



## REGION 3

PHILADELPHIA, PA 19103

### VIA ELECTRONIC MAIL

Mr. Brian Eklund  
Managing Director of Construction  
TPWR Developer LLC  
555 13th Street NW, Suite 400W  
Washington, D.C. 20004  
[Eklund.Brian@hines.com](mailto:Eklund.Brian@hines.com)

Re: **In the Matter of: TPWR Developer, LLC et al.**  
**Docket No. CWA-03-2024-0069**  
**Approval of SEP Completion Report**

Dear Mr. Eklund:

The United States Environmental Protection Agency, Region 3 ("EPA") has received your letter and Supplemental Environmental Project ("SEP") Completion Report, dated January 31, 2025, and amended on February 20, 2025 and March 14, 2025, from TPWR Developer, LLC ("TPWR"), on behalf of itself, CBG Building Company LLC ("CBG"), and Bowman Consulting DC ("Bowman") (collectively, "Respondents"), regarding the SEP included in the above-referenced Consent Agreement and Final Order. The SEP, referred to as the "Hay's Spring Amphipod Habitat Conservation Project," was completed in Rock Creek Park, a property owned and managed by the National Park Service ("NPS"), and Paragraph 73 of the Consent Agreement required submission of the SEP Completion Report following project completion.

My staff has reviewed the SEP Completion Report, as amended, including the photographs and receipts included in that Report and provided separately. Based on the EPA's review, the EPA concludes that the Hay's Spring Amphipod Habitat Conservation Project has been completed satisfactorily and accepts the Respondents' SEP Completion Report. We appreciate the efforts expended to complete this project and the lasting water quality improvement that it will have on Rock Creek. Given the Respondents' timely payment of the penalty, as well as completion of the SEP, EPA will now close this matter.

Please note that TPWR must continue to comply with any applicable Clean Water Act ("CWA") requirements and applicable NPDES permitting requirements. Any noncompliance with the CWA or a current or future NPDES permit could result in the initiation of an additional enforcement action pursuant to the federal enforcement provisions set forth in Section 309 of the CWA, 33 U.S.C. § 1319.

Please do not hesitate to contact Natalie Katz, Senior Assistant Regional Counsel, at 215-814-2615, or by email at [katz.natalie@epa.gov](mailto:katz.natalie@epa.gov), if you have any questions regarding this matter.

Sincerely,

Karen Melvin  
Director  
Enforcement and Compliance Assurance Division

cc: Regional Hearing Clerk, Region 3 ([R3\\_Hearing\\_Clerk@epa.gov](mailto:R3_Hearing_Clerk@epa.gov))  
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