

# Stormwater Construction Enforcement/Solar Energy Facility: U.S. Environmental Protection Agency and Massachusetts Solar Company Enter into Settlement



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The United States Environmental Protection Agency (“EPA”) issued a May 21st news release stating it had entered into a settlement with Navisun, LLC (“Navisun”).

Navisun is described as a solar energy company based in Hingham, Massachusetts.

Navisun is alleged to have committed violations of the Cleanwater Act Stormwater Construction General Permit (“Permit”) related to stormwater discharges from construction activities.

EPA alleges that the company violated the terms of the permit for stormwater discharges from construction activities at its solar farm development site in Acushnet, Massachusetts (“Site”). The news release states that the stormwater basin at the Site failed leading to:

. . . discharges of sediment-laden water in two separate storms; the sediment from these discharges impacted a neighbor's pond and well water.

Navisun is stated to have improved its site controls following the failure and there were no significant issues when EPA subsequently inspected the site. However, an inspection by the town of Acushnet’s Conservation Commission is stated to have discovered a failure to stabilize large areas of the Site. The company is stated to have subsequently stabilized the remainder of the Site.

Navisun is described as a solar energy company that develops, owns, and operates small utility-scale commercial and industrial solar farms.

A civil penalty of \$25,000 is stated to have been assessed.

A copy of the news release can be downloaded [here](#).