



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

VIA EMAIL

Date as per electronic signature

Chris Strickler
Chesapeake Development, LLC
746 D.W. Highway, Unit B
Merrimack, NH 03054
chris@cdcnh.com

Subject: August 5, 2021, U.S. Environmental Protection Agency Inspection

Dear Mr. Strickler:

On August 5, 2021, the U.S. Environmental Protection Agency ("EPA") performed an inspection at Highfield Commons Phase 1B in Rochester, NH. The EPA conducted this inspection to evaluate compliance with the NPDES General Permit for Discharges from Construction Activities (2017 Construction General Permit). A copy of the inspection report is included as an attachment to this letter.

Specific comments, informed by the inspection, are as follows:

1. The slope east of the new access road which runs from the end of Fillmore Boulevard southeast to Hussey Hill Road must be adequately stabilized in accordance with Part 2.2.3 of the 2017 Construction General Permit; straw and plastic netting may not be adequate if the straw washes away as has happened at other locations on the site.
2. Several spots on a slope to the northeast (leading down to the former antenna access road) are severely eroded and must be stabilized in accordance with Part 2.2.3 of the 2017 Construction General Permit.
3. The concrete containment for the fuel tank/dispenser is cracked and crumbling on the inside and may need to be replaced if it does not meet the requirements identified in Part 2.3.3.c of the 2017 Construction General Permit.
4. The stockpile north and east of Eisenhower drive, and surrounding areas, appear to have been unstabilized for more than 14 days. *See* Part 2.2.14 of the Permit for stabilization requirements.
5. A gravel site entrance or other sediment track-out control should be installed between Hussey Hill Road and the new access road (and other places where sustained traffic will be leaving the site or transitioning to paved roads). The track-out control near the storage containers and fuel containers needs to be maintained in accordance with Part 2.2.4 of the 2017 Construction General Permit.

6. Several different companies have been identified in relation to this site. Please provide the formal name of the company with day-to-day operational control of the site (e.g., they are authorized to direct workers at the site to carry out activities required by the 2017 Construction General Permit; in most cases this is the project's general contractor).

Within 14 days of the date of this letter, please provide a response to EPA via email to Andrew Spejewski at spejewski.andrew@epa.gov. The response should contain a written description and pictures documenting how the items in 1 to 5 above have been addressed, along with a written response to item 6 above. For technical questions, you may contact Andrew Spejewski of my staff at (617) 918-1014 or spejewski.andrew@epa.gov. Legal issues may be directed to Tahani Rivers, Enforcement Counsel, at rivers.tahani@epa.gov or at (617) 918-1299.

Sincerely,

**NEIL
HANDLER**

Digitally signed by
NEIL HANDLER
Date: 2021.08.26
11:26:28 -04'00'

Neil Handler
Senior Enforcement Coordinator
Water Compliance Section
Enforcement and Compliance Assurance Division

Enclosures: Inspection Report for August 5, 2021, U.S. EPA Inspection

CCs (electronic only):

Chris Strickler
Ed Pope
Tahani Rivers, U.S. EPA
Andrew Spejewski, U.S. EPA