



Clean Water Act Section 404: Site Visit/Case Development

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews.

Inspector Name(s) Stephanie Andreescu	Time In	12:30 PM	Start Date	June 22, 2021
	Time Out	2:36 PM	End Date	June 22, 2021

Inspector's Organization: US EPA Region 2

Organization Requesting Inspection (if different):

Inspection Type: Evaluation Inspection Status: Original

Site Name: Newburg Egg Processing Plant

Site Address*: 17 Novogrotsky Road

City*: Woodridge County*: Sullivan State*: NY Zip Code*: 12789

Mailing Address*: U.S. FOIA (b)(6)

City*: U.S. FOIA (b)(6) County*: U.S. FOIA (b)(6) State*: U.S. FOIA (b)(6) Zip Code*: U.S. FOIA (b)(6)

Latitude*: 41.7103 Longitude*: -74.5692

Estimated Size of Site (acres): 15.69 acres (2 parcels) Is there a home on the site? Yes No

Inspector Signature: *Stephanie Andreescu* Digitally signed by STEPHANIE ANDREESCU Date: 2021.08.18 16:03:43 -04'00' Date: 8/18/2021

Supervisor Signature: MARCO FINOCCHIARO Digitally signed by MARCO FINOCCHIARO Date: 2021.08.26 11:11:30 -04'00' Date: 8/26/21



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Site Name	Newburg Egg Processing Plant	Start Date	June 22, 2021
		End Date	June 22, 2021
Inspection Purpose	Initial site visit		
Opening Conference			
<input checked="" type="checkbox"/> Presentation of Inspector Credentials			
Name and Title (Use N/A if owner/operator not available to join the inspection)			
Yoli Halpert, Newburg Egg Processing Plant, Plant Manager			
<input checked="" type="checkbox"/> Opening Conference			
Name of person authorizing access if applicable			
Mr. Halpert authorized access during scheduling of the inspection			
Notes from Opening Conference			
EPA explained the purpose of the inspection and what areas would be inspected			
<input type="checkbox"/> Access Issues if Any			
Describe			
N/A			
Inspection Observations and Sample Collection			
Site Owner/Site Operator/Responsible Party (Name, title and contact information)			
Newburg Egg Processing Plant, (845) 434-8115			
Additional Persons Present at Inspection			
Seika Robinson, EPA Region 2			
General Site Characteristics (layout of property, etc.)			
The Site is comprised of two parcels. The western parcel is approximately 9.76 acres. It contains the egg processing plant, a parking pad north of the plant, and a newly created storage area west of the plant. Access to the plant is off of Dairyland Road or Novogrodsky Road. The eastern parcel is approximately 5.93 acres and undeveloped. A large NWI- and DEC-mapped wetland extends over most of the parcel. The wetland appears to be mostly emergent.			
Purpose and Need for Discharge of Dredged and/or Fill Material			
EPA observed four areas where fill material had been discharged into a water: (1) A watercourse had been culverted under the recently constructed storage area. The watercourse discharged into a stream which flowed north along the western edge of the parking pad. (2) Concrete had been poured near the edge of the stream near the western perimeter of the parking pad. The concrete was encroaching on the stream's right descending bank. (3) The stream that flowed around the parking pad had been culverted to create an access road/driveway off of Dairyland Road.			



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Site Name	Newburg Egg Processing Plant	Start Date	June 22, 2021
		End Date	June 22, 2021
(4) Rip rap had been discharged to the edges of a stormwater basin located on the eastern edge of the parking pad to stabilize slopes. The stormwater basin had been constructed in a wetland.			
Site Overview (Past inspections, site description, permits, etc.)			
There are no known NYSDEC or Corps wetland permits for activities at the Site. Prior to EPA's CWA 404 Inspection, EPA had not inspected the property.			
Scope of Inspection (Areas inspected or not inspected)			
Inspected areas included undeveloped areas surrounding the main parking pad and plant (western, northern, and eastern perimeters) and a more recently created storage area.			



