REGION 3
PHILADELPHIA, PA 19103

Report Title:	Clean Water Act Compliance Inspection Report
Inspection Dates:	11/09/2023
Regulatory Program:	National Pollutant Discharge Elimination System (NPDES)
Type of Activity:	NPDES Compliance Inspection
Site Name:	Takoma Development
Permittee(s):	CBG Building Company
Site Operator:	CBG Building Company
Site Location	6896 Laurel St NW Washington, DC 20012
Latitude:	38º 58’ 25” N **Longitude:** 77º 00’ 48” W
County/Parish:	District of Colombia
Permit Numbers:	DCR1000AV
DSB-ID #:	ECAD-667

Facility Representatives: **Point of Contact**

Nick Aboelenin, Project Manager X
Phone: 202-324-6785 Email: Nick.aboelenin@cbgbc.com
Mike Blalock, Superintendent
Phone: 571-302-8369 Email: Mike.blalock@cbgbc.com

EPA Inspector(s):

Monica Crosby, Inspector
Phone: 410-305-2930 Email: crosby.monica@epa.gov
Kaitlin McLaughlin, Inspector
Phone: 215-814-2393 Email: mclaughlin.kaitlin@epa.gov

MONICA CROSBY
Digitally signed by MONICA CROSBY
Date: 2024.01.18 13:05:12 -05'00'

Report Preparer Signature/Date Monica Crosby, Inspector (3ED32) U.S. EPA Region 3 Date

MARK ZOLANDZ
Digitally signed by MARK ZOLANDZ
Date: 2024.01.18 13:28:31 -05'00'

Supervisor Signature/Date Mark Zolandz, NPDES Section Chief (3ED32) U.S. EPA Region 3 Date

Table of Contents

I. Introduction

On November 7, 2023, an inspection team composed of staff from the U.S. Environmental Protection Agency (EPA) Region 3, (hereinafter, "EPA Inspection Team") conducted a National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Inspection of the Takoma Development site located at 6896 Laurel St NW in Washington, D.C. (hereinafter, "the site") (hereinafter, the "Inspection"). The purpose of the Inspection was to observe compliance with the Clean Water Act (CWA) and to verify compliance with the site's coverage under EPA's NPDES Construction General Permit (CGP) [Permit No. DCR1000AV] and applicable Federal regulations.

A. Inspection Opening Conference

The EPA Inspection Team arrived at the site on November 7 at about 10:45AM for the inspection. The inspectors met with the following site representatives:

Table 1: Inspection Attendee List

Name	Affiliation	Telephone	Email
EPA Region III Inspectors and Contractors			
Monica Crosby	EPA Region 3	410-305-2930	crosby.monica@epa.gov
Kaitlin McLaughlin	EPA Region 3	215-814-2393	Mclaughlin.kaitlin@epa.gov
Site Representatives			
Roger Hamilton	Superintendent	202-731-6359	Roger.hamilton@cbgbc.com
Mike Blalock	Superintendent	571-302-8369	Mike.blalock@cbgbc.com
Nick Aboelenin	Project Manager	202-329-6785	Nick.aboelenin@cbgbc.com
Tom Benson	Superintendent	443-453-2935	Tom.benson@cbgbc.com

Monica Crosby and Kaitlin McLaughlin displayed their credentials to the Site representatives at the outset of the inspection, and explained the purpose of the Inspection was to observe compliance with EPA's 2022 Construction General Permit (hereinafter, the Permit). A copy of the Permit is provided in Attachment A. The EPA Inspection Team informed the site representatives 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. At the conclusion of the opening conference, Mr. Hamilton attended to other matters and the EPA Inspection Team performed a Site walk-through with the other attendees listed above.

B. Weather and Precipitation Conditions

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

Table 2. Precipitation Data

Station Name	Date	Precipitation Amount (inches)[1]
ARLINGTON 0.3 E, VA US1VAAR0008	11/03/2023	0.00
ARLINGTON 0.3 E, VA US1VAAR0008	11/04/2023	0.00
ARLINGTON 0.3 E, VA US1VAAR0008	11/05/2023	0.00
ARLINGTON 0.3 E, VA US1VAAR0008	11/06/2023	0.00
ARLINGTON 0.3 E, VA US1VAAR0008	11/07/2023	0.00
ARLINGTON 0.3 E, VA US1VAAR0008	11/08/2023	0.00
ARLINGTON 0.3 E, VA US1VAAR0008	11/09/2023	0.00

C. Summary of Facility

Takoma Development is an active construction site located at 6896 Laurel St. NW, Washington D.C., 20012. The Site is being developed and operated by CBG Building Company. The site proposes the construction of a 6-level building with a garden floor level that will serve as a multi-family residential development in Takoma Park, D.C. The Site's coverage under the Permit became effective on August 10, 2022, and is set to expire on February 16, 2027. According to site representatives, the anticipated timeline for competition is February 2025.

