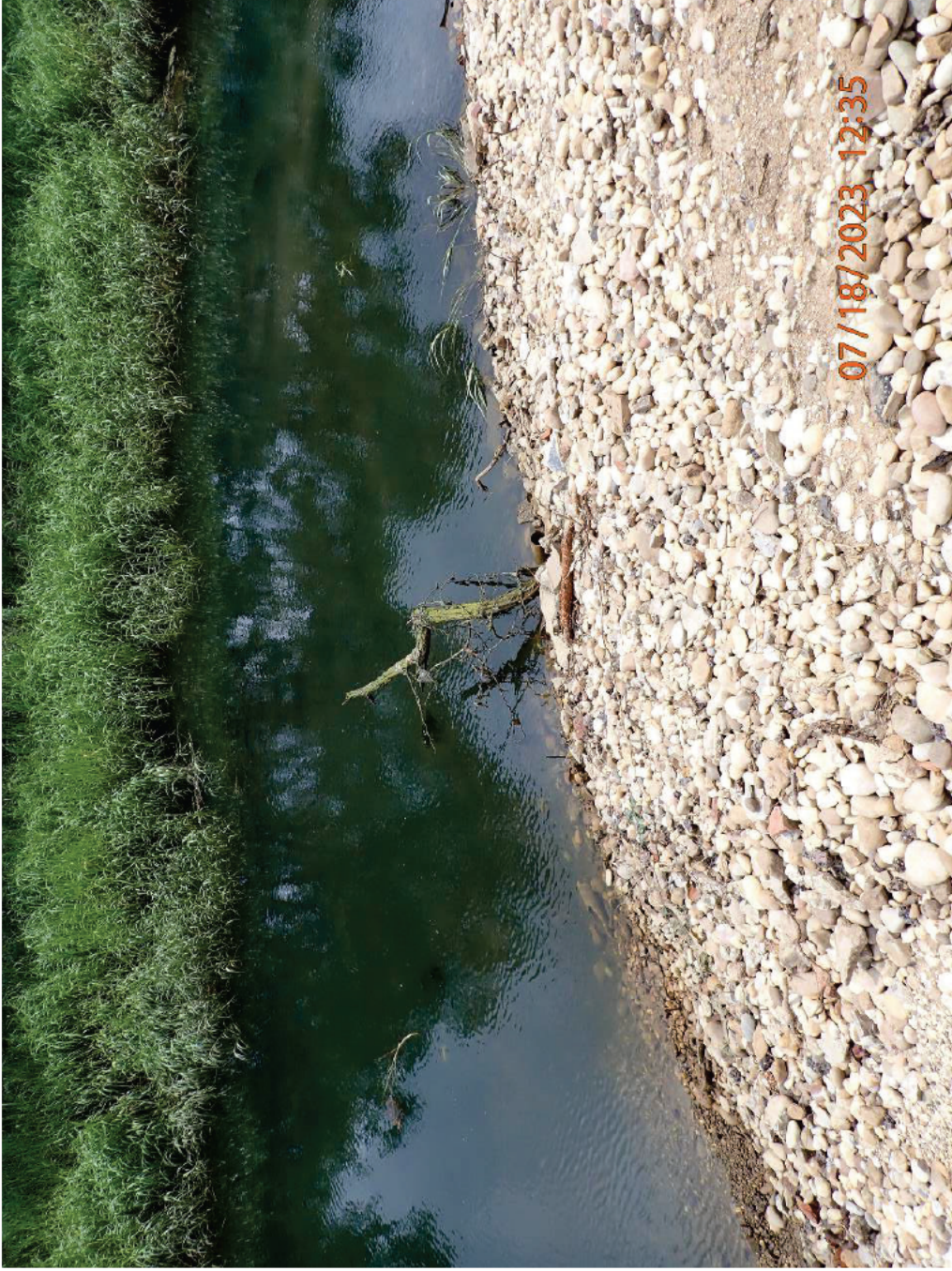
(4/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 16 – P7180122

Description:

