



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Drafted Date: 2022-08-31
Finalized Date: *Dated as shown on electronic signature*

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
Everett Auto Parts

From: Alex Rosenberg, Inspector

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ROSENBERG**

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Date: 2022.10.14
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To: File

I. Facility Information

A. Facility Name: Everett Auto Parts

B. Facility Location: 553 Thatcher St ("EAP1")
Brockton, MA 02302

Everett Auto Parts 2 ("EAP2")
358 Thatcher St
East Bridgewater, MA 02333

Everett Auto Parts 3 ("EAP3")
350 Thatcher St
East Bridgewater, MA 02333

C. Facility Contacts: Tom Andrade, Owner
508-583-7478
tandrade@everettsautoparts.com

John Walsh (J.P.), Health and Safety
jwalsh@everettsautoparts.com

D. NPDES ID No(s): MAR053414 Everett Auto Parts
MAR053415 Everett Auto Parts 2
MAR05J05Z Everett Auto Parts 3

II. Background Information

A. Date(s) of inspection: August 23, 2022

B. Weather Conditions: overcast and then heavy rain

C. US EPA Representative(s):
Alex Rosenberg and Damian Bednarz

D. State/Local Representative(s):
None

E. Federally Enforceable Requirements Covered During the Inspection:
National Pollutant Discharge Elimination System Multi-Sector General Permit (June 4, 2015 and March 1, 2021 – modified September 29, 2021), Oil Pollution Prevention regulations (40 CFR Part 112).

F. Previous Enforcement Actions:
None

III. Type and Purpose of Inspection

United States Environmental Protection Agency (“EPA”) inspectors conducted an evaluation of the facility described below to determine compliance with the National Pollutant Discharge Elimination System (“NPDES”) Multi-Sector General Permit (“MSGP”) for Stormwater Discharges Associated with Industrial Activity as well as the Federal Clean Water Act (“CWA”) Oil Pollution Prevention (Spill Prevention Control and Countermeasure (“SPCC”)) regulations.

IV. Facility Description

Everett Auto Parts (EAP) (Andrade Incorporated), referred to hereafter as the “Facility” or the “site”, is a used auto part dealer, warehouse, and scrap metal seller. The Facility is comprised of three adjacent property addresses located at 350 (“EAP3”), 358 (“EAP2”) and 553 (“EAP1”) Thatcher St. The properties straddle the municipal borders of Brockton to the North and East Bridgewater to the South, in Massachusetts. The entire site is approximately 17 acres.

V. Inspection

The inspection of the facility was unannounced.

Inspectors Alex Rosenberg and Damian Bednarz arrived at the Facility at approximately noon. Mr. Rosenberg called the Facility upon arrival and Mr. Andrade came out to meet him.

All photos taken during the inspection are presented in the attached photo album and are referenced within this report by slide numbers, found at the bottom right of each page of the photo album.

A. Opening Conference

Mr. Thomas Andrade, the Facility owner, and Mr. John Walsh (J.P.), the Health and Safety manager, met with the inspectors in the conference room at 358 Thatcher St. Mr. Rosenberg presented his credentials and explained the purpose of the inspection.

Mr. Andrade explained that his family had been operating an auto salvage business at 553 Thatcher St. for three generations, since 1951. Open every day of the week except for Christmas and Thanksgiving, the Facility currently processes approximately 35,000 cars a year. Cars are purchased at auction, and from dealers, impoundments, and the public. There is a you-pick-it auto parts business that is open to the public on-site, a used car sales department, a used parts business, and scrap metal recycling. Incoming cars are all screened to determine which of these four tracks the automobile will enter. After being crushed by a baler, three to eight loads of 20 vehicles per trailer are hauled off site per day.

In 2014, Mr. Andrade purchased the neighboring property located at 358 Thatcher St. The business was subsequently named Everett Auto Parts 2. EAP applied for a second MSGP to cover activities specifically at this address.

In November of 2021, Mr. Andrade purchased the neighboring property located at 350 Thatcher St. The property's previous business, R.C. Auto and Truck, ran an auto salvage business on the property and held an MSGP permit. EAP applied for a third MSGP permit for this address in November of 2021 under the business name Everett Auto Parts 3.

Inspector Rosenberg commented that it would be possible to combine the three MSGP permits into only one by terminating two and submitting a change NOI for the third.