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Site Name	Newburg Egg Processing Plant	Start Date	June 22, 2021
		End Date	June 22, 2021
Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)			
Rain, upper 50s			
Field Work Conducted			
<p>During the inspection, EPA collected photographs, videos, GPS points, and handwritten notes.</p> <p>EPA began the inspection by observing a recently constructed stormwater detention basin on the eastern perimeter of the parking pad. At the time of the inspection, it was raining. Water in the basin appeared gray-ish and was discharging to a large NWI- and NYSDEC-mapped wetland on the eastern parcel. The edges of the basin were lined with stone riprap. EPA walked south of the basin and observed a constructed stormwater channel along the access road/driveway off of Novogrodsky Road that drained towards the basin. EPA then walked north of the basin and observed constructed stormwater cells. Runoff was observed to be flowing through the stormwater cells to the large wetland.</p> <p>The large NWI- and DEC-mapped wetland was largely an emergent wetland dominated by cattail (<i>Typha</i> spp.) and common reed (<i>Phragmites australis</i>). Other vegetation observed in the wetland included sensitive fern (<i>Onoclea sensibilis</i>), soft rush (<i>Juncus effuses</i>), and giant goldenrod (<i>Solidago gigantea</i>).</p> <p>EPA observed a stream adjacent to the northeastern portion of the parking pad. The stream flowed from north to south towards the large wetland. The stream meandered, varied in width from 3-5 feet, and had a pool depth of up to 1 foot. Substrate largely consisted of sand and pebble. EPA also observed grade control and defined bed and banks. As the stream flowed into the wetland, the stream split into smaller streams.</p> <p>EPA followed the stream upstream around the northeastern corner of the parking pad and then west along the northern perimeter of the parking pad. The stream had been culverted near the center of the northern pad perimeter under an access road from Dairyland Road.</p> <p>The stream flowing into the culvert had a defined bed and banks, a depth of approximately 15 inches, and a width of 3-4 feet. Substrate consisted of silt, cobble, pebble, and sand. EPA continued to follow the stream upstream, south along the western perimeter of the parking pad. At one location along this route, EPA observed a small area where poured concrete had encroached on the right descending bank of the stream.</p> <p>Near the center of the parking pad, EPA observed a culvert discharging into the stream. This culvert had been installed under the newly constructed storage area. Fill piles were present in and around the storage area; however, the storage area was at a higher elevation than the parking pad and did not appear to be in wetlands.</p>			
Closing Conference			
Documents Received and/or Requested During the Inspection			
N/A			
Compliance Assistance Provided (If any)			
N/A			



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Site Name	Newburg Egg Processing Plant	Start Date	June 22, 2021
		End Date	June 22, 2021
Observations Relayed to Site Owner/Operator			
N/A			
Actions Taken by Owner/Operator During the Inspection (If any)			
N/A			
Potential Issues of Concern Including Regulatory Citations			
Potential issues of concern include the culverting of the stream under the access road off of Dairyland Road and the small area of concrete encroaching on the stream on the western perimeter of the parking pad. Additionally, Corps Nationwide Permit pre-authorization should have been sought for the rip-rap associated with the stormwater basin that had been constructed in wetlands.			
Attachments*			
<input type="checkbox"/> Maps and Sketches			
<input checked="" type="checkbox"/> Photographs (including location) and Photo Log			
<input type="checkbox"/> Other (SSIP, Wetlands Delineation Forms, etc.)			
Additional Notes			

CWA 404 Inspection
Newburg Egg Processing Plant
Woodridge, Sullivan County, NY

June 22, 2021



Date: 6/22/2021
Time: 12:22 PM
Photographer: SSA
Photo ID: 1 – P6220132

Description:

Broken egg runoff at plant
loading dock



Date: 6/22/2021
Time: 12:38 PM
Photographer: SSA
Photo ID: 2 – P6220133

Description:

Stormwater basin lined with rip-rap draining to emergent NWI/DEC wetland.



Date: 6/22/2021
Time: 12:42 PM
Photographer: SSA
Photo ID: 3 – P6220134

Description:

Rip-rap lined stormwater channel that drains towards stormwater basin



Date: 6/22/2021
Time: 12:49 PM
Photographer: SSA
Photo ID: 4 – P6220135

Description:

Fill surrounding large tree near
stormwater channel south of
stormwater basin



Date: 6/22/2021
Time: 12:53 PM
Photographer: SSA
Photo ID: 5 – P6220136

Description:
Accidental photo of stormwater
grate

Date: 6/22/2021
Time: 12:54 PM
Photographer: SSA
Photo ID: 6 – P6220137

Description:

Video of water in stormwater grate, rainfall, and water in the stormwater basin

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Date: 6/22/2021
Time: 1:03 PM
Photographer: SSA
Photo ID: 7 – P6220138

Description:

(1/4) Water flowing from underneath fill material to large NWI/DEC wetland



Date: 6/22/2021
Time: 1:03 PM
Photographer: SSA
Photo ID: 8 – P6220139

Description:

(2/4) Water flowing from underneath fill material to large NWI/DEC wetland



Date: 6/22/2021
Time: 1:03 PM
Photographer: SSA
Photo ID: 9 – P6220140

Description:

(3/4) Water flowing from underneath fill material to large NWI/DEC wetland



Date: 6/22/2021
Time: 1:03 PM
Photographer: SSA
Photo ID: 10 – P6220141

Description:

(4/4) Water flowing from underneath fill material to large NWI/DEC wetland



Date: 6/22/2021
Time: 1:07 PM
Photographer: SSA
Photo ID: 11 – P6220142

Description:
(1/5) Water flowing from series of stormwater cells



Date: 6/22/2021
Time: 1:07 PM
Photographer: SSA
Photo ID: 12 – P6220143

Description:

