



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: The Catholic University of America – West Campus Solar Project
Permittee(s): The Catholic University of America
Site/Facility Operator: Stuart Contractors LLC and Sun Tribe Solar
Site/Facility Address: 3750 Harewood Road NE
 Washington, D.C., 20017
Latitude: 38.9245 **Longitude:** -77.00909
County/Parish: District of Columbia
Permit Number: DCR1000BM
NAICS Code: 221114 **SIC:** 4911
DSBID #: ECAD-5463

Site/Site representative(s): Clay Tharrington, Sun Tribe Solar **Point of Contact**
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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 (hereinafter, “EPA Inspection Team”) conducted a Construction Stormwater Inspection of the Catholic University of America -West Campus Solar Project site (hereinafter, “the site”) located at 3750 Harewood Road NE, Washington, D.C. 20017. The purpose of the inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the facility’s coverage under EPA’s National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) Permit No. DCR1000BM (hereinafter, the “Permit”) and applicable State and Federal regulations. The Permit became effective on November 28, 2022 and shall expire on February 16, 2027.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the site at est. 10:30 AM for the inspection. Inspectors met with the following site representative:

Table 1. Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region 3 Inspectors			
Angela Weisel	Lead EPA Inspector	215-814-2124	Weisel.angela@epa.gov
Samuel Magro	EPA Inspector	215-814-3158	Magro.samuel@epa.gov
Site Representatives			
Clay Tharrington	Sun Tribe Solar	804-252-6606	Clay.tharrington@suntribesolar.com
State or County Representatives			
Izanami Navarro	DC DOEE	202-604-5894	Izanami.navarro@dc.gov

The EPA Inspection Team displayed their credentials to the site representative 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 A. The EPA Inspection Team informed the site representative that any information that the site 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 sunny. National Oceanic and Atmospheric Administration (NOAA) National Weather Service precipitation data for the date of the inspection and 5 days prior are provided in Table 2 below:

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches)
WASHINGTON 2.6 NE, DC US, S1DCDC0026	4/26/2024	0
WASHINGTON 2.6 NE, DC US, S1DCDC0026	4/27/2024	0
WASHINGTON 2.6 NE, DC US, S1DCDC0026	4/28/2024	0.05
WASHINGTON 2.6 NE, DC US, S1DCDC0026	4/29/2024	0
WASHINGTON 2.6 NE, DC US, S1DCDC0026	4/30/2024	0
WASHINGTON 2.6 NE, DC US, S1DCDC0026	5/1/2024	0.06

II. Site Activity and Walkthrough

The Catholic University of America – West Campus Solar Project, located at 3750 Harewood Road, NE, Washington, D.C., 20017, is under active construction. The construction site is operated by Stuart Contractors LLC (“Stuart”) and Sun Tribe Solar. Construction of the project began on January 16, 2023. The project being constructed is a solar farm to collect energy for the Catholic University of America. At the time of the inspection, all of the solar panels had been installed on the farm. The total estimated area to be disturbed is 20.75 acres.

The EPA Inspection Team began the walk-through by walking parallel to Harewood Rd. through the solar field. The EPA Inspection Team observed silt fence along the perimeter of the site and protecting the “Waterway of America” (refer to Attachment B, Photographs 001 through 006). Site representatives stated that this was the name of the waterway that ran through a portion of the site. The site had installed super silt fence and rip rap along the culverts and outlets (refer to Attachment B, Photographs 007 through 009 and 016 through 018). At the time of the inspection, the solar farm construction had been completed and permanent stabilization measures such as seeding were applied (refer to Attachment B, Photograph 011).

At the time of the inspection, there were two bioretention ponds being constructed (refer to Attachment B, Photographs 003, 004, 010, 020 and 021).

The EPA Inspection Team continued parallel to Harewood Rd. and then Irving St. where the condition of the silt fence was observed (refer to Attachment B, Photographs 012 through 015). The silt fence in the southern corner of the site (corner of Irving St. and N Capitol St.) was observed (refer to Attachment B, Photograph 019). The site walk-through continued parallel to

the silt fences and super silt fences along N. Capitol St. (refer to Attachment B, Photographs 025 through 030).

