



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

**VIA ELECTRONIC MAIL**

Robert Whetzel  
Philip Micha  
Richards, Layton and Finger  
One Rodney Square, 920 North King Street  
Wilmington, DE 19801  
[whetzel@rlf.com.com](mailto:whetzel@rlf.com.com)  
[micha@rlf.com](mailto:micha@rlf.com)

**Re: In the Matter of: Schell Outer Banks, LLC, et al. ,  
Docket No. CWA-03-2023-0114**

Dear Messrs. Whetzel and Micha:

Enclosed please find a time-stamped Consent Agreement and Final Order (CAFO) which resolves alleged violations of the Clean Water Act in the referenced matter. The CAFO was filed with Regional Hearing Clerk on 9/29/23.

For your file, I am also enclosing a copy of supporting memorandum from Environmental Protection Agency management to the Regional Judicial Officer. Please do not hesitate to contact Douglas Frankenthaler, Assistant Regional Counsel at (215) 814-2472, or by email at [frankenthaler.douglas@epa.gov](mailto:frankenthaler.douglas@epa.gov), if you have any questions regarding this matter.

Sincerely,

Regional Hearing Clerk  
U.S. EPA, Region III

Enclosures

cc: Pete Gold, EPA  
Douglas Frankenthaler, EPA