Inspectors asked about training records. Part 2.1.2.8.a. 6.2.5.1.e.iv. and 8.M.2.2. requires EAP to train all employees who work in areas where industrial materials or activities are exposed to stormwater, and to record the content, dates, and frequency of the training.

Facility representatives explained that approximately 85 individuals work at the Facility, all of whom are trained in spill pollution prevention at orientation. The Facility does not conduct any specific stormwater training. Mr. Andrade and J.P. are the only two employees who work with the SWPPP and cover all monitoring and inspections. Inspectors explained the utility for pollution prevention purposes of training all employees who work in areas exposed to stormwater about best practices, locations of outfalls (labeling outfalls clearly in the field), and emergency response scenarios. Facility representatives said they would add this content to their annual training and begin recording attendance.

The SWPPP describes the Facility operations as:

The vehicle is brought onto the property and assessed. It is then brought into the dismantling building for processing. Processing includes the removal of specific

parts and draining the vehicle of fluids. The removed parts include mercury switch(es) if present, battery, fuel, catalytic converter, antifreeze, Freon if present, brake fluid, and good tires. Then the vehicle is placed in the yard with other inventory awaiting an individual part sale. When the vehicle is identified as having no more value as a whole, it is processed again. The remaining valuable parts are removed (engines, transmission, etc.) and stored in buildings, trailer bodies, and truck bodies are stored on shelving for future sales. Any remaining fluids are drained at this time. The intact vehicle is placed near the crusher area. The crusher is used daily and the crushed vehicles are removed from the property frequently.

The crushed vehicles are sold to a metal recycling company. The three properties are treated as one site. The southeast side of the facility is used primarily for the storage of parked processed vehicles. Processed vehicles are located in a fenced area (EAP2 and EAP3) and stored until parts are needed to make a sale and then the vehicle is moved from the fenced area to neighboring building for dismantling. In the center of the facility processed vehicles are stored until a part is needed and the vehicle is moved to dismantling.

Onsite industrial activities exposed to stormwater include: incoming vehicles, processed vehicles, loaders used to move vehicles, outdoor parts storage, tires, solid waste dumpster, roll-off for vehicle (metal) parts, outdoor dismantling, crusher in crusher area, reclaimed fluid storage area, fueling area, and sand/saltshed. The sand/salt storage shed is located in the northwest side of the facility.

A loader is used to move the vehicle. Leaks may occur from processed vehicles, should the vehicle be leaking when placed in the yard, the leak will be addressed immediately (controlled and cleaned-up.)

Facility representatives described the flow of vehicles on-site similar to the description in the SWPPP excerpt above. All incoming vehicles pass through the northern most facility entrance (Outfall EAP1-001) before being brought to the upper yard (Outfall EAP1-002) via an access road (Outfall EAP1-004) at the northwest corner. Automobiles are then either stored for parts (Outfalls EAP1-003, [EAP1-(005) not previously identified by facility staff], see slide 2, and EAP2-001), or crushed and recycled (Outfalls EAP1-002 and EAP3-001). An additional step in the process before crushing is the removal of undercarriages and other parts that can be recycled individually. Stockpiles of these separated materials are stored until shipment within the crusher's drainage area (background of slides 38 & 39) and within EAP3-001 catchment area (slides 114 & 116).

Inspectors questioned how EAP1's four Outfalls could be claimed to be substantially identical when the industrial activities conducted within each of their respective catchment areas is so different. Facility personnel did not have an answer besides stating their belief that the same activity of auto salvage is conducted throughout the site. Inspectors further explained the difference in pollution potential and stormwater control measures from individual activities such as draining vehicles, crushing cars,

stockpiling scrap metals, storing bulk oil containers, transporting products on access roads, etc.

As required in Part 6.2.5.3, the SWPPP must identify each discharge point authorized by this permit and describe the rationale for any SIDP determinations.

The Facility's SWPPP gave no rationale for SIDP determinations.

J.P. explained that he conducts all of the sampling, monitoring and inspections. The Facility uses RELCO engineering as a consultant, and Mr. Andrade submits all DMRs himself via NetDMR. Facility representatives stated that weekly stormwater inspections are reported, but are conducted almost daily for discharge prevention.

