



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

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

Sent via Electronic Mail (*Dated as shown on electronic signature*)

Mark Hill, Manager
Hills Yacht Yard Inc.
60 River Street
Beverly, MA 01915
hillsyachtyard@gmail.com

Subject: November 1, 2022, EPA Inspection

Dear Mr. Hill:

On November 1, 2022, the U.S. Environmental Protection Agency (EPA) performed an inspection at Hills Yacht Yard Inc., located at 60 River Street, Beverly, MA (the Facility), regarding compliance with the National Pollutant Discharge Elimination System program of the Clean Water Act (CWA). A copy of the inspection report is included as an attachment to this letter along with a photo album.

The industrial activities taking place at the Facility are classified under the Standard Industrial Classification (SIC) code 4493 (Marinas) which is an applicable code under the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) (Sector Q – Water Transportation Facilities). EPA notes that the Facility was previously covered under the 2015 MSGP, but did not reapply for coverage under the 2021 MSGP. This means that, as currently configured, stormwater discharges from the Facility are not authorized, and are being discharged in violation of the CWA, until you obtain permit coverage under the current 2021 MSGP.

EPA has contacted you three times since the 2015 MSGP was terminated to try and resolve this matter. In order to demonstrate that you are taking action to come into compliance with the CWA, please take the following steps and report your progress in an electronic format to me at Rosenberg.alex@epa.gov, within the time frames described below.

1. Within 30 days of receiving this letter, submit an estimated date by which the Facility will submit a Notice of Intent (NOI) to discharge under the 2021 MSGP. The NOI must be submitted via the Central Data Exchange (CDX). A fact sheet on how to sign-up for an account on CDX is attached (#1). Fact sheets covering NOI submittal (#2) (through the CDX application named NeT-MSGP) and monitoring data submission (through the CDX application named NeT-DMR) (#3) are also attached. Upon submission of your Facility's NOI, please email me, indicating the date of such submission.
2. Within 60 days of receiving this letter, submit a copy of an updated Facility Stormwater Pollution Prevention Plan (SWPPP). A SWPPP template can be found on the national

MSGP website¹. Ensure that it includes a description of any improvements made to the pollutant control measures for the boat washing and boat maintenance area. To be clear, process water discharges from boat washing are prohibited unless individual NPDES permit authorization is obtained, which is separate from the MSGP application. Under the MSGP however, good housekeeping and other pollution control measures must be implemented to prevent stormwater from carrying any residual pollutants left on the surface of boat washing pads from discharging at authorized outfalls.

Please refer any questions related to technical issues in this letter to me at 617-918-1709 or Rosenberg.alex@epa.gov. Legal issues may be directed to Sam Horowitz, Enforcement Counsel, at (617) 918-1512 or Horowitz.samuel@epa.gov.

Sincerely,

Alex Rosenberg, Water Compliance Unit Inspector
Enforcement and Compliance Assurance Division

Enclosures:

- Inspection Report
- Inspection Photo Album
- Fact Sheet – Applying for MSGP Coverage Step 1 (CDX)
- Fact Sheet – Applying for MSGP Coverage Step 2 (NOI & SWPPP)
- Fact Sheet – Applying for MSGP Coverage Step 3 (NetDMR)

CCs (electronic only):

- John Macauley, MASS DEP
- Susannah King, MASS DEP
- Sam Horowitz, Enforcement Counsel, US EPA

¹ <https://www.epa.gov/npdes/stormwater-discharges-industrial-activities-fact-sheets-and-guidance#guidance>