



REGION 1
BOSTON, MA 02109

May 6, 2024

FILED

5/6/24

7:55 AM

**U.S. EPA REGION 1
HEARING CLERK**

MEMORANDUM

SUBJECT: Proposed Expedited Settlement Agreement for:
In the Matter of: SPS New England, Inc.
CWA-01-2024-0031

FROM: Jeff Kopf, Senior Enforcement Counsel

TO: LeAnn Jensen, Regional Judicial Officer

In accordance with 40 C.F.R. § 22.13(b), enclosed please find a proposed Consent Agreement and Final Order (CAFO) that will simultaneously commence and settle the above-captioned action. The proposed CAFO has been signed by the parties and is now being submitted for your approval.

Public notice of this CAFO was provided as required by Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A) and 40 C.F.R. § 22.45. The proposed CAFO is being submitted more than 10 days after the close of the public comment period. The Regional Hearing Clerk has reported that she did not receive any comments concerning this proposed action during this period.

Under the terms of this proposed CAFO, Respondent will pay a civil penalty of \$9,743. This proposed CAFO complies with all the requirements of EPA's 1995 Interim Clean Water Act Settlement Penalty Policy. Once the proposed CAFO has been signed by you, the fully-executed CAFO will be filed with the Regional Hearing Clerk and will become final 30 days after the date of your signature.

cc: (via email)

Philip J. Capolupo, President, SPS New England, Inc. (pcapolupo@spsnewengland.com)

Clare Burhoe, General Counsel, SPS New England, Inc. (cburhoe@spsne.com)

Robin, L. Main, Esq., Hinckley Allen (rmain@hinckleyallen.com)

Wanda Santiago, Regional Hearing Clerk, U.S. EPA, Region 1