



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852**

VIA ELECTRONIC MAIL

Captain Mark Burns, Installation Commanding Officer
Naval Support Activity Washington

Washington Navy Yard
1411 Parsons Avenue SE, Suite 303
Washington Navy Yard, DC 20374-5003

U.S. Naval Observatory
3450 Massachusetts Avenue
Building 56, Suite 202
U.S. Naval Observatory, DC 20393-5420

**RE: Termination of Safe Drinking Water Act Administrative Orders
Docket Nos. SDWA-03-2020-0133DS (Naval Station Washington) &
SDWA-03-2020-0134DS (U.S. Naval Observatory)**

Dear Captain Burns:

On September 18, 2020, the United States Environmental Protection Agency, Region III (“EPA”) and the U.S. Department of the Navy (“Navy”) executed Administrative Orders for Compliance (“Orders”) to the Naval Station Washington (Washington Navy Yard, PWS ID DC0000003) and the U.S. Naval Observatory (PWS ID DC0000005) for violations of the Safe Drinking Water Act (“SDWA”) and the National Primary Drinking Water Regulations (“NPDWRs”). The Washington Navy Yard and U.S. Naval Observatory failed to adhere to a Corrective Action Plan to remedy significant deficiencies identified during sanitary surveys conducted in November 2013, November 2016, and October 2019 as required by 40 C.F.R. § 141.723(d).

Pursuant to the Orders, the Navy agreed to develop and implement a supplemental Corrective Action Plan (“Supplemental CAP”) to address the significant deficiencies. The Supplemental CAP developed by the Navy and approved by EPA on November 25, 2020 includes a process for testing and repairing backflow prevention devices within specified deadlines. In addition, the Orders require the Navy to provide quarterly reports to EPA documenting progress toward compliance with the Orders and Supplemental CAP until the Navy achieves four consecutive quarters of compliance.

As required by the Orders and Supplemental CAP, the Navy created an inventory of backflow prevention devices and implemented a process for annual testing of backflow prevention devices and repair or replacement of devices within ten (10) days of the device failure. The Navy provided EPA with quarterly reports documenting the testing and repair or replacement of backflow prevention devices.

Termination of Safe Drinking Water Act Administrative Orders

Docket No. SDWA-03-2020-133DS

Docket No. SDWA-03-2020-134DS

The quarterly reports provided by the Navy to EPA for the 2022 calendar year (i.e. 2022 Quarters 1, 2, 3, and 4) demonstrate four consecutive quarters of successful compliance with the Orders and Supplemental CAP. Therefore, pursuant to Paragraph 52 of the Orders, EPA hereby terminates the Orders. The Navy is no longer required to submit quarterly reports to EPA documenting compliance with the Orders and Supplemental CAP. These significant deficiencies are deemed resolved.

Although EPA is terminating these Orders, EPA expects the Navy to continue to implement the actions established in the Supplemental CAP, including the annual testing of backflow prevention devices and repair or replacement of devices that fail annual testing within ten (10) days. A record of backflow prevention device inspections, failures, and repairs must be maintained on site and available for EPA review during each sanitary survey.

If you have questions regarding any of the above, please contact Sara Calcinore, Enforcement and Compliance Assurance Division, at (215) 814-2043 or calcinore.sara@epa.gov, or have your attorney contact Aviva Reinfeld, Assistant Regional Counsel, at (215) 814-2632 or reinfeld.aviva@epa.gov.

Sincerely,

Renee Bryant, Acting for
Stacie Pratt Chief, Water Branch
Enforcement and Compliance Assurance Division

cc: Aviva Reinfeld, Assistant Regional Counsel, EPA
Sara Calcinore, Enforcement and Compliance Assurance Division, EPA
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