II. Site Activity and Walkthrough

As part of the inspection process, the EPA Inspection Team visually observed the site conditions in the presence of the Project Manager and two Superintendents with CBG Building Company. The observations from the Inspection are described in detail below in the Observations section. Photographs were taken during the inspection by Kaitlin McLaughlin of EPA, and are provided in Attachment B, Photograph Log.

The EPA Inspection Team walked the perimeter of the Site, beginning in the northwest corner off Eastern Ave, NW and heading south, along the west perimeter fence-line. At the time of the Inspection, the project was currently undergoing vertical construction. Site representatives

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

explained that the sewer lines run from north to south along the western perimeter of the Site. The project proposes three (3) bioretention ponds and the Site is constructed so that any flow on site would flow to one of the bioretention ponds and carry flow through the combined sewer system. The Site proposes a bioretention pond in the north section of the Site, the middle of the Site, and the south end of the Site., The Site was not yet connected to the combined sewer system at the time of the Inspection and only the northern and middle bioretention ponds were constructed. Eventually, flow from these bioretention ponds will connect to the sewer line, but since there is currently no connection, storm water currently flows from the north and middle bioretention ponds via sheet flow and infiltrates into the relic soil below the Site's limit of disturbance. Once connected, stormwater from the Site will discharge via the combined sewer system to Rock Creek, a tributary to the Potomac River. As part of the Site walk-through, the EPA Inspection Team observed the four (4) stormwater inlets onsite, which were covered with filter fabric and plywood at the time of Inspection (IMG_1666, IMG_1674, IMG_1677, IMG_1687 – IMG_1691).

The Site was bordered by chain-link fencing and a combination of filter-socks and silt-fencing (Attachment B, IMG_1664, IMG_1673, IMG_1692, and IMG_1706). Site representatives stated that filter-socks are replaced on an as-needed basis, opting first to roll the filter-sock if the wear on them is minor. Site representatives showed the EPA Inspection Team that they always have extra filter-socks on Site (Attachment B, IMG_1674). At the time of the Inspection, the Site had one (1) small concrete washout station, equipped with rebar (Attachment B, IMG_1670). According to Site representatives, the rebar is pulled out once the concrete washout is full and solidified and it is thrown directly into an adjacent dumpster. Dumpsters onsite are hauled off 3-4 times a day. When asked if there are any stockpiles onsite, Site representatives said no, all fill material is hauled offsite as it is excavated because there is no room within their project area for a stockpile. As the Site walkthrough continued, the EPA Inspection Team noted several gas tanks and oil cannisters. The gas tanks were in secure secondary containment with signage indicating hazardous materials. The oil cannisters were sitting adjacent without secondary containment. The EPA Inspection Team also noted several porta-potties. Site representatives stated they have about 10-15 porta-potties on Site. These porta-potties are serviced two (2) times a week via a vacuum truck.

The EPA Inspection Team continued south to the Site's only entrance/exit off Aspen St NW (Attachment B, IMG_1683 and IMG_1685). When asked about street sweeping, Site representatives stated they conducted street sweeping when there was more earth-moving activity going on, but now that the Project has shifted to vertical construction, they are manually sweeping. Site representatives further detailed that the construction team will do composite cleaning once or twice a week, meaning the cleanup is not specifically associated

with any one trade. A representative from each division will select a contractor to spend four (4) hours cleaning the Site.

The EPA Inspection Team continued east to observe the Site's bricklayer staging area. The Site had two (2) SPEC MIX® G7000 silo systems onsite at the time of the Inspection. (Attachment B, IMG_1686 and IMG_1687). Contained within this bricklayer staging area were 50-gallon drums containing water for the admixture process and dry cement materials wrapped in packaging and being kept on pallets (Attachment B, IMG_1688 and IMG_1689).

