

**REGION 3**

PHILADELPHIA, PA 19103

Report Title: Clean Water Act Compliance Inspection Report
Inspection Date(s): 05/01/2024
Regulatory Program(s): National Pollutant Discharge Elimination System (NPDES)
Type of Activity: Construction Stormwater
Site/Facility Name: WMATA Northern Bus Garage Replacement Project
Permittee(s): Clark Construction Group LLC
Site/Facility Operator: Clark Construction Group LLC
Site/Facility Address: 4615 14th Street NW
Washington D.C. 20011
Latitude: 38.947653 N **Longitude:** 77.031926 W
County/Parish: District of Columbia
Permit Number: DCR1000A7
NAICS Code: 411101 **SIC:** 485111
DSB ID : ECAD-5462

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

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Date**Supervisor****Signature/Date**

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Date

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I. Introduction

On May 1, 2024, an inspection team composed of staff from the U.S. Environmental Protection Agency (“EPA”) Region 3 and a representative of the Department of Energy and Environment (“DOEE”) (hereinafter, referred to as the “EPA Inspection Team”) conducted a construction stormwater inspection of the Washington Metropolitan Area Transit Authority (WMATA) Northern Bus Garage Replacement site (hereinafter, “the site”). The purpose of the inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the site’s National Pollutant Discharge Elimination System (NPDES) Permit No. DCR1000A7 (hereinafter, the “Permit”) and applicable State and Federal regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the site at est. 13:45 for the inspection. Inspectors met with the following site representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3 Inspectors and Contractors			
Shane McAleer	EPA Inspector	(215) 814-5616	Mcaleer.Shane@EPA.gov
Brian Tolton	EPA Inspector	(215) 814-3291	Tolton.Brian@EPA.gov
Johannah Jacobson	EPA Inspector	(215) 814-2318	Jacobson.Johannah@EPA.gov
Site/Facility Representatives			
Daryl Lloyd	Clark Construction	(240) 935-1515	Daryl.Lloyd@clarkconstruction.com
Paul Pinkard	Clark Construction	(202) 345-0362	Paul.Pinkard@clarkconstruction.com
Zane Wolf	Clark Construction	(443) 826-1498	Zane.Wolf@clarkconstruction.com
State or County Representatives			
Brent Levy	DOEE	(202) 329-7138	Brent.Levy@DC.gov

The EPA inspection team displayed their credentials to Clark Construction Representatives at the outset of the inspection, and explained the purpose of the inspection was to observe compliance with its Permit. A copy of the Permit is provided in Attachment 1. During the opening conference, the EPA Inspection Team reviewed Permit documentation included in the site stormwater pollution prevention plan (SWPPP) binder. The EPA Inspection Team informed Clark Construction that any information that the Facility deemed to be confidential business

information (“CBI”) should be identified to EPA representatives during the inspection and it would be handled as CBI according to EPA’s CBI procedures.

B. Weather and Precipitation Conditions

During the inspection, weather was clear and sunny [description of the weather]. 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
WASHINGTON 5.1 NW, DC US (US1DCDC0014)	4/26/2024	0
WASHINGTON 5.1 NW, DC US (US1DCDC0014)	4/27/2024	0
WASHINGTON 5.1 NW, DC US (US1DCDC0014)	4/28/2024	0.06
WASHINGTON 5.1 NW, DC US (US1DCDC0014)	4/29/2024	0
WASHINGTON 5.1 NW, DC US (US1DCDC0014)	4/30/2024	0
WASHINGTON 5.1 NW, DC US (US1DCDC0014)	5/1/2024	0.35

C. Summary of the Site/Facility

The WMATA Northern Bus garage project is an active construction site located on an approximately 6.0-acre parcel of land bordered by Decatur Street to the north, Iowa Avenue on the northeast, Arkansas Avenue on the east, Buchanan Street on the south, and 14th Street on the west. The project entails the reconstruction of an existing WMATA bus facility. The new WMATA Northern Bus garage facility will have the capacity to store 150 zero emission buses. Clark Construction is currently on Phase II of construction and estimated construction to be completed by December 2026.

