



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 9 - 75 Hawthorne St San Francisco, CA 94105
EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-09-2025-0077, Reference source not found., NPDES No. ["Unpermitted"]



Bee Green Recycling & Supply LLC ("Respondent"), a California limited liability company, is a "person," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

Complainant ("EPA") finds that Respondent is responsible for unauthorized discharge(s) of stormwater in violation of the Act, 33 U.S.C. § 1311. EPA also finds, and Respondent admits, that Respondent is subject to the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondent neither admits nor denies the specific days of unauthorized industrial stormwater discharges that EPA alleges. The attached "Industrial Non-filer Expedited Settlement Worksheet" ("Worksheet"), incorporated by reference, summarizes the allegations and proposed penalty based on conditions at the Respondent's facility at the time of EPA's November 2, 2023, inspection.

EPA is authorized to enter into this Expedited Settlement Agreement ("Agreement") under the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement to settle the civil violation(s) alleged in this Agreement for a penalty of **\$5,000**. Respondent consents to the assessment of this penalty and waives the right to: (1) contest the finding(s) specified in the Worksheet; (2) a hearing pursuant to the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to the Act, 33 U.S.C. § 1319(g)(8).

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that the Respondent has addressed the alleged violations identified in the Worksheet by either a) developing and implementing a Stormwater Pollution Prevention Plan and submitting to the permit authority a Notice of Intent to be covered by the applicable industrial stormwater permit; or b) acting to meet eligibility requirements for a waiver from industrial stormwater permit requirements as allowed by the permit authority and submitting the relevant forms (such as a No Exposure Certification) to the permit authority.

Respondent certifies it will pay the penalty within 10 calendar days after the effective date of this Agreement by sending a check, wire transfer, automated clearing house, or online payment, using the payment instructions available at <http://www.epa.gov/financial/makepayment>. Checks sent by regular U.S. Postal Service mail must be made payable to the "Treasurer, United States of America," and mailed to:

U.S. EPA, Region 9
Fines and Penalties, Cincinnati Finance Center
In the Matter of: Bee Green Recycling & Supply LLC
Docket No. CWA-09-2025-0077
P.O. Box 979077
St. Louis, MO 63197-9000

This Agreement settles EPA's civil penalty claims against Respondent for the alleged violation(s) of the Act specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected alleged violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

APPROVED BY EPA:

ROBERTO RODRIGUEZ

Digitally signed by ROBERTO RODRIGUEZ
Date: 2025.06.17 10:40:41 -07'00'

Roberto Rodriguez, Assistant Director, Water Branch
Enforcement and Compliance Assurance Division

APPROVED BY RESPONDENT:

Name: Joshua J. Fookes

Title: President

Signature: *Joshua J. Fookes* Date: 5/22/2025

EPA received no comments on this matter in response to a 30-day comment period publicly noticed by EPA pursuant to the Act, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45.

Having determined that this Agreement is authorized by law,

IT IS SO ORDERED:

Signature: _____ Date: _____
Beatrice Wong
Regional Judicial Officer, U.S. EPA Region 9

Expedited Settlement Agreement Payment Instructions

Docket No. CWA-09-2025-0077

Payment is due no later than 10 calendar days from the date of the date the Expedited Settlement Agreement is filed by the EPA Region 9 Hearing Clerk. If the due date for the payment falls on a weekend or federal holiday, the due date is the next business day. Payment is considered made on the date it is processed by U.S. Bank, as described below. Payment must be received by 11:00 a.m. Eastern Standard Time to be considered received that day.

Payment shall be made to "Treasurer, United States of America" in a single payment of \$5,000. On your check or other form of payment, you must identify the case name (Bee Green Recycling & Supply LLC.) and docket number (CWA-09-2025-0077). You must submit payment using one of the following options:

By Check:	
<u>Via Regular U.S. Mail:</u> U.S. Environmental Protection Agency / Fines and Penalties Cincinnati Finance Center P.O. Box 979077 St. Louis, Missouri 63197-9000	<u>Via Overnight Commercial Carrier:</u> U.S. Bank Government Lockbox 979078 1005 Convention Plaza Mail Station SL-MO-C2GL St. Louis, Missouri 63101
By Wire Transfer:	
<u>Send directly to:</u> Federal Reserve Bank of New York ABA = 021030004 Account = 68010727 SWIFT address = FRNYUS33 33 Liberty Street New York, New York 10045 Field Tag 4200 of the Fedwire message should read: "D 68010727 Environmental Protection Agency"	
Via ACH Payment:	
U.S. Treasury REX / Cashlink ACH Receiver ABA: 051036706 Account Number: 310006, Environmental Protection Agency CTX Format Transaction Code 22 -- checking Physical location of U.S. Treasury facility: 5700 Rivertech Court Riverdale, Maryland 20737	
Via Debit or Credit Card:	
No user name, password, or account number is necessary. On-line payment can be accessed via WWW.PAY.GOV , entering 1.1 in the form search box on the left side of the screen, opening the form, and following the directions on the screen.	
NOTE: At time of payment copies of the check (or other proof of other payment) shall be sent to:	
U.S. EPA Region 9 Attn: Kristine Karlson, ENF 3-2 Enforcement & Compliance Assurance Division 75 Hawthorne Street San Francisco, CA 94105	U.S. EPA Region 9 Ponly Tu, Regional Hearing Clerk Office of Regional Counsel, ORC-1 75 Hawthorne Street San Francisco, CA 94105 R9HearingClerk@epa.gov

CERTIFICATE OF SERVICE

I hereby certify the foregoing Expedited Settlement Agreement and Final Order in the matter of Bee Green Recycling & Supply, LLC (Docket No. CWA-09-2025-0077) was filed by the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was served on the parties, via electronic mail, as indicated below:

RESPONDENT(S): Joshua Fookes
President
Bee Green Recycling & Supply, LLC
725 Julie Ann Way
Oakland, CA 94621
Josh@beegreen.green

COMPLAINANT: Rich Campbell
Assistant Regional Counsel
U.S. EPA – Region IX
Water Section IV (ORC-2-4)
75 Hawthorne Street
San Francisco, CA 94105
Campbell.Rich@epa.gov

Ponly Tu
Regional Hearing Clerk
U.S. EPA – Region IX