



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")
Marina at Admirals Hill

From: Alex Rosenberg, Senior Inspector [signature]

Digitally signed
by ALEX
ROSENBERG
Date: 2022.12.13
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I. Facility Information

- A. *Facility Name:* Marina at Admirals Hill
- B. *Facility Location:* 305 Commandant's Way
Chelsea, MA 02150
- C. *Facility Contacts:* Rob Waters, Owner
174 Plaistow Road
Plaistow, NH 03865
603 366-5000
RWaters@WatersLegalGroup.com

D. *NPDES ID No(s):* N/A

II. Background Information

- A. *Date(s) of inspection:* November 15, 2022
- B. *Weather Conditions:* 45 degrees, cloudy. Approximately 0.1" inches of rain fell on November 14, 2022 according to Weather Underground¹.
- C. *US EPA Representative(s):*
Alex Rosenberg
- D. *State/Local Representative(s):*
N/A

¹ <https://www.wunderground.com/history/weekly/us/ma/boston/KBOS/date/2022-11-15> (viewed on December 13, 2022)

E. Federally Enforceable Requirements Covered During the Inspection:

National Pollutant Discharge Elimination System Multi-Sector General Permit
for Stormwater discharges associated with Industrial Activities (“MSGP”)
(June 4, 2015 and March 1, 2021 – modified September 29, 2021)

F. Previous Enforcement Actions:

N/A

III. Type and Purpose of Inspection

United States Environmental Protection Agency (“EPA”) inspectors conducted an evaluation of the facility described below that includes observations which may lead to compliance determinations under the National Pollutant Discharge Elimination System (“NPDES”) Multi-Sector General Permit (“MSGP”) for Stormwater Discharges Associated with Industrial Activity.

IV. Facility Description

Marina at Admirals Hill (“Admirals Hill”), referred to hereafter as the “Facility” or the “site”, is a Marina with an associated boat maintenance and storage area. The Facility is comprised of two distinct areas that share the same address, 305 Commandant Way in Chelsea, Massachusetts. The entire site is approximately 1 acre.

V. Inspection

The inspection was unannounced.

I arrived at approximately 3pm and parked next to the boat lift. A sign (slide 4) indicated that the following services were available at the site; spring cleaning, bottom-painting, and detailing.

I called the Facility’s phone number that was listed on Google. The administrative assistant said the owner would meet me outside.

A. Opening Conference

I presented my credentials to Robert M. Waters, the owner, and explained the purpose of the inspection.

Mr. Waters said that he was the owner and had just purchased the Marina. He added that he has no prior experience with Marinas and was not familiar with the MSGP.

B. Facility Tour

A marine travel lift is located adjacent to approximately 40 boat slips. Two catch basins are located up gradient from the lift (slide 3), and a third catch basin is located between the rails of the travel lift.

I observed spilled paint, and paint chips on the pavement (slides 6, 7 and 8) beneath a boat that was slung over the travel lift (slide 4). Paint chips were also observed below the high-tide mark between the rails approximately 10 yards downgradient from the catchbasin that is located between the rails.

The Facility representative informed the inspector that although boat washing and maintenance is periodically performed in this location, while a boat is on the lift, they endeavor to complete washing only over an impervious pad in their maintenance yard.

The dock-hand, Bobby, who is an employee of the Facility, joined the conversation at this point. He said that he has worked at the Marina for 30 years. Bobby reiterated that they try not to wash or do maintenance over the travel lift. I asked why the boat was supported with metal stanchions on the railway if it were not having work completed while at that location. Bobby answered that the supports were temporary and that because his help had left early that afternoon the boat would be transported to the storage and maintenance yard early the next morning.

I mentioned the need for marinas that conduct maintenance activities to apply for a Clean Water Act ("CWA") general permit for any discharge of stormwater associated with its industrial activities such as boat storage and maintenance. I also explained that the discharge of power-wash water is considered a process wastewater that cannot be discharged under a general permit.

Bobby confirmed that catchbasins adjacent to the travel lift discharge directly into the adjoining water body.

Mr. Waters stated that upon purchasing the facility, he had begun to look into installation of a water treatment system below the travel lift that would cost over \$100,000. I reiterated the fact that even treated bottom wash water was not permitted to be discharged without an individual permit.

The three of us then walked to the boat storage and maintenance yard (slide 10) located approximately 300 yards to the North along a public right-of-way.

Mr Waters explained that their dedicated boat bottom-washing area is located in the maintenance yard (slide 2 and 9).

Bobby explained the protocol for bottom-washing. Boats are placed on top of a rubberized tarp with sides that are raised approximately 3.5 inches that create a berm. In order to move a boat onto the tarp, one of the four sides of the impermeable pad which is constructed out of two inch by four inch dimensional lumber placed beneath the tarp, must be removed. Once a boat is in position above the tarp, the side of the enclosure is replaced. According to Facility representatives, sediments are captured on the tarp, and wash water is permitted to overflow the berm and discharge to the adjoining water body via a catch basin located in the middle of the maintenance yard.

I explained again that wash water is not permitted to be discharged, and that many marinas use a capture system that includes a re-circulating wash-water recycle system, many of which are trailer mounted units.

The catch-basin within the maintenance yard was not able to be observed due to the fact that boats are stored over and around it. Bobby explained that it discharges directly to the adjoining water body.

Maintenance conducted within the yard includes sanding, scraping, and other mechanical repairs.

C. Closing Conference

I explained that the Facility should immediately begin the process of developing a stormwater pollution prevention plan ("SWPPP") and submit a Notice of Intent ("NOI") for coverage under EPA's NPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity.

I explained the process of how to apply for coverage through EPA's online applications (NeT-MSGP & NeT-DMR) hosted on EPA's Central Data Exchange ("CDX"). I mentioned how the Massachusetts Maritime Trade Association might be a good resource for learning industry best practices.

I provided my business card and asked for Mr. Waters to send me an e-mail so that I could receive his contact information. At 6:43pm Mr. Waters sent his contact information via e-mail.

I departed at approximately 4PM.

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.