Inspectors questioned why all DMRs for EAP2-001 are reporting as No Discharge ("NODI") Code "C", which indicates a discharge did not occur for the entire quarter. Facility representatives explained that there is no flow that leaves EAP2.

Inspectors asked if the Facility has an SPCC plan. Facility representatives described the presence of multiple above ground oil storage tanks on-site. Facility representatives stated that they do have an SPCC plan. The plan was not reviewed during the inspection.

B. Records Review

Mr. Rosenberg asked for a copy of the Facility's SWPPP. Mr. Andrade presented four large binders, one of which was the SWPPP. Inspectors opened to the site map (slide 3).

The site map only depicted the EAP1 property and outfalls. Upon request by the inspectors, the day following the inspection, Mr. Andrade submitted an electronic copy of the SWPPP. The electronic SWPPP stated that it covered EAP1, EAP2, and EAP3. No site map was included in the electronic copy.

Section 6.2.2.3.m. requires site maps to include liquid storage tanks and fueling stations.

Facility representatives stated that they do have above ground oil storage tanks and fueling stations on-site. No liquid storage containers or fueling stations were depicted on the site map. Inspectors suggested that the site plan from the Facility's SPCC plan could be added to its SWPPP to show the location of liquid storage containers.

C. Facility Tour

Inspectors began the tour by walking across Thatcher Street to additional properties that were recently purchased by EAP. The properties have been graded using asphalt millings (slides 4 & 5). The sale of used vehicles, a tire business, and indoor auto parts storage (slide 6) are the activities taking place on the properties located on the east side of Thatcher St. No industrial activities exposed to stormwater are present in this area.

Outfall EAP1-001

Inspectors walked through the employee parking area (slide 8) to the location where J.P. said he collects a sample for Outfall EAP1-001 (slide 9). The used car parking lot (slide 9) is approximately 10 yards to the north of this point. A stormwater flow topographical divide is just east of the sample point (slide 9 and 10). Topography limits the industrial activities within the catchment area of Outfall EAP1-001 to only the traffic of incoming deliveries.

Stormwater from a three bay service garage (slide 11 & 14) located fifty yards west of EAP1-001 and the used car lot (slides 15-19) all flows northeast before turning west and flowing behind the used car dealership building (slide 20 & 21). Inspectors observed a heavy oil sheen in this flowpath. Inspectors recommended that the Facility investigate this flowpath further and possibly consider it as either an additional or alternate location for Outfall EAP1-001.

The garage is used to work on facility vehicles. Three uncontained 55-gallon oil storage containers were observed in the garage (slide 12). Facility representatives said that all of their buildings utilize used oil burners (slide 13), and that there are approximately 20 on-site that all have double-walled tanks. Inspectors described how spill pallets can be used to comply with the requirement of the Oil Spills Prevention and Preparedness Regulations to provide sized secondary containment.

Outfall EAP1-004 (slide 21 aerial)

Next, inspectors continued west, further from Thatcher Street. Stormwater from the scales and driveway (slides 24 & 25) flow north before reaching the property boundary where approximately 6-inch-tall metal barricades (slide 26) route the water along the property line to the west and eventually to Outfall EAP1-004 (slides 34 & 35). A fueling station is located in this catchment (slide 27). Inspectors did not inspect the tank but observed an oil company refueling the tank.

Other areas that contribute flow to the outfall are stockpiles of material located along the base of an approximately 15-foot-high retaining wall (slide 28), collection areas along the north property boundary (slides 30–33), and the driveway access to the upper yard (slides 29, 35, 37–40). Some of the stockpiling areas within the upper-yard drain back down the driveway to the outfall as well (slide 41).

An access easement (slide 36) is held by the city that passes directly by Outfall EAP1-004 providing access to a sewage pump station.

Outfall EAP2-002 (slide 42 catchment approximation)

Inspectors observed three liquid draining stations in this area, two covered from precipitation (slide 43, 46) and one uncovered (slide 46).

The Facility operates a baler in this area (slide 44).

Scrap metal is stockpiled in the area between the crusher and the liquid draining stations (slides 45 & 47).

Inspectors observed four 55-gallon waste oil drums in the liquid draining area (slide 48). None of the drums had sized secondary containment. The Facility was using other drums to actively collect oil from underneath cars (slides 48 & 50).