The Inspection walk-through continued along the East perimeter of the Site off Laurel Ave. The southern half of the East perimeter area was holding waste materials, spare materials, and fill material. This area was bordered by a chain-link fence but did not have pollution controls. The Site Representatives took the EPA Inspection Team to their bulletin board off Laurel Ave that contained all permit and stormwater information (Attachment B, IMG_1698 – IMG_1703).

III. Records Review

During and following the Inspection, the Site representatives provided the following to EPA for review:

1. Stormwater Pollution Prevention Plan (SWPPP), dated 05/10/2022,
2. Erosion and Sediment Control (E&S) Plans,
3. An E&S Corrective Action Log,
4. Self-Inspections for July 2023 – October 2023, and
5. Notice of Permit Coverage.

IV. Observations

Storm Drain Inlets

Requirement:

Permit Part 2.2.10(b): "Clean, or remove and replace, the inlet protection measures as sediment accumulates, the filter becomes clogged, and/or performance is compromised. Where there is evidence of sediment accumulation adjacent to the inlet protection measure, remove the deposited sediment by the end of the same business day in which it is found or by the end of the following business day if removal by the same business day is not feasible."

Observation #1

The EPA Inspection Team observed the four (4) stormwater inlets onsite to be covered with filter fabric and plywood and being protected by silt fencing. At the time of the Inspection, silt fencing around three (3) of stormwater inlets was found to be collapsed (Attachment B, IMG_1666, IMG_1667, IMG_1674, and 1677). Sediment was observed to be piling on top of the northern most inlet protection (Attachment B, IMG_1667). The filter fabric covering the headworks inlet was observed to be torn (Attachment B, IMG_1681 and IMG_1682).

Oil Cannisters

Requirement:

Permit Part 2.3.3(c): "For diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals: The following requirements apply to the storage and handling of chemicals on your Site. If you are already implementing controls as part of an SPCC or other spill prevention plan that meet or exceed the requirements of this Part, you may continue to do so and be considered in compliance with these provisions provided you reference the applicable parts of the SPCC or other plans in your SWPPP as required in Part 7.2.6b.viii. If any chemical container has a storage capacity of less than 55 gallons:

a) The containers must be water-tight, and must be kept closed, sealed, and secured when not being actively used;
b) If stored outside, use a spill containment pallet or similar device to capture small leaks or spills; and
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 #2

The EPA Inspection Team observed several gas tanks that were being stored within secure secondary containment and signage indicating flammable material. Adjacent to these gas tanks were four (4) gas cannisters that were closed, contained oil, and were without secondary containment (Attachment B, IMG_1675). Site representatives stated the oil is used for fueling their equipment vehicles.

Self-Inspections

Requirement:

Permit part 4.2 requires the permittee to conduct a site inspection at least once every seven (7) calendar days or once every 14 calendar days and within 24 hours of the occurrence of either a storm event that produces more than 0.25 inches or more of rain in a 24-hour period or a discharge caused by snowmelt from a storm event that produces 3.25 inches or more of snow within a 24-hour period.

Permit part 4.6 outlines the minimum requirements that must be inspected as part of the Permittee's self-inspections including:

a) "Check whether all stormwater controls (i.e., erosion and sediment controls and pollution prevention controls) are properly installed, appear to be operational, and are working as intended to minimize pollutant discharges.
b) Check for the presence of conditions that could lead to spills, leaks, or other accumulations of pollutants on the site. Identify any locations where new or modified stormwater controls are necessary to meet the requirements of Parts 2 and/or 3.
c) Check for signs of visible erosion and sedimentation (i.e., sediment deposits) that have occurred and are attributable to your discharge at points of discharge and, if applicable, on the banks of any receiving waters flowing within or immediately adjacent to the site;
d) Check for signs of sediment deposition that are visible from your site and attributable to your discharge (e.g., sand bars with no vegetation growing on top in receiving waters or in other constructed or natural site drainage features, or the buildup of sediment deposits on nearby streets, curbs, or open conveyance channels).
e) Identify any incidents of noncompliance observed."

Permit Part 4.7 requires the Permittee to complete an inspection report within 24-hours of completing any site inspection. These inspection reports are to be signed in accordance with Attachment G, Part G.11 of the Permit and These are to include the following:

a) The inspection date;
b) Names and titles of the personnel conducting the inspection;
c) A summary of your inspection findings, covering at a minimum the observations made in accordance with part 4.6 of the Permit;
d) Rain gauge or weather station readings that triggered an inspection, if applicable; and
e) A description of any unsafe areas that were unable to be inspected.

