

**Spill Prevention Control and Countermeasure Inspection
Findings and Violations Form**

Company Name: Boston Concrete Corporation		Docket Number: CWA-01-2021-0083	
Facility Name: S.A.A		Date of Inspection: March 25, 2021	
Address: 706 Broadway Street			
City: Lowell		Inspector's Name(s): Joseph Canzano	
State: MA	Zip Code: 01854		
Facility Contact: Karin Marshall Tel: 978-937-7222 kmarshall@bostonconcrete.com		Enforcement Contact: Joseph Canzano Tel: 617-918-1763 Canzano.joseph@epa.gov	

Summary of Findings

EPA conducted a site inspection on March 25, 2021. At the time of the inspection the Facility did not have a Spill Prevention Control and Countermeasure (SPCC) plan. On May 27, 2021 the Facility provided EPA with a plan. EPA is alleging failure to have an SPCC plan for this two-month period.

(Bulk Storage Facilities)

GENERAL TOPICS: 40 CFR §112.3(a), (d), (e); §112.5(a), (b), (c); §112.7 (a), (b), (c), (d)

- No Spill Prevention Control and Countermeasure Plan - *112.3*
- Plan not certified by a professional engineer - *112.3(d)*
- Certification lacks one or more required elements - *112.3(d)(1)*
- Plan not maintained on site (if manned at least four (4) hrs/day) or not available for review - *112.3(e)(1)*
- No plan amendment(s) if the facility has had a change in: design, construction, operation, or maintenance which affects the facility's discharge potential - *112.5(a)*
- No evidence of five-year review of plan by owner/operator - *112.5(b)*
- Amendment(s) not certified by a professional engineer - *112.5(c)*

- No management approval of plan - [112.7](#)
- Plan does not follow sequence of the rule and/or cross-reference not provided - [112.7](#)
- Plan does not discuss additional procedures/methods/equipment not yet fully operational - [112.7](#)
- Plan does not discuss conformance with SPCC requirement - [112.7\(a\)\(1\)](#)
- Plan does not discuss alternative environmental protection to SPCC requirements - [112.7\(a\)\(2\)](#)
- Plan has inadequate or no facility diagram, - [112.7\(a\)\(3\)](#)
- Inadequate or no listing of type of oil and storage capacity of containers - [112.7\(a\)\(3\)\(i\)](#)
- Inadequate or no discharge prevention measures - [112.7\(a\)\(3\)\(ii\)](#)
- Inadequate or no description of drainage controls - [112.7\(a\)\(3\)\(iii\)](#)
- Inadequate or no description of countermeasures for discharge discovery, response and cleanup - [112.7\(a\)\(3\)\(iv\)](#)
- Methods of disposal of recovered materials not in accordance with legal requirements - [112.7\(a\)\(3\)\(v\)](#)
- No contact list & phone numbers for response & reporting discharges - [112.7\(a\)\(3\)\(vi\)](#)
- Plan has inadequate or no information and procedures for reporting a discharge - [2.7\(a\)\(4\)](#)
- Plan has inadequate or no description and procedures to use when a discharge may occur - [112.7\(a\)\(5\)](#)
- Inadequate or no prediction of equipment failure which could result in discharges - [112.7\(b\)](#)
- Plan does not discuss and facility does not implement appropriate containment/diversionary structures/equipment - [112.7\(c\)](#)
- Inadequate containment or drainage for Loading Area - [112.7\(c\)](#)
- Plan has no or inadequate discussion of any applicable more stringent State regulations, and guidelines -[112.7\(j\)](#)
- Plan does not include a signed copy of the Certification of the Applicability of the Substantial Harm Criteria per 40 CFR Part 112.20(e).