Used oil collected from vehicles is transferred into three approximately 3000-gallon above ground oil-storage tanks ("AST", slides 49 & 55). A fourth waste-oil tank (slide 53) is located between the three 3000-gallon tanks and the oil-water separator ("OWS"). A fifth tank (slide 54) with approximately 1000-gallons capacity is located against the back side of the covered drainage area. All five of these tanks are double-walled. Runoff from this area enters an OWS via an inlet at the bottom of a concrete berm (slide 51).

A sixth AST, also for used oil storage, is located a few feet to the east of the three large red ASTs (slide 56-58). This tank is single walled and is located within a concrete berm. A cut-out in the berm wall is present to access the tank drain. Inspectors asked how rainwater is discharged from the containment area. Facility representatives stated that rainwater which collects inside the berm evaporates. Mr. Rosenberg explained the SPCC requirements to inspect water to ensure it does not have a sheen and record its discharge if ever it needed to be pumped-out.

Walking to the east before wrapping back around to the west to access the discharge location of the OWS, inspectors observed a mobile refueling tank mounted inside the bed of a pick-up truck (slide 59). Inspectors observed an on-road diesel fueling station, consisting of an approximately 1500-gallon capacity AST (slide 60). Facility representatives stated that the nozzle of the fueling station is locked for security. Inspectors observed the fueling station hose on the ground outside of the bollards. Inspectors explained the spill risk associated with having the hose in a trafficked area.

Inspectors also observed a single-walled 3,000 gallon used-oil tank beside a U-Haul truck that is used as equipment storage (slides 61 & 62). The tank had no form of secondary containment. Inspectors explained the need for sized-secondary containment.

Inspectors observed a second fueling station consisting of another on-road diesel tank (approximately 1,500-gallons, slide 63) and an approximately 3000-gallon gasoline AST (slide 64). The filling hoses to these two ASTs were also outside of the bollards where vehicle traffic could run over them. These tanks are located at the elevation of the OWS discharge.

The Facility's OWS has three bays. The inlet (slide 66) receives stormwater runoff from the higher elevated portions of the catchment area to Outfall EAP1-002 (baler, metal stockpiling and liquid draining) through a small inlet hole (slide 51). A pipe returns water from the third bay into the first bay to aerate and retreat (slide 66). Water travels over a baffle into the second bay (slide 67). The second bay has a roofed cabin

over it (slide 52) and houses a skimmer (slide 69) and collection receptacle for the removed oil (slide 68). Water then passes into a third and final bay (slide 70), before discharging through a rectangular orifice (slide 71).

Water discharges from the OWS into an area labeled on the SWPPP site map as “percolate area” (slides 72-74). Haybales line the downgradient border of this area, along the western property boundary. Inspectors observed heavy oil staining on the haybales.

Inspectors observed leaking from a seam in the concrete berm that surrounds the used oil ASTs behind the vehicle drainage area (slide 65), directly beside the OWS inlet. Seepage would otherwise be directed to the OWS inlet.

The property boundary along the western side of Outfall EAP1-002’s catchment area is bermed by baled tires. Facility representatives explained that at one point in the Facility’s history, they had accumulated over 20,000 tires. The Facility rented a machine to bale the tires into tight bundles, which were then stacked as fencing material (slide 72-74). Inspectors did not observe the potential for stormwater to flow underneath the baled tire fence, which thereby makes the fence act as an impermeable berm.

The baled-tire berm ended before reaching Outfall EAP1-002. A chain-link fence continued along the property boundary (slides 75 & 76). Stormwater that does not infiltrate beside the OWS outlet would follow the topography south, along the property boundary, until it reaches Outfall EAP1-002. In order to access the outfall, inspectors walked around an area of “you-pick” cars, also within the catchment area (slides 77 & 78).

Trash was accumulated at Outfall EAP1-002 (slide 79), and inspectors observed channeling within the dirt where stormwater discharges underneath the Facility’s fence.

Outfall EAP1-(005)

Further south, an area along the property boundary is defined in the SWPPP as a “snow percolate area” (slide 80). The catchment area of this point is used primarily for vehicle storage (slides 81 & 82). The topography of the area slopes towards the percolation area and at the property boundary, inspectors observed erosion channels (slide 83). Inspectors explained that the channels are an indication that stormwater flows off-site at this point, and therefore the Facility should consider defining a new outfall (Outfall EAP1-(005)).

