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APR -6 2023

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6, 1201 ELM STREET, DALLAS, TEXAS 75270-2102

REGIONAL HEARING OFFICE
EPA REGION VI

SPILL EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CWA-06-2023-4501

On October 17, 2022

At: Coastal Marine Contractors LLC, St. Tammany Parish, LA (Respondent) discharged 50 gallons of Motor Oil in violation of Section 311(b)(3) of the Clean Water Act (the Act), as noted on the attached FINDINGS and ALLEGED CIVIL VIOLATIONS FORM (Form), which is hereby incorporated by reference.

The parties are authorized to enter into this Expedited Settlement under the authority vested in the Administrator of EPA by Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), as amended by the Oil Pollution Act of 1990, and by 40 CFR § 22.13(b). The parties enter into this Expedited Settlement in order to settle the civil violations described in the Form for a penalty of \$500.00.

This settlement is subject to the following terms and conditions:

EPA finds the Respondent's conduct is subject to the discharge prohibition of Section 311(b)(3) of the Act, as described in the statute and further described by 40 CFR § 110.3. The Respondent admits he/she is subject to Section 311(b)(3) and that EPA has jurisdiction over the Respondent and the Respondent's conduct as described in the Form. Respondent does not contest the Findings and waives any objections it may have to EPA's jurisdiction. The Respondent consents to the assessment of the penalty stated above. Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated the cause of the spill, it has cleaned up the spill pursuant to the federal requirements, and it has taken corrective actions that will prevent future spills. The Respondent also verifies that it has sent a certified check for \$500.00, payable to "Environmental Protection Agency," to: "USEPA, Fines & Penalties, P.O. Box 979077, St. Louis, MO 63197-9000" and Respondent has noted on the penalty payment check "Spill Fund-311" and the docket number of this case, "CWA-06-2023-4501."

Upon signing and returning this Expedited Settlement to take EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA's approval of the Expedited Settlement without further notice.

If Respondent does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified in the Form.

After this Expedited Settlement becomes effective, EPA will take no further action against the Respondent for the violations of the Section 311(b)(3) of the Act described in the Form. However, EPA does not waive any rights to any

enforcement action for any other past, present, or future violations by the Respondent of Section 311(b)(3) of the Act or of any other federal statute or regulation. By its first signature, EPA ratifies the Inspection Findings and Alleged Violations set forth in the Form.

This Expedited Settlement is binding on the parties signing below and is effective upon the Enforcement and Compliance Assurance Division Director's signature.

APPROVED BY EPA:

Bryant Smalley
Chief
Water Enforcement Branch
Date: April 3, 2023

APPROVED BY RESPONDENT:

Name (print): Allen Warriner

Title (print): Managing Member

Signature
Date: 4-3-23

The estimated cost of the clean-up and corrective action is \$14,700.00

IT IS SO ORDERED:

Cheryl T. Seager, Director
Enforcement and
Compliance Assurance Division
Digitally signed by CHERYL SEAGER
Date: 2023.04.06 14:15:20 -05'00'
Date: April 6, 2023

Docket No. CWA-06-2023-4501

CERTIFICATE OF SERVICE

I certify that the original and one copy of the foregoing "Consent Agreement and Final Order," issued pursuant to 40 C.F.R. 22.13(b), was filed on April 6, 2023, with the Regional Hearing Clerk, U.S. EPA Region 6, 1201 Elm Street, Suite 500, Dallas, TX 75270-2102, and that on the same date a copy of the same was sent to the following, in the manner specified below:

Copy Sent by E-mail

NAME: Allen Warriner
ADDRESS: 330 Bayou Liberty Road
Slidell, LA
70458

Enoch Johnbull

Enoch Johnbull
OPA Enforcement Officer