



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

Drafted Date: 2/9/2021

Finalized Date: 2/16/2021

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
Chopmist Hill Estates

From: Stephanie Tougas, Water Enforcement Officer

Thru: Andrew Spejewski, Water Enforcement Officer

To: File

I. Facility Information

- A. Facility Name:* Chopmist Hill Estates
- B. Facility Location:* Chopmist Hill Rd.
Scituate, RI 02857
- C. Facility Contacts:* John Mahoney, Developer
10 Mahoney Dr.
Hope, RI 02831
- D. NPDES ID No(s):* None
- E. RIPDES ID No(s):* RIR101715

II. Background Information

- A. Date(s) of inspection:* February 5, 2021
- B. Weather Conditions:* Rain in the AM, cleared up by time of inspection, 40°F.
About 4 inches of snow on the ground
- C. US EPA Representative(s):*
Stephanie Tougas
Andrew Spejewski

D. State/Local Representative(s):

Andrew John, Rhode Island Department of Environmental Management
("RIDEM")

E. Federally Enforceable Requirements Covered During the Inspection:

RIPDES Construction General Permit

F. Previous Enforcement Actions:

No known U.S. Environmental Protection Agency ("EPA") enforcement actions.

III. Type and Purpose of Inspection

Compliance Evaluation

IV. Facility Description

Chopmist Hill Estates is a residential condominium development in Scituate, RI, located on Chopmist Hill Road. The entrance to the site is off the east side of the road, and the site generally slopes towards the south. According to the developer, construction began in May 2020. At the time of the inspection, some foundations have been put in, but no homes had been constructed yet. The site disturbs approximately 4.2 acres of earth, based on the permit application submitted to RIDEM. The receiving body of water for stormwater runoff from the site is the Scituate Reservoir, which is the main source of water supply to Providence Water.

V. Inspection

I announced the inspection to the facility on February 4, 2021, by calling Mr. Mahoney and informing him that we intended to conduct a stormwater inspection at his construction site with RIDEM. Mr. Mahoney granted us access and said he would be on site.

Inspector Spejewski, Inspector John, and I arrived at Chopmist Hill Estates at 1:30PM.

A. Opening Conference

Mr. Mahoney was on site and met us at the site entrance. We introduced ourselves and Inspector Spejewski and I presented our federal credentials. We asked him when construction began, to which Mr. Mahoney responded that they began in May 2020, but they just worked 50 feet in to construct the entrance, and then they didn't get started again until November 2020. Mr. Mahoney described the project: 18-unit development with ranch style homes. He said there is 1 lot of record with a private driveway leading to the residences. He explained that there will be catch basins in the (private) road, which will drain to the large stormwater basin at the southern edge of the property. Roof drains from the development will go to underground infiltration galleries. Mr. Mahoney said there are no pipes or underground drainage system built yet.

I asked Mr. Mahoney if he had his Soil Erosion and Sediment Control Plan with him, to which he showed us his documents (IMG_2222, IMG_2223). He oriented us on the map and showed us where the permanent retention pond on the south side of the site would be constructed.

We told Mr. Mahoney that we would like to walk the perimeter of the site and take photographs. Mr. Mahoney said that we could. Mr. Mahoney went back to work while Inspectors Spejewski, John, and I began our site walk.

B. Facility Tour

Except for where foundation work was actively going on, the entire site, including temporary basins, was covered with several inches of snow.

We began walking the perimeter of the site, walking north. We observed a foundation that had been built (IMG_2225). The northern end of the site was uphill of the rest of the site and sloped down to the south and east. We noted a drainage ditch sloping down west to east (IMG_2228). The sides of the drainage ditch were not stabilized (IMG_2230). We also observed check dams in the ditch (IMG_2232).

As we walked downslope towards the southern end, we observed silt fences south of an area where there appeared to be a small retention pond constructed (IMG_2234), though it was difficult to see the size of the pond as it was covered by snow.

We headed farther south along the eastern perimeter downslope. Along the southern perimeter of the site we observed silt fences, reinforced by a line of haybales. There appeared to be a temporary retention pond dug in place of where the permanent retention basin will be constructed (IMG_2239). We observed water flowing from the retention pond area breaching the silt fences underneath, and then flowing underneath the haybales (IMG_2241, IMG_2243) and flowing into the forested area. We observed that the silt fences were not dug into the ground (IMG_2240). We walked into the forested area and noted that the flow appeared to travel into a stream that was located behind a neighboring home.

C. Records Review

No records were reviewed on site during the inspection.

D. Closing Conference

We met Mr. Mahoney back at the site entrance. We informed Mr. Mahoney that the area on the southern side where the silt fences are was an area of concern. We informed him that we observed stormwater leaving the site by flowing under the silt fences and haybales. Mr. Mahoney explained that his engineer instructed him to put those silt fences there. I said that the silt fences were not functioning correctly because they were not dug into the ground. Mr. Mahoney expressed concerns over going in now with heavy equipment to dig in the silt fences – he thinks that it would stir up too much sediment and cause sediment to flow off site. Inspector John said that RIDEM had videos of turbid

water flowing off site. Mr. Mahoney said that most of the time the water is clean. Inspector Spejewski said that even if the water is clean sometimes, you always have to be prepared for the big storm. Mr. Mahoney claimed that he shows good faith and completes what is asked of him when RIDEM asks him to address issues on the site.

We suggested that Mr. Mahoney consult again with his engineer on how to address the current situation. I told Mr. Mahoney we would follow up with an inspection report and that we would be in touch with any further questions. We departed at approximately 3PM.

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 Photo List:

IMG_2221.JPG – site entrance
IMG_2222.JPG – development plans/ Soil Erosion and Sediment Control Plan
IMG_2223.JPG – development plans/ Soil Erosion and Sediment Control Plan
IMG_2224.JPG – site entrance
IMG_2225.JPG – foundation in north west area of site
IMG_2226.JPG – foundation in north west area of site, facing north
IMG_2227.JPG – drainage ditch feature
IMG_2228.JPG – drainage ditch feature
IMG_2229.JPG – drainage ditch feature, looking south east
IMG_2230.JPG – drainage ditch with unstabilized sides
IMG_2231.JPG – drainage ditch
IMG_2232.JPG – check dam in drainage ditch
IMG_2233.JPG – site, facing north
IMG_2234.JPG – area with temporary detention pond
IMG_2235.JPG – flow towards silt fences
IMG_2236.JPG – southern edge, facing west – silt fences and straw wattles present
IMG_2237.JPG – facing west over southern section of site
IMG_2238.JPG – silt fences along southern perimeter
IMG_2239.JPG – silt fences and temporary detention pond
IMG_2240.JPG – silt fence not dug into the ground with water flowing under
IMG_2241.JPG – flow on other side of silt fence, flowing along haybales
IMG_2242.JPG – silt fence, standing on opposite side facing north
IMG_2243.JPG – standing where flow has breached under the haybales
IMG_2244.JPG – haybales with flow escaping under
IMG_2245.JPG – straw wattle next to haybale
End Report.