



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

Date: *Dated as shown on electronic signature(s)*

Subj: Inspection Report
Clean Water Act - National Pollutant Discharge Elimination
System ("NPDES")
3090 Palmer Street Solar Array

From: Damian Bednarz, Inspector

**DAMIAN
BEDNARZ**

 Digitally signed by DAMIAN
BEDNARZ
Date: 2023.08.16 16:24:45 -04'00'

Thru: Stephanie Tougas, Inspector

To: File

I. Facility Information

- A. *Facility Name:* 3090 Palmer Street Solar Array
- B. *Facility Location:* 3090 Palmer Street
Palmer, MA 01069
- C. *Facility Contacts:* Chris Thornton, Construction Manager
617-470-5572, cthornton@millcreekrenewables.com
- D. *NPDES ID No(s):* MAR1004G1

II. Background Information

- A. *Date(s) of inspection:* June 28, 2023
- B. *Weather Conditions:* Cloudy, Heavy Rain, 70°
- C. *US EPA Representative(s):*
Damian Bednarz, Stephanie Tougas
- D. *State/Local Representative(s):*
N/A
- E. *Federally Enforceable Requirements Covered During the Inspection:*
National Pollutant Discharge Elimination System Construction General Permit
(CGP) (Effective February 17, 2022)
- F. *Previous Enforcement Actions:*
None known

III. Type and Purpose of Inspection

Evaluation

IV. Facility Description

The 3090 Palmer Street Solar Array project (the “Project” or “Site”) is located 1,000 feet west of Syke Street, Palmer, MA and 500 feet north of the Ware River. A paved access way leads to the clearing behind Tables at the Farm, a local restaurant. The Project NOI estimates it will disturb 13 acres of land for the installation of Photovoltaic (“PV”) solar panels and related infrastructure, such as fencing. The Project specifically intends to install two ground mounted solar arrays, a 12 foot access way, utility connections to existing utilities and the replacement of a culvert with a new 12’ by 5’ three-sided concrete culvert at the request of Palmer’s conservation commission.

V. Inspection

Damian Bednarz and Stephanie Tougas (“EPA Inspectors”) called Chris Thornton on the day of the inspection to request access for EPA to conduct an inspection. Mr. Thornton is listed as the Construction Manager on the Project’s Notice of Intent (“NOI”). Mr. Thornton granted permission and directed EPA Inspectors to the paved road which accesses the Site and agreed to meet the EPA Inspectors at the time of their arrival.

EPA Inspectors arrived at approximately 1:00 PM and met with Mr. Thornton who was already on site.

A. Opening Conference

EPA Inspectors presented their credentials and explained to Mr. Thornton the purpose of the inspection. EPA Inspectors asked about the current stage of the Project and were informed that all implementation and construction of solar arrays had been complete at the time of the inspection. Currently the Site is worked by 30 people operating from 7 AM to 3:30 PM. Mr. Bednarz asked for the Project’s Storm Water Pollution Prevention Plan (“SWPPP”). Mr. Thornton was able to provide this from a box (Slide 2) labelled “Safety SWPPP”. This box is located at the entrance of the Project and near the temporary office unit. No review was conducted of the SWPPP at this time, and Mr. Bednarz asked for a digital copy to be sent to bednarz.damian@epa.gov.

B. Facility Tour

EPA Inspectors and Mr. Thornton toured the Site in a counterclockwise fashion, first observing the entrance of the site (Slides 3, 4, 6, 7). At this point in the walkaround it began to rain heavily, and precipitation would continue for the remainder of EPA’s visit. Mr. Thornton pointed out a stockpile in the distance that has been treated with self-seeding loam. The stockpile was said to be seeded several weeks prior to this inspection.

Additionally, no excavation or soil disturbing activity was evident at the site, as the Project was approaching total completion.

Sediment control measures and best management practices were still in place surrounding the newly installed solar arrays. The perimeter of the Site featured silt fences installed appropriately with their bottom segments in the topsoil, in combination with straw wattles (Slide 9). Upon entering the first solar array, EPA Inspectors noted the consistent silt fencing surrounding the features of the Project (slide 11). The solar arrays are also surrounded by a deer fence, as Mr. Thornton expressed their industry is dealing with a shortage of chain link fences (Slide 12). The implementation of this fence is for security purposes, intending to keep out wildlife and people.

Although heavy rain began to loosen less vegetated areas within the Project's perimeter, erosion controls remained intact and were observed to retain suspended sediments (Slide 13, 20, 25, 32, 40). Stormwater pooling within the Project was not observed to be channeling and escaping sediment control measures.

When asked about inspection procedures conducted on the site, Mr. Thornton explained when a sediment control is observed to have failed (i.e., a downed silt fence), it is recorded in a digital inspection log and attended to as soon as possible. According to Mr. Thornton, inspection reports are digitized and available for review the same day they are conducted, and they occur every 7 days in addition to within 24 hours of a 0.25" minimum rain event.

D. Closing Conference

As the walkaround concluded where it began, EPA Inspectors and Mr. Thornton met with a conservation agent of Palmer's conservation commission, Heidi Mannarino, who was said to visit regularly throughout the lifespan of this construction project. Mr. Thornton explained that the progress of the Project is frequently communicated to Ms. Mannarino.

Near the site entrance, Mr. Bednarz requested that Mr. Thornton send the last 3 months of inspection reports and photo logs as well as the digital SWPPP to bednarz.damian@epa.gov. Mr. Thornton was also informed that an inspection report would be sent from EPA within 60 days of the conclusion of this site visit.

EPA Inspectors departed at approximately 2:30 PM.

[After the inspection, Mr. Bednarz received the requested materials mentioned in this report on June 29, 2023]

Unless otherwise noted, this report describes conditions at the facility/property as observed by EPA inspector(s), and/or through records provided to and/or information reported to EPA inspector(s) by facility representatives and as understood by the inspector(s). This report may not capture all operations or activities ongoing at the time of the inspection. This report does not make final determinations on potential areas of concern. Nothing in this report affects EPA's authorities under federal statutes and regulations to pursue further investigation or action.