



REGION 1  
BOSTON, MA 02109

*Dated by electronic signature*

VIA EMAIL

LeAnn Jensen  
Regional Judicial Officer  
U.S. Environmental Protection Agency, Region 1  
5 Post Office Square, Suite 100 (Mail Code 4-MI)  
Boston, MA 02109-3912  
[Jensen.LeAnn@epa.gov](mailto:Jensen.LeAnn@epa.gov)

Re: In the Matter of Navisun LLC, Docket No: CWA-01-2024-0001

Dear Ms. Jensen:

Attached for your review and signature is a Consent Agreement and Final Order (“CAFO”) that will resolve a Clean Water Act administrative penalty action brought by the U.S. Environmental Protection Agency (“EPA”), Region 1, against Navisun LLC (“Navisun”) for alleged failures to comply with terms of the Construction General Permit (“CGP”) for stormwater discharges from construction activities at the company’s solar farm development site in Acushnet, Massachusetts.

The Consent Agreement has been signed by the parties and is now presented for the Regional Judicial Officer’s signature of the Final Order. No comments were received during the public comment period.

As permitted by 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), the CAFO will both commence and conclude EPA’s enforcement action against Navisun. The CAFO describes Navisun’s alleged uncontrolled stormwater discharges from its construction site and alleged failure to stabilize large areas of the site. Navisun has corrected its CGP violations by improving its site controls and ground stabilization measures.

Under the CAFO, Navisun will pay a settlement penalty of \$25,000 within 10 days of the date this CAFO becomes final. The penalty is consistent with the *Supplemental Guidance to the Interim Clean Water Act Settlement Penalty Policy for Violations of the Construction Stormwater Requirements* (March 1, 1995).

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The parties' consent to the use of digital signatures and Respondent's consent to electronic service are included in the CAFO. The Respondent has separately provided in writing acknowledgement of its electronic service recipients' email addresses to the Regional Hearing Clerk ("RHC") via email on March 17, 2024. Both parties' service email addresses are included in the Proposed Certificate of Service transmitted to the RHC. Additionally, because the Respondent chose to physically sign the CAFO, I have filed the Respondent's original "wet" signature page of the Consent Agreement with the RHC on February 8, 2024.

If you have any questions regarding the proposed CAFO, please contact me at [lee.jaegun@epa.gov](mailto:lee.jaegun@epa.gov) or 617-918-1511, and Respondent's counsel Mark Kalpin at [mark.kalpin@hklaw.com](mailto:mark.kalpin@hklaw.com) or (617) 305- 2076.

Sincerely,

Jaegun Lee  
Attorney-Advisor  
EPA Region 1

Attachment (Proposed CAFO and Proposed Certificate of Service)

cc : Mark C. Kalpin, Counsel for Respondent  
Jason Spreyer, CEO, Navisun LLC