UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Report Title:	Clean Water Act Compliance Inspection Report
Inspection Date(s):	03/31/2022
Regulatory Program(s):	National Pollutant Discharge Elimination System (NPDES)
Type of Activity:	Industrial Stormwater
Site/Facility Name:	Lawson Road 234-21.00-139.00
Permittee(s):	Undetermined Not Currently Permitted
Site/Facility Operator:	RB Hauling
Site/Facility Address:	Lawson Road Parcel 234-21.00-139.00 Georgetown, DE 19947
Latitude:	38.640188 **Longitude:** -75.270777
County/Parish:	Sussex
General Permit #:	Not Applicable
Site Specific Permit #:	Not Applicable
NAICS Code:	Unknown **SIC:** Unknown
Unique Project #:	3E22WN076A

Site/Facility Representative(s): **Point of Contact** ☐

Not Applicable
Phone: Not Applicable Email: Not Applicable

EPA Inspectors:

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Gold, Peter Digitally signed by Gold, Peter Date: 2022.05.12 14:28:01-04'00'

Report Preparer Signature/Date Peter Gold, Enforcement Officer NPDES Enforcement Section (3ED32) Date

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Supervisor Signature/Date Jessica Duffy, Acting Section Chief NPDES Enforcement Section, (3ED32) Date

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List of Attachments

Attachment A: Photo Log

I. Introduction

On March 31, 2022, an inspection team composed of staff from the U.S. Environmental Protection Agency (EPA) Region III (hereinafter, "EPA Inspection Team") met with representatives of the Delaware Department of Natural Resources and Environmental Control (DNREC) on the shoulder of Lawson Road in front of the parcel 234-21.00-139.00. The parcel is 7.95-acres in size and is located on Lawson Road between Zoar Road and Henrys Way. A large pile of sediment and vegetative debris (logs, branches, and brush) was on the parcel. The photographs for this report have been processed in order to assign to each photo the original camera-generated file name (e.g., IMAG0032) and the date and time the photo was taken (e.g., 2022-03-19--15.53.01). The camera-generated file name is used to identify each photo in the main narrative of this inspection report. Unused photos are digitally stored and maintained in the inspection file. Unused photos are available upon request.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the site at approximately 9:30 AM for the unannounced inspection. The gated entry to the parcel was locked and there were no cars, trucks or people (no people visible) on the property. An internet web search for RB Hauling did not yield a facility phone number or email address and the Inspection Team was unable to contact RB Hauling and therefore was not able to access RB Hauling property or speak to facility representatives. The EPA and DNREC representatives listed below were at the site entrance:

B. Weather and Precipitation Conditions

During the inspection, weather was overcast. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in the Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches)[1]
Georgetown Delaware Coastal Airport, DE US USW00013764	03/26/2022	0.02
Georgetown Delaware Coastal Airport, DE US USW00013764	03/27/2022	0.00
Georgetown Delaware Coastal Airport, DE US USW00013764	03/28/2022	Trace
Georgetown Delaware Coastal Airport, DE US USW00013764	03/29/2022	0.00
Georgetown Delaware Coastal Airport, DE US USW00013764	03/30/2022	0.00
Georgetown Delaware Coastal Airport, DE US USW00013764	03/31/2022	0.07

[1] Source: NOAA National Climatic Data Center (http://www.ncdc.noaa.gov/).

C. Summary of the Site/Facility

The total area of the property is 7.95 acres according to Sussex County records. There is a large potential waste pile of sediment, vegetative debris, logs, and concrete on the site that is visible from the gate. The Inspection Team was unable to access the site and get an idea of the dimensions of the pile or the extent of activities occurring.

II.Site/Facility Activity

The Inspection Team was unable to access the site and therefore was unable to gather information on all site activities and the size of the potential waste pile. The Inspection Team was able to access a neighboring property and get a better vantage point of the size of the deposited material on the RB Hauling property. The Inspection Team took public roads around the site to look for potential offsite transport of materials from the property and other potential waste sites in the area. The inspection observation is below. Photographs were taken during the inspection by Chuck Schadel and are provided in Attachment A, these photographs document what was observed without accessing the RB Hauling Property.

III. Observations

The following section summarizes the EPA Inspection Team's observations relative viewing the RB Hauling Property from a neighboring property and the shoulder of Lawson Road in front of the facility. The facility is not permitted under the NPDES program. The Inspection Team drove around the site on public roadways looking for potential evidence of the migration of materials from the site, a map of the route the Inspection Team drove can be found in Attachment A. The Inspection Team drove from Lawson Road and Henrys Way to Lawson Road and Hollyville Road to Hollyville Road and Mount Joy Road to Mount Joy Road and Gravel Hill Road to Gravel Hill Road and Zoar Road back to Lawson Road. There was nothing in roadway swales and drainages around the site that indicated materials were entering these swales.

Potential Requirement for Permit Coverage

Federal regulations at 40 CFR 122.26(b)(14)(i)-(xi) require stormwater discharges associated with specific categories of industrial activity to be covered under NPDES permits (unless otherwise excluded). One of the categories—landfills, land application and open dumps may apply to the Lawson Road Property.

Observation #1:

The Inspection Team Observed a large waste pile of materials accumulated on site. Being unable to access the site, the Inspection Team could not definitively determine the components of the waste pile. However, vegetative debris and sediment, potentially broken concrete was observed. When looking from a neighboring property the Inspection Team could clearly see old drums amongst the materials, see Photographs DSCN3291 and DSCN3293 of the Photo Log. Residents in the area informed the Inspection Team of another commercial entity using the site. DNREC Representatives after seeing the site determined that additional information and site access was needed to determine the activities occurring and potential need for permits.

IV. Records Review

No records were reviewed as the Inspection Team was unable to access the site or speak with facility representatives.

V.Closing Conference

There was no closing conference held as the Inspection Team was unable to access the site or meet with facility representatives. DNREC is actively working to contact RB Hauling and other potential site owners to schedule an announced inspection of the property, EPA will accompany DNREC on this future inspection.