Outfall EAP1-003

The catchment area for Outfall EAP1-003 is to the east of the catchment of Outfall EAP1-(005). The Facility keeps stored vehicles and container sheds in the upper reaches of this catchment area (slide 85). Garage bays for vehicle dismantling (slide 86), and more covered parts warehouses (slide 87) line the driveway access that slopes down towards Thatcher Street. Inspectors observed roll-off containers in the area (slide

88), along with a part washing bay (slide 89), and a battery and waste-oil collection shed (slide 90).

Inspectors observed a couple of uncovered and open roll-off containers leaking fluids onto the paved area (slide 91). Flow from this spot then travels down an increasingly steep section of pavement (slides 92 & 93), past the security gates and to the discharge point at the edge of Thatcher Street at a break in the parking area curb (slide 94). Inspectors observed highly turbid, brown colored water with an oil sheen discharging from this location (slides 95–97) and flowing south down the western edge of Thatcher Street (slide 98).

The downgradient flow-path within this catchment area has been approximated with annotations made within the photo album using alpha-numeric identifiers boxed in red. Flow moves down-gradient following the alphabetically ascending letters.

Outfall EAP2-(002)

The Facility's SWPPP describes the flowpath to Outfall EAP2-001 as being through a "covered storage area with catch basin in concrete pad has two open sides that allows stormwater to enter this area during heavy rain events. The catch basin drainage pipe is located along the south east side of the building. The stormwater exiting the pipe flows into an area of stone and rarely discharges off the property." The latitude/longitude of this point is shown on slide 99 with a yellow pin labeled "OUTFALL 001 FROM SWPPP EVERTT AUTO 2." Inspectors observed neither the catch basin nor the discharge point detailed in this SWPPP description of Outfall EAP2-001.

Inspectors did however observe discharge flowing down-gradient from an area of stored cars within EAP2's property towards Thatcher Street (slides 100 & 101). The discharge was highly turbid and brown colored (slide 102-105), where it joined the flow from Outfall EAP1-003 on Thatcher Street (slides 106 & 107).

Alphabetic identifiers, "A" through "D", were used to demarcate the down-gradient flow path for this yet-to-be-identified outfall (EAP2-(002)) in the photo album. Inspectors recommended that the Facility identify this discharge location as an additional outfall.

Outfall EAP3-001

Facility representatives told inspectors that the upper section of EAP3 was being prepared for an additional vehicle lay-down area (slides 112-116), and that during the current phase of construction the plan is to build two stormwater detention basins, one at the southwestern property boundary and one along the western boundary of the residential property that remains between EAP2 and EAP3 (slide 108). Scrap-metal storage (slides 111 & 113) as well as other materials (slide 115) left over from the previous auto-recycling business, RC Trucks, are already being stored in this catchment area. Flow, as described by Facility representatives and as observed by topographic relief, reaches Outfall EAP3-001 either from the west from the upper portion of the site, or from the east from the front (street-facing) portion of the site (slide 109). During

the heavy rainfall event at the end of the inspection, inspectors observed a portion of the stormwater that flows along the western edge of Thatcher Street entering the driveway of EAP3 (slide 109) where it continued downgradient to the outfall.

D. Closing Conference

Inspectors conducted a closing conference in the building on EAP2 property. Inspectors reviewed the following topics with Facility representatives:

- Ability to consolidate number of permits;
- Need to have ASTs represented on SWPPP site map;
- Claims of substantially identical outfalls must be reconsidered;
- As built drawing, capacity, and maintenance schedules for the oil-water separator were requested;
- Adequate secondary containment is needed for all oil above ground storage containers with a capacity of greater than 55-gallons;

At the end of the closing conference a heavy rain began to fall. Mr. Rosenberg asked J.P. if he had taken the Facility's third quarter sample yet. J.P. responded that he had not. Inspectors asked if they could observe J.P. taking a sample. He said yes, and they planned to meet at the sample location of Outfall EAP1-001. J.P. and the inspectors then met outside where together they observed discharges occurring at Outfalls EAP2-(002), EAP1-003, EAP1-001 and EAP-004, in that order. Inspectors instructed J.P. to communicate to EPA where he chose to take the sample that afternoon considering the discussion about there not being industrial activities within the catchment area of Outfall EAP1-001 beside traffic.

Inspectors departed the facility at approximately 3:00PM.

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.