In the northwestern corner of the site, mulch appeared to be toppling a silt fence. The mulch is owned by the neighboring facility (“Casey Trees”) (refer to Attachment B, Photograph 031). The EPA Inspection Team continued along the fence line parallel to Scale Gate Rd. (refer to Attachment B, Photograph 034 and 035).

In areas where grading could lead to runoff, filter socks were used (refer to Attachment B, Photographs 022 through 024 and 028 and 029).

The walk-through continued to the Northwest construction entrance off of Scale Gate Rd. Scale Gate Rd. is a private road used specifically for access to this site, and connects to Harewood Rd. A stabilized construction entrance was observed at the time of the inspection (refer to Attachment B, Photographs 032 and 033). On Scale Gate Rd., materials and stockpiles were observed (refer to Attachment B, Photographs 036 through 038).

At the main construction entrance, signage was posted on the entrance gates at Harewood Rd., including various permits and DOEE signage (refer to Attachment B, Photographs 039 and 040). The condition of the main construction entrance to Scale Gate Rd. was observed (refer to Attachment B, Photographs 041 through 045).

The observations from the inspection are described in detail below in the Observations section. Photographs were taken during the inspection by Samuel Magro of EPA, and are provided in Attachment B, Photograph Log. Documents used to support the observations in this report are included in Attachment C, Exhibit Log. Site self-inspections are completed by a representative from Stuart.

III. Observations

The inspection observations below are made pursuant to the requirements of the Permit.

Permit Coverage

Part 1.5 of the permit requires the permittee to, *“post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site. The notice must be located so it is visible from the public road that is nearest to the active part of the construction site, and it must use a font large enough to be readily viewed from a public right-of-way. At a minimum, the notice must include:*

- A. *The NPDES ID (i.e., permit tracking number assigned to your NOI and the EPA webpage where a copy of the NOI can be found (<https://permitsearch.epa.gov/epermit-search/ui/search>));*
- B. *A contact name and phone number for obtaining additional construction site information;*
- C. *The Uniform Resource Locator (URL) for the SWPPP (if available), or the following statement: "If you would like to obtain a copy of the Stormwater Pollution Prevention Plan (SWPPP) for this site, contact the EPA Regional Office at [include the appropriate CGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional>];" and*
- D. *The following statement "If you observe indicators of stormwater pollutants in the discharge or in the receiving water, contact the EPA through the following website: <https://www.epa.gov/enforcement/report-environmental-violations>."*

Observation 1: At the time of the inspection, information for the site SWPPP and the following statement "If you observe indicators of stormwater pollutants in the discharge or in the receiving water, contact the EPA through the following website: <https://www.epa.gov/enforcement/report-environmental-violations>." was not posted. Signage for various permits, and DOEE signage was found on the fence (refer to Attachment B, Photographs 039 and 040).

General Stormwater Control Design, Installation, and Maintenance

Part 2.1.4 of the permit requires permittees to, "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.

- a. *Comply with any specific maintenance requirements for the stormwater controls listed in this permit, as well as any recommended by the manufacturer.*
- b. *If at any time you find that a stormwater control needs routine maintenance (i.e., minor repairs or other upkeep performed to ensure the site's stormwater controls remain in effective operating condition, not including significant repairs or the need to install a new or replacement control), you must immediately initiate the needed work, and complete such work by the close of the next business day. If it is infeasible to complete the routine maintenance by the close of the next business day, you must document why this is the case and why the repair or other upkeep to be performed should still be considered routine maintenance in your inspection report under Part 4.7.1c and complete such work no later than seven (7) calendar days from the time of discovery of the condition requiring maintenance.*
- c. *If you must repeatedly (i.e., three (3) or more times) make the same routine maintenance fixes to the same control at the same location, even if the fix can be completed by the close of the next business day, you must either:*

- i. Complete work to fix any subsequent repeat occurrences of this same problem under the corrective action procedures in Part 5, including keeping any records of the condition and how it was corrected under Part 5.4; or*
 - ii. Document in your inspection report under Part 4.7.1c why the specific reoccurrence of this same problem should still be addressed as a routine maintenance fix under this Part.18*
- d. If at any time you find that a stormwater control needs a significant repair or that a new or replacement control is needed, you must comply with the corrective action deadlines for completing such work in in Part 5.2.1c."*

Observation 2: At the time of the inspection, the silt fence in the southern corner of the site (corner of Irving St. and N Capitol St.) (refer to Attachment B, Photograph 019) appeared to be in need of maintenance.