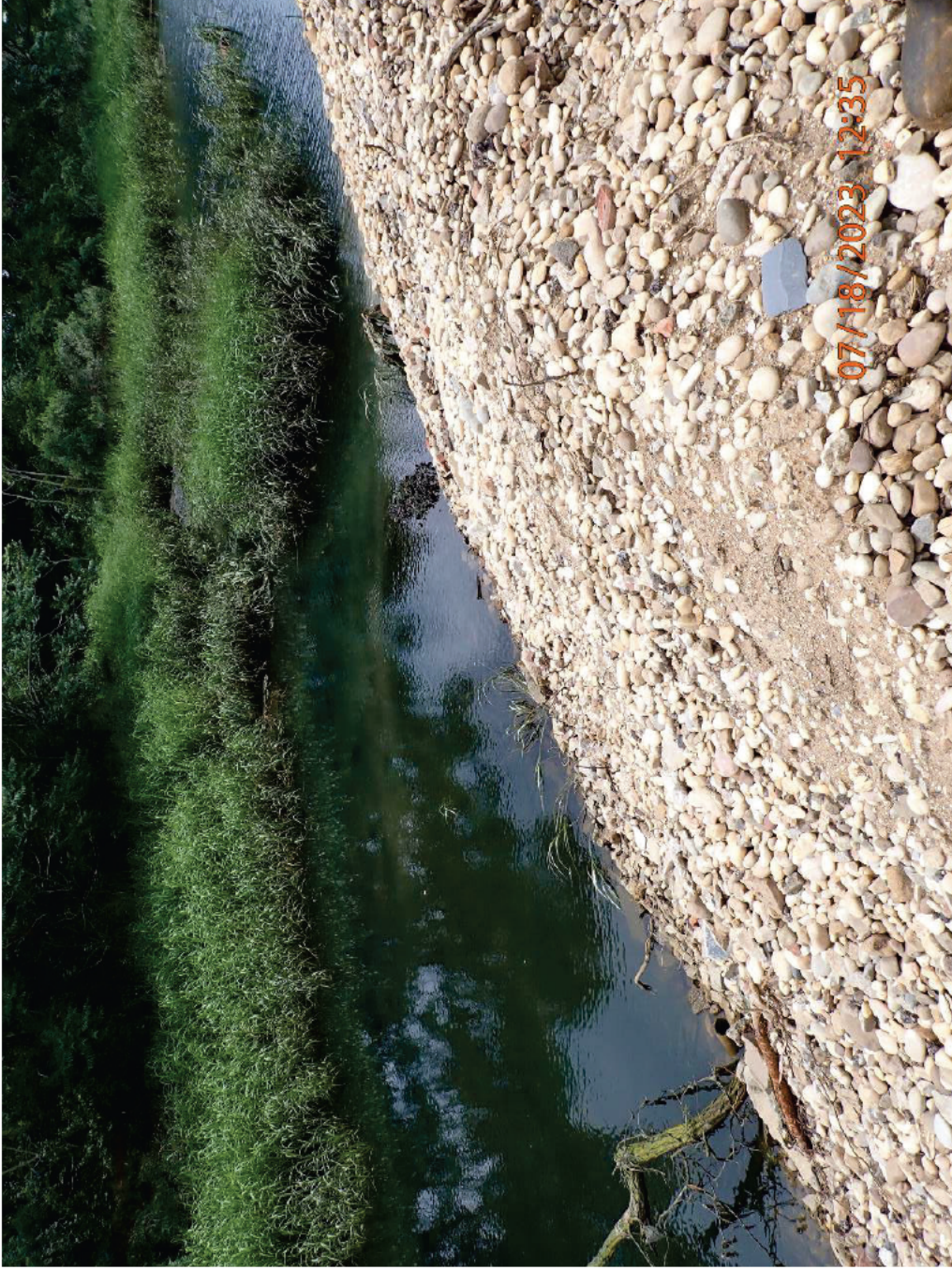
(5/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 17 – P7180123

Description:

(6/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:35 PM
Photographer: S. Andreescu
Photo ID: 18 – P7180124

Description:

(7/7) Panorama of fill in Hook
Creek waters



Date: 7/18/2023
Time: 12:50 PM
Photographer: S. Andreescu
Photo ID: 19 – P7180125

Description:

Gravel and sand fill material in
Hook Creek waters



Date: 7/18/2023
Time: 12:50 PM
Photographer: S. Andreescu
Photo ID: 20 – P7180126

Description:

Gravel and sand fill material in
Hook Creek waters; limit of
disturbance



Date: 7/18/2023
Time: 12:50 PM
Photographer: S. Andreescu
Photo ID: 21 – P7180127

Description:

Gravel and sand fill material



Date: 7/18/2023
Time: 12:55 PM
Photographer: S. Andreescu
Photo ID: 22 – P7180128

Description:

(1/5) Panorama from near base
of fill slope



Date: 7/18/2023
Time: 12:55 PM
Photographer: S. Andreescu
Photo ID: 23 – P7180129

Description:

(2/5) Panorama from near base
of fill slope



Date: 7/18/2023
Time: 12:55 PM
Photographer: S. Andreescu
Photo ID: 24 – P7180130

Description:

(3/5) Panorama from near base
of fill slope



Date: 7/18/2023
Time: 12:55 PM
Photographer: S. Andreescu
Photo ID: 25 – P7180131

Description:

(4/5) Panorama from near base
of fill slope



Date: 7/18/2023
Time: 12:55 PM
Photographer: S. Andreescu
Photo ID: 26 – P7180132

Description:

(5/5) Panorama from near base
of fill slope



Date: 7/18/2023
Time: 12:57 PM
Photographer: S. Andreescu
Photo ID: 27 – P7180133

Description:

(1/5) Panorama from edge of
Hook Creek waters



Date: 7/18/2023
Time: 12:57 PM
Photographer: S. Andreescu
Photo ID: 28 – P7180134

Description:

(2/5) Panorama from edge of
Hook Creek waters



Date: 7/18/2023
Time: 12:57 PM
Photographer: S. Andreescu
Photo ID: 29 – P7180135

Description:

(3/5) Panorama from edge of
Hook Creek waters



Date: 7/18/2023
Time: 12:57 PM
Photographer: S. Andreescu
Photo ID: 30 – P7180136

Description:

(4/5) Panorama from edge of
Hook Creek waters



Date: 7/18/2023
Time: 12:57 PM
Photographer: S. Andreescu
Photo ID: 31 – P7180137

Description:
(5/5) Panorama from edge of
Hook Creek waters