II. Site Activity

After the opening conference, the EPA performed a site walk. During the site walk, the EPA Inspection Team observed: the site perimeter, the site interior, and the existing stormwater controls on the interior of the site and along the site boundaries. The EPA Inspection Team was escorted by representatives from Clark Construction. The inspection observations were made pursuant to the requirements of the Permit. The observations from the inspection are

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

described in detail below in the Observations section. Photographs were taken during the inspection by Johannah Jacobson, and are provided in Attachment 2.

III. Observations

Permit requirement Section 2.3.3 subsection C.

“Have a spill kit available on site that is in good working condition (i.e., not damaged, expired, or used up) and ensure personnel are available to respond immediately in the event of a leak or spill.”

Observation 01:

The Inspection team observed that a spill kit was not located near the site vehicle fueling tank (see Photo 23 in Attachment 2). The only spill kit on-site was located near the site entrance.

Inspection Follow-up: Clark Construction submitted a photo showing that the spill kit was moved adjacent to the site vehicle fueling tank (see Photo 24 in Attachment 2).

Permit requirement Section 2.1.4

“Ensure all stormwater controls are maintained and remain in effective operating condition during permit coverage and are protected from activities that would reduce their effectiveness.”

Observation 02:

The Inspection team observed construction equipment, trash and other debris piled up on the curb line of the site boundary along Iowa and Arkansas Streets, upstream of silt socks designed to control sediment from entering the curb inlet at the corner of Arkansas and Buchanan Streets (See Photo 17 in Attachment 2).

Inspection Follow-up: Clark Construction submitted a photo showing that the construction equipment and debris were removed and this area on the curb line was cleaned up (see Photo 18 in Attachment 2).

Permit requirement Section 2.2.4

“Minimize sediment track-out.”

Observation 03:

The Inspection team observed a cattle grate installed at the site entrance which was designed to reduce sediment track-out. The grate was full of stone and sediment (See Photo 19 in Attachment 2)..

Inspection Follow-up: Clark Construction submitted a photo showing that cattle grate was cleaned out and the stone and sediment was removed (See Photo 20 in Attachment 2).

Permit Requirement 2.3.4 subsection b.

“Do not allow liquid wastes to be disposed of through infiltration or to otherwise be disposed of on the ground”

Observation 04:

The Inspection team observed concrete slurry spillover outside of a concrete wash out containment bin near the entrance of the site (see Photo 21 in Attachment 2).

Inspection Follow-up: Clark Construction submitted a photo showing that the concrete slurry spill outside of the concrete wash out containment was cleaned up (see Photo 22 in Attachment 2).

IV. Closing Conference

After the site walk, the EPA Inspection Team met with the site representatives for a closing conference. The EPA Inspection Team shared preliminary observations with the facility. The EPA Inspection Team reiterated to the facility representatives that all preliminary observations discussed were not compliance determinations. Any and all preliminary observations shared were subject to further investigation by EPA upon the additional review of records and documentation. The EPA Inspection Team stated they would be requesting records as a follow up to the inspection and that additional observations may be contained in this inspection report that were not identified at the time of the closing conference, as a result of the records request.

The inspection concluded at 15:30

V. Records Review

The EPA Inspection Team requested Permit documentation, which was provided by Clark Construction on March 14, 2024. The documentation includes: the site SWPPP (see

Attachment 3); the site Erosion and Sediment Control (ESC) plan (see Attachment 4); the site self-inspection reports over the last 4 months (see Attachment 5); and the site's Notice of Intent (NOI) (see Attachment 6). Note that the NOI was provided as an Appendix in the SWPPP. The remaining SWPPP appendices were too large to include in this report but are available upon request.

Clark Construction submitted photographic evidence of corrective actions performed as a result of the EPA Inspection Team's preliminary observations. The photographs indicating the corrective actions were received by the EPA on Friday 5/3/2024 and are reflected in this inspection report.

VI. List of Attachments

- Attachment 1: NPDES Permit
- Attachment 2: Photograph Log
- Attachment 3: SWPPP
- Attachment 4: Erosion and Sediment Control Plan
- Attachment 5: Self-Inspections
- Attachment 6: Notice of Intent