Erosion and Sediment Controls

Part 2.2.4 of the permit requires permittees to, "*Minimize sediment track-out.*" This requires permittees to:

- a. "Restrict vehicle use to properly designated exit points;*
- b. Use appropriate stabilization techniques at all points that exit onto paved roads;*
 - i. Exception: Stabilization is not required for exit points at linear utility construction sites that are used only episodically and for very short durations over the life of the project, provided other exit point controls are implemented to minimize sediment track-out;*
- c. Implement additional track-out controls as necessary to ensure that sediment removal occurs prior to vehicle exit; and*
- d. Where sediment has been tracked-out from your site onto paved roads, sidewalks, or other paved areas outside of your site, remove the deposited sediment by the end of the same business day in which the track-out occurs or by the end of the next business day if track-out occurs on a non-business day. Remove the track-out by sweeping, shoveling, or vacuuming these surfaces, or by using other similarly effective means of sediment removal. You are prohibited from hosing or sweeping tracked-out sediment into any constructed or natural site drainage feature, storm drain inlet, or receiving water."*

Observation 3: At the time of the inspection, sediment track-out was observed at the main construction entrance (Harewood Rd.) (refer to Attachment B, Photographs 041 through 044).

Corrective Actions

Part 5.1 of the permit requires permittees to, "*take corrective action to address any of the following conditions identified at your site:*

5.1.1 A stormwater control needs a significant repair or a new or replacement control is needed, or, in accordance with Part 2.1.4c, you find it necessary to repeatedly (i.e., three (3) or more times) conduct the same routine maintenance fix to the same control at the same location (unless you document in your inspection report under Part 4.7.1c that the specific reoccurrence of this same problem should still be addressed as a routine maintenance fix under Part 2.1.4); or

5.1.2 A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly; or..."

Part 5.4.1 of the permit requires a corrective action log be kept:

- a. "Within 24 hours of identifying the corrective action condition, document the specific condition and the date and time it was identified.*
- b. Within 24 hours of completing the corrective action (in accordance with the deadlines in Part 5.2), document the actions taken to address the condition, including whether any SWPPP modifications are required."*

Observation 4: At the time of the inspection, it was unclear what, if any, corrective actions were completed as no corrective action log was provided by the facility.

Stormwater Pollution Prevention Plan (SWPPP)

Part 7.4.2 of the permit requires permittees to *"maintain records showing the dates of all SWPPP modifications. The records must include the name of the person authorizing each change (see Part 7.2.9 above) and a brief summary of all changes."*

Observation 5: At the time of the inspection, it was unclear what, if any, modifications were made to the SWPPP as the site did not provide a SWPPP modification log.

IV. Records Review

The EPA Inspection Team reviewed documentation including: the site SWPPP, and most recent self- inspection reports. Documents were sent to the EPA Inspection Team after the inspection and received on May 1, 2024. Copies of these attachments are provided in Attachment C, Exhibit Log.

V. Closing Conference

After the site walk, the EPA Inspection Team met with the site representative for a closing conference. The EPA Inspection Team shared preliminary observations with the site representatives. The EPA Inspection Team reiterated to the site representative 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. Additional observations may be contained in this inspection report that were not identified at the time of the closing conference after EPA reviewed additional materials following the inspection.

The inspection concluded at 11:30 AM.

VI. List of Attachments

Attachment A: Construction General Permit

Attachment B: Photograph Log

Attachment C: Exhibit Log

Exhibit 1: Site SWPPP

Exhibit 2: Self- Inspection Reports