<u>Observation #3</u>

As part of the Records Review portion of the Inspection, the Site provided the EPA Inspection Team with their self-inspection reports for August 2023 through October 2023. These self-inspection reports are provided as Attachment C. In this 13-week period, the Site conducted 20 self-inspections. The self-inspection reports consisted of general information, the condition and effectiveness of E&S controls, the condition and effectives of their pollution controls, a log for the stabilization of exposed soil, a section to describe any discharge coming from the Site, and a certification statement.

Corrective Action Log

Requirement:

Permit Part 5 outlines the conditions triggering a corrective action and, for each corrective action taken in accordance with the Permit, information that must be recorded in a Corrective Action Log. This part of the Permit requires that within 24 hours of identifying the corrective action, the permittee record the specific condition and date and time it was identified. This part of the Permit further requires that within 24-hours of completing the corrective action, the permittee document the actions taken to address the condition, including whether any SWPPP modifications are required. Each corrective action must be signed by the appropriate signatory in accordance with Attachment G, Part G.11.2 of the Permit.

Observation #4:

As part of the records review portion of the Inspection, the Site representatives provided the EPA Inspection Team with their Corrective Action Log and is included as Attachment D. The Corrective Action Log stretches back to March 2022 and includes the inspection entity, the name of the inspector, whether a corrective action is needed, a description of the corrective action, the person from CBG Building Company responsible for making the corrective action, and the date the corrective action was made.

Stormwater Controls in Need of Repair

Requirement:

Permit Part 5.1 requires the permittee to take corrective action when a stormwater control needs significant repair or a new or replacement control is needed.

Observation #5:

The EPA Inspection Team observed collapsed silt fence in numerous places including along the west perimeter fence line (Attachment B, IMG_1665), in the southeast corner of the Site within the bricklayer staging area (Attachment B, IMG_1689), and along the Site's east perimeter (Attachment B, IMG_1690, IMG_1692, and IMG_1705).

Stormwater Pollution Prevention Plan (SWPPP)

Requirement:

Permit Part 7 of the Permit requires the development of SWPPP consistent with the requirements laid out in this section of the Permit. At a minimum, the SWPPP is to include: 1) all site operators, 2) the stormwater team, 3) a description on the nature of construction activities, a site map, any non-stormwater discharges, a description of stormwater controls, procedures for inspection/maintenance/ corrective action, and procedures for turbidity benchmark monitoring from dewatering discharges (if applicable). The SWPPP must be kept up to date throughout coverage of the Permit and signed by the appropriate signatory in accordance with Attachment G, Part G.11 of the Permit.

Observations #6, 7, 8, and 9:

Site representatives provided the EPA Inspection Team with a copy of their SWPPP, dated May 10, 2022 (Attachment E). The SWPPP had all necessary components. The EPA Inspection Team made the following observations:

6. SWPPP Part 2 mentions the construction of three (3) bioretention facilities that will be used to divert stormwater into the combined sewer system. At the time of the inspection, the Site was not yet connected to the combined sewer system and Site representatives stated any stormwater collected in these bioretention facilities would flow underground and infiltrate through the soil. This practice is not outlined in the Site's SWPPP.
7. According to the SWPPP Part 4, the Site has silt-fence along Laurel St. NW and silt socks along border near the private alley and Aspen St. NW. At the time of the inspection, there was no silt fence along Laurel Street. The northern half of Laurel St. NW had silt socks and the southern half of Laurel Street had a chain-link fence, but no silt fence or silt socks (Attachment B, IMG_1693, IMG_1694, and IMG_1706).
8. SWPPP Part 4.4 Stockpiled Sediment or Soil states, "All sediment and/or soil will be removed to an offsite location." At the time of the Inspection, there were two small stockpiles adjacent to the east perimeter of the Site that appeared to have runoff into the street (Attachment B, IMG_1695 and IMG_1696).
9. SWPPP Part 5.5.1 states that building products including asphalt sealants, copper flashing, roofing materials, adhesives, and concrete admixtures, will be stored in the garage or offsite and not exposed to weather. At the time of the Inspection, dry

admixture materials were being stored outside in the southeast section of the Site (Attachment B, IMG_1688).

V. 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. 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 about 12:00 PM.

VI. List of Attachments

Attachment A: EPA Construction General Permit

Attachment B: Photograph Log

Attachment C: Self-Inspection Reports

Attachment D: E&S Corrective Action Log

Attachment E: Stormwater Pollution Prevention Plan