- If claiming impracticability of appropriate containment/diversionary structures:

- Impracticability has not been clearly denoted and demonstrated in plan - [112.7\(d\)](#)
- No periodic integrity and leak testing - [112.7\(d\)](#)
- No contingency plan - [112.7\(d\)\(1\)](#)
- No written commitment of manpower, equipment, and materials - [112.7\(d\)\(2\)](#)
- Plan has no or inadequate discussion of general requirements not already specified - [112.7\(j\)](#)

QUALIFIED FACILITY REQUIREMENTS: §112.6

- Qualified Facility: No Self certification - *112.6(a)*
- Qualified Facility: Self certification lacks required elements - *112.6(a) or (b)*
- Qualified Facility: Technical amendments not certified - *112.6(a) or (b)*
- Qualified Facility: Qualified Facility Plan includes alternative measures not certified by licensed Professional Engineer - *112.6(b)*
- Facility: Environmental Equivalence or Impracticability not certified by licensed Professional Engineer - *112.6(b)(4)*

WRITTEN PROCEDURES AND INSPECTION RECORDS: §112.7(e)

- Plan does not include inspections and test procedures in accordance with 40 CFR Part 112 - *112.7(e)*
- Inspections and tests required are not in accordance with written procedures developed for the facility. - *112.7(e)*
- No Inspection records were available for review - *112.7(e)*
- Are not signed by appropriate supervisor or inspector- *112.7(e)*
- Are not maintained for three years - *112.7(e)*

PERSONNEL TRAINING AND DISCHARGE PREVENTION PROCEDURES: §112.7(f)

- No training on the operation and maintenance of equipment to prevent discharges and for facility operations - *112.7(f)(1)*
- No training on discharge procedure protocols - *112.7(f)(1)*
- No training on the applicable pollution control laws, rules, and regulations and/or SPCC plan - *112.7(f)(1)*
- No designated person accountable for spill prevention - *112.7(f)(2)*
- Spill prevention briefings are not scheduled and conducted at least once a year - *112.7(f)(3)*
- Plan has inadequate or no discussion of personnel training and spill prevention procedures - *112.7(a)(1)*

SECURITY (excluding Production Facilities): §112.7(g)

- Plan does not describe how the facility secures and controls access to the oil handling, processing and storage areas - *112.7(g)*
- Master flow and drain valves not secured - *112.7(g)*
- Starter controls on oil pumps not secured to prevent unauthorized access - *112.7(g)*
- Out-of-service and loading/unloading connections of oil pipelines not adequately secured - *112.7(g)*
- Plan does not address the appropriateness of security lighting to both prevent acts of vandalism and assist in the discovery of oil discharges - *112.7(g)*

FACILITY TANK CAR AND TANK TRUCK LOADING/UNLOADING RACK: §112.7(h)

- Inadequate secondary containment, and/or rack drainage does not flow to catchment basin, treatment system, or quick drainage system - *112.7(h)(1)*
- Containment system does not hold at least the maximum capacity of the largest single compartment of any tank car or tank truck - *112.7(h)(1)*
- There are no interlocked warning lights, or physical barrier system, or warning signs, or vehicle brake interlock system to prevent vehicular departure before complete disconnect from transfer lines - *112.7(h)(2)*
- There is no inspection of lowermost drains and all outlets prior to filling and departure of any tank car or tank truck - *112.7(h)(3)*
- Plan has inadequate or no discussion of facility tank car and tank truck loading/unloading rack-*112.7(a)(1)*

QUALIFIED OIL OPERATIONAL EQUIPMENT: §112.7(k)

- Failure to establish and document procedures for inspections or a monitoring program to detect equipment failure and/or a discharge - *112.7(k)(2)(i)*
- Failure to provide an oil spill contingency plan - *112.7(k)(2)(ii)(A)*
- No written commitment of manpower, equipment, and materials - *112.7(k)(2)(ii)(B)*

FACILITY DRAINAGE: §112.8(b) & (c) and/or §112.12(b) & (c)

- Two “lift” pumps are not provided for more than one treatment unit - *112.8(b)(5)*
- Secondary Containment circumvented due to containment bypass valves left open and/or pumps and ejectors not manually activated to prevent a discharge - *112.8(b)(1)&(2) and 112.8(c)(3)(i)*
- Dike water is not inspected prior to discharge and/or valves not open & resealed under responsible supervision - *112.8(c)(3)(ii) & (iii)*
- Adequate records (or NPDES permit records) of drainage from diked areas not maintained - *112.8(c)(3)(iv)*
- Drainage from un-diked areas do not flow into catchment basins ponds, or lagoons, or no diversion systems to retain or return a discharge to the facility - *112.8(b)(3)&(4)*
- Plan has inadequate or no discussion of facility drainage - *112.7(a)(1)*

