

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

IN THE MATTER OF:

Jane Casler, d/b/a Casler Farm
691 Babcock Hill Road
West Winfield, NY 13491

Respondent.

Proceeding pursuant to Section 309(g) of the
Clean Water Act, 33 U.S.C. §1319(g)

FINAL ORDER

DOCKET No. CWA-02-2014-3305

U.S. Environmental
Protection Agency-Reg 2
2015 APR -2 AM 7:08
REGIONAL HEARING
CLERK

The Environmental Protection Agency (“EPA” or “Complainant”), is in receipt of a cashier’s check dated March 3, 2015, from Respondent, in the amount of \$14,000, the full amount of the penalty proposed in the Complaint issued in this matter. Pursuant to 40 C.F.R. §22.18(a)(3), upon receipt of payment in full by Respondent, the Regional Administrator of EPA, Region 2 shall issue a Final Order. The Regional Administrator has delegated the authority to issue a Final Order to the Director of the Division of Enforcement and Compliance Assistance (“DECA”) of EPA, Region 2.

Issuance of this Final Order terminates this administrative litigation and the civil proceedings arising out of the allegations made in the Complaint. Full payment of the penalty proposed in the Complaint shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other relief or criminal sanctions for any violations of law.

Further, pursuant to 40 C.F.R. §22.18(a)(3), the making of such payment by Respondent shall

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constitute a waiver of Respondent's right both to contest the allegations made in the Complaint and to appeal this Final Order. Such payment does not extinguish, waive, satisfy or otherwise affect Respondent's obligation and responsibility to comply with all applicable statutory and regulatory requirements, and to maintain such compliance.

The effective date of this Order shall be the date of filing with the Regional Hearing Clerk, U.S. EPA Region 2, New York, NY.

3/30/15
Date



Dore LaPosta, Director
Division of Enforcement and
Compliance Assistance
U.S. EPA, Region 2
290 Broadway, 21st Floor
New York, New York 10007-1866

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CERTIFICATE OF SERVICE

I certify that on 4/1/15, I served the foregoing fully executed Final Order, bearing the above referenced docket number, on the persons listed below, in the following manner:

Original and One Copy
By Hand:

Office of Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 2
290 Broadway, 16th floor
New York, NY 10007-1866

Copy by Certified Mail
Return Receipt Requested:

Mrs. Jane Casler
Casler Farm
691 Babcock Hill Road
West Winfield, NY 11787

Copy by Certified Mail
Return Receipt Requested

Mr. Joseph DiMura, P.E., Director
Bureau of Water Compliance Programs
NYSDEC
625 Broadway
Albany, New York 12233-4500

Dated: 4-1-15


Secretary
New York, NY

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