



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")
Winterberry Circle

From: Stephanie Tougas, Inspector

**STEPHANIE
TOUGAS**

Digitally signed by
STEPHANIE TOUGAS
Date: 2023.03.08 12:37:17
-05'00'

Thru: Damian Bednarz, Inspector

To: File

I. Facility Information

A. *Facility Name:* Winterberry Circle

B. *Facility Location:* 9 Gerrish Road
Salisbury, MA 01952

C. *Facility Contacts:* Jaclyn DeStefano
DeStefano Landscaping LLC
804 Haverhill Street
Rowley, MA 01969
978-833-7436

Tom Hughes, Consultant
Hughes Environmental Consulting
thughes@hughesenvr.com

D. *NPDES ID No(s):* MAR10042P

II. Background Information

A. *Date(s) of inspection:* February 27, 2023

B. *Weather Conditions:* Sunny, 30 degrees, snow on ground

C. *US EPA Representative(s):*
Stephanie Tougas
Damian Bednarz

D. State/Local Representative(s):

None

E. Federally Enforceable Requirements Covered During the Inspection:

2022 Construction General Permit

F. Previous Enforcement Actions:

None known

III. Type and Purpose of Inspection

Evaluation. Inspection was result of citizen tip alleging discharge of stormwater tainted with concrete.

IV. Facility Description

Winterberry Circle is a single-family residential development in Salisbury, MA. At the time of the inspection, the road was paved and almost all the homes were complete, and some were already owner-occupied. The development consists of nine homes. Wetland and a tributary complex surround the property, mostly on the west side. These surface water features appear to flow into Smallpox Brook.

V. Inspection

Inspector Bednarz and I (“we”) announced the inspection to the Facility the morning of the inspection via a phone call.

We arrived at approximately 10:15 AM.

A. Opening Conference

We were met on site by Tom Hughes of Hughes Environmental Consulting. He said that he is the stormwater inspector for the site and performs wetland monitoring. I presented my credentials, provided a copy of the Small Business Resources Information Sheet, and explained the purpose of the inspection.

Mr. Hughes said that the construction began in March 2022. He explained that because each building is pre-fabricated, the critical activities on site are mainly excavation, sediment and soil management.

We asked if any dewatering activities occur onsite, to which Mr. Hughes said that everything is contained and infiltrated on site. I asked how often he conducts inspections of the erosion controls, to which he responded weekly. He explained that when he has a concern with an erosion control area, he contacts Jaclyn DeStefano (site operator) and shows her the problem. Ms. DeStefano then relays this information to her crew at DeStefano Landscaping and they address it.

I mentioned the tip we received from a concerned individual alleging the site was discharging water contaminated with concrete. Mr. Hughes said he also received this concern from an anonymous citizen and went out to the site the day after receiving the tip to inspect. He says he found no evidence of the discharge having been contaminated with concrete, such as staining of leaves and trees. Mr. Hughes showed us photos from that inspection to support his conclusion.

B. Facility Tour

We began a site walk, walking north behind the house that the citizen tip alleged was the source of the discharge of contaminated water. Due to the snow on the ground, we could not observe any evidence of discharge. Mr. Hughes reiterated that the water going offsite was not contaminated with concrete.

We continued our site walk, moving counterclockwise. We observed silt fences along most of the perimeter, as well as silt socks. There were a few spots where part of the silt fence had been compromised, but there was either a silt sock or wattle reinforcing the fence. Mr. Hughes knew about these areas and had noted them in his most recent inspection reports and said there were plans to address them.

We walked by a home that was already occupied by an owner. I asked what erosion controls were in place for the slope of the lawn. Mr. Hughes said that they had some seeding and erosion control matting down under the snow.

During our walk we observed two wetlands serving as stormwater controls. The surrounding perimeter of the wetlands were vegetated and stabilized.

We observed a catch basin with inlet protection near the site entrance. As we came back to the area where we started the site walk, we observed another catch basin. Mr. Hughes said that both the catch basins drain to the stormwater wetlands. We asked Mr. Hughes if there was a cover for a dumpster observed next to one of the houses. He said there is a tarp to cover it. He also mentioned that there is a spill kit on site.

C. Closing Conference

At the end of our site walk, Ms. Jaclyn DeStefano arrived. I explained that we would follow up with any questions/ concerns we might have as we review our notes. I mentioned that I did not observe a posting of NOI coverage or a posting indicating where someone could obtain a copy of the SWPPP at the site entrance. Ms. DeStefano explained that there used to be a temporary construction fence that had that information on it but that it must have been moved with the fence and that they would replace the signs very soon. I asked Mr. Hughes to send me a copy of the SWPPP and a few copies of his inspection reports. I told him we would follow up with an inspection report within 60 days. We thanked them both for their time and departed at approximately 11:15 AM.

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.

Inspection Photos:

IMG_0914.JPG – looking north towards back of site, wetland area
IMG_0915.JPG – looking south at site
IMG_0916.JPG – wattles under snow
IMG_0917.JPG – stormwater wetland area
IMG_0918.JPG – silt fence needing maintenance, reinforced with silt sock underneath snow
IMG_0919.JPG – mulch control with silt fence
IMG_0920.JPG – wetland basin outfall
IMG_0921.JPG – same outfall showing wetland basin behind it
IMG_0922.JPG – towards wetland area
IMG_0923.JPG – removed snow to show extra sediment control reinforcing silt fence
IMG_0924.JPG – stabilized stockpile
IMG_0925.JPG – wattle
IMG_0926.JPG – area where silt fence came down that just occurred
IMG_0927.JPG – sloped lawn by owner occupied house
IMG_0928.JPG – same house and lawn
IMG_0929.JPG – perimeter of wetland stormwater control basin, stabilized sides
IMG_0930.JPG – outfall of wetland stormwater basin
IMG_0931.JPG – catch basin with inlet protection
IMG_0932.JPG – looking north towards site standing near entrance
IMG_0933.JPG – catch basin in back of site that leads to wetland stormwater basin