BULK STORAGE CONTAINERS: § 112.7(i), §112.8(c) and/or §112.12(c)

- Failure to conduct evaluation of field-constructed aboveground containers for risk of discharge or failure due to brittle fracture or other catastrophe - *112.7(i)*
- Material and construction of containers not compatible with the oil stored and the conditions of storage such as pressure and temperature - *112.8(c)(1)*

- Secondary containment capacity is inadequate - *112.8(c)(2)*
- Secondary containment systems are not sufficiently impervious to contain oil - *112.8(c)(2)*
- Completely buried metallic tanks are not protected from corrosion or are not subjected to regular pressure testing - *112.8(c)(4)*
- Buried sections of partially buried metallic tanks are not protected from corrosion - *112.8(c)(5)*
- Above ground containers are not subject to periodic integrity testing techniques such as visual inspections, hydrostatic testing, or other nondestructive testing methods - *112.8(c)(6)*
- Above ground tanks are not subject to visual inspections - *112.8(c)(6)*
- Records of inspections (or customary business records) do not include inspections of container supports/foundation, signs of container deterioration, discharges and/or accumulations of oil inside diked areas - *112.8(c)(6)*
- Steam return /exhaust of internal heating coils that discharge into an open water course are not monitored, passed through a settling tank, skimmer, or other separation system - *112.8(c)(7)*
- Container installations are not engineered or updated in accordance with good engineering practice because none of the following are present - *112.8(c)(8)*
 - high liquid level alarm with audible or visual signal, or audible air vent - *112.8(c)(8)(i)*
 - high liquid level pump cutoff devices set to stop flow at a predetermined level - *112.8(c)(8)(ii)*
 - direct audible or code signal communication between container gauger and pumping station - *112.8(c)(8)(iii)*
 - fast response system for determining liquid level of each bulk storage container, or direct vision gauges with a person present to monitor gauges and the overall filling of bulk storage containers - *112.8(c)(8)(iv)*
- No testing of liquid level sensing devices to ensure proper operation - *112.8(c)(8)(v)*
- Effluent treatment facilities not observed frequently to detect possible system upsets that could cause a discharge as described in §112.1(b) - *112.8(c)(9)*
- Causes of leaks resulting in accumulations of oil in diked areas are not promptly corrected - *112.8(c)(10)*
- Mobile or portable storage containers are not positioned or located to prevent discharged oil from reaching navigable water, or have inadequate secondary containment - *112.8(c)(11)*
- Secondary containment inadequate for mobile or portable storage tanks - *112.8(c)(11)*
- Plan has inadequate or no discussion of bulk storage tanks - *112.7(a)(1)*

FACILITY TRANSFER OPERATIONS, PUMPING, AND FACILITY PROCESS: §112.8(d) and §112.12(d)

- Buried piping is not corrosion protected with protective wrapping, coating, or cathodic protection - *112.8(d)(1)*
- Corrective action is not taken on exposed sections of buried piping when deterioration is found - *112.8(d)(1)*

- Not-in-service or standby piping is not capped or blank-flanged and marked as to origin - *112.8(d)(2)*
- Pipe supports are not properly designed to minimize abrasion and corrosion, and allow for expansion and contraction - *112.8(d)(3)*
- Above ground valves, piping and appurtenances are not inspected regularly- *112.8(d)(4)*
- Periodic integrity and leak testing of buried piping is not conducted at time of installation, modification, construction, relocation, or replacement - *112.8(d)(4)*
- Vehicle traffic is not warned of aboveground piping or other oil transfer operations - *112.8(d)(5)*
- Plan has inadequate or no discussion of facility transfer operations, pumping, and facility process - *112.7(a)(1)*