(2/5) Water flowing from series of stormwater cells



Date: 6/22/2021
Time: 1:08 PM
Photographer: SSA
Photo ID: 13 – P6220144

Description:

(3/5) Water flowing from series of stormwater cells



Date: 6/22/2021
Time: 1:08 PM
Photographer: SSA
Photo ID: 14 – P6220145

Description:

(4/5) Water flowing from series of stormwater cells



Date: 6/22/2021
Time: 1:08 PM
Photographer: SSA
Photo ID: 15 – P6220146

Description:

(5/5) Water flowing from series of stormwater cells



Date: 6/22/2021
Time: 1:10 PM
Photographer: SSA
Photo ID: 16 – P6220147

Description:

Limits of Disturbance (LOD), toe of fill slope



Date: 6/22/2021
Time: 1:10 PM
Photographer: SSA
Photo ID: 17 – P6220148

Description:

Surface water ponding in
presumed wetland



Date: 6/22/2021
Time: 1:15 PM
Photographer: SSA
Photo ID: 18 – P6220149

Description:

(1/5) Panorama of stream that flows south into large NWI/DEC wetland



Date: 6/22/2021
Time: 1:15 PM
Photographer: SSA
Photo ID: 19 – P6220150

Description:

(2/5) Panorama of stream that flows south into large NWI/DEC wetland



Date: 6/22/2021
Time: 1:15 PM
Photographer: SSA
Photo ID: 20 – P6220151

Description:

(3/5) Panorama of stream that flows south into large NWI/DEC wetland



Date: 6/22/2021
Time: 1:15 PM
Photographer: SSA
Photo ID: 21 – P6220152

Description:

(4/5) Panorama of stream that flows south into large NWI/DEC wetland



Date: 6/22/2021
Time: 1:15 PM
Photographer: SSA
Photo ID: 22 – P6220153

Description:

(5/5) Panorama of stream that flows south into large NWI/DEC wetland



Date: 6/22/2021
Time: 1:29 PM
Photographer: SSA
Photo ID: 23 – P6220154

Description:

Downstream end of culvert
under access road/driveway



Date: 6/22/2021
Time: 1:39 PM
Photographer: SSA
Photo ID: 24 – P6220155

Description:

Concrete disposal area near
access road/driveway



Date: 6/22/2021
Time: 1:43 PM
Photographer: SSA
Photo ID: 25 – P6220156

Description:
Upstream end of culvert



Date: 6/22/2021
Time: 1:43 PM
Photographer: SSA
Photo ID: 26 – P6220157

Description:

Stream with defined bed and banks flowing into culvert



Date: 6/22/2021
Time: 1:53 PM
Photographer: SSA
Photo ID: 27 – P6220158

Description:

(1/3) Stream adjacent to western perimeter of parking pad



Date: 6/22/2021
Time: 1:53 PM
Photographer: SSA
Photo ID: 28 – P6220159

Description:

(2/3) Stream adjacent to western perimeter of parking pad



Date: 6/22/2021
Time: 1:53 PM
Photographer: SSA
Photo ID: 29 – P6220160

Description:

(3/3) Stream adjacent to western perimeter of parking pad; concrete encroachment on right descending bank of stream



Date: 6/22/2021
Time: 1:54 PM
Photographer: SSA
Photo ID: 30 – P6220161

Description:

Concrete encroachment on right descending bank of stream



Date: 6/22/2021
Time: 1:55 PM
Photographer: SSA
Photo ID: 31 – P6220162

Description:

Plastic bins with excavated material



Date: 6/22/2021
Time: 1:58 PM
Photographer: SSA
Photo ID: 32 – P6220163

Description:

Plastic bins with excavated material

Date: 6/22/2021
Time: 2:00 PM
Photographer: SSA
Photo ID: 33 – P6220164

Description:

Video of leaking dumpster

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Intentionally left blank

Date: 6/22/2021
Time: 2:00 PM
Photographer: SSA
Photo ID: 34 – P6220165

Description:

Video of leaking dumpster
draining to stormwater grate



Date: 6/22/2021
Time: 2:01 PM
Photographer: SSA
Photo ID: 35 – P6220166

Description:

Downstream end of culvert flowing into stream; Culvert runs under newly constructed storage area



Date: 6/22/2021
Time: 2:12 PM
Photographer: SSA
Photo ID: 36 – P6220167

Description:

Upstream end of culvert under newly constructed storage area



Date: 6/22/2021
Time: 2:14 PM
Photographer: SSA
Photo ID: 37 – P6220168

Description:
Fill piles on newly constructed storage area



Date: 6/22/2021
Time: 2:19 PM
Photographer: SSA
Photo ID: 38 – P6220169

Description:

Containers being stored near
corner of western parcel