

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
PHILADELPHIA, PENNSYLVANIA 19103



In the Matter of: :
 :
 : U.S. EPA Docket No. RCRA-03-2024-0097
Northern Virginia Electric Cooperative :
10323 Lomond Drive : Proceeding under Section 9006 of the Resource
Manassas, VA 20109 : Conservation and Recovery Act, 42 U.S.C. Section
 : 6991e
Respondent. :
 :
Northern Virginia Electric Cooperative :
10323 Lomond Drive :
Manassas, VA 20109 :
 :
Facility. :
 :

CONSENT AGREEMENT

PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 (“Complainant”) and Northern Virginia Electric Cooperative (“Respondent”) (collectively the “Parties”), pursuant to Section 9006 of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act (“RCRA”), 42 U.S.C. § 6991e, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules of Practice”), 40 C.F.R. Part 22. Section 9006 of RCRA, 42 U.S.C. § 6991e, authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement (“CA”). The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated it to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the “Consent Agreement and Final Order”) resolve Complainant’s civil penalty claims against Respondent under RCRA Subtitle I for the violations alleged herein.

2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

JURISDICTION

3. The U.S. Environmental Protection Agency (“EPA”) has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(4).
5. EPA has given the Commonwealth of Virginia Department of Environmental Quality (“VADEQ”) notice of the issuance of this Consent Agreement and Final Order in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

GENERAL PROVISIONS

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
7. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
8. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
9. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in **this Consent Agreement and Final Order** and waives its right to appeal the accompanying Final Order.
10. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
11. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

12. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
13. Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), authorizes EPA to assess civil penalties against any owner or operator of an underground storage tank (“UST”) who fails to comply with, among other things, any requirement or standard of a State program that has been approved pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, for the violations alleged herein.
14. Effective October 28, 1998, pursuant to Section 9004 of RCRA, 42 U.S.C. § 6991c, and 40 C.F.R. Part 281, Subpart A, EPA approved the Commonwealth of Virginia to administer a state UST management program *in lieu* of the Federal UST management program established under Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991m. An updated Virginia UST management program was approved by EPA, and became effective on May 3, 2021. The provisions of the Virginia UST management program which EPA approved have become requirements of RCRA Subtitle I and are, accordingly, enforceable by EPA pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991e. Virginia’s authorized UST management program regulations are set forth in the Virginia Code as “Underground Storage Tanks: Technical Standards and Corrective Action Requirements” (“VA UST Regulations”), 9 VAC § 25-580 *et seq.* and 9 VAC § 25-590 *et seq.*
15. At all times relevant to the alleged violations in this Consent Agreement and Final Order, Respondent has been a Virginia corporation.
16. At all times relevant to the alleged violations in this Consent Agreement and Final Order, Respondent has been a “person” as defined by Section 9001(5) of RCRA, 42 U.S.C. § 6991(5), and 9 VAC § 25-580-10.
17. At all times relevant to the alleged violations in this Consent Agreement and Final Order, Respondent has been the “owner” and/or “operator,” as those terms are defined by Section 9001(3) and (4) of RCRA, 42 U.S.C. § 6991(3) and (4), and 9 VAC § 25-580-10, of “USTs” and “UST systems,” at Northern Virginia Electric Cooperative facility located at 10323 Lomond Drive, Manassas, VA 20109 (“the Facility”).
18. On March 29, 2023, under the authority of Section 9005(a) of RCRA, 42 U.S.C. § 6991d(a), an EPA inspector conducted a compliance evaluation inspection at the Facility (“CEI”).
19. At the time of the March 29, 2023 CEI, and at all times relevant to the applicable violations alleged herein, three (3) USTs, as described below, each of which contained a

“regulated substance” as that term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 9 VAC § 25-580-10, were located at the Facility:

Tank #	Material Stored	Capacity (gal.)	Installation Date	Tank Construction Material	Piping Construction Material
1	Diesel	5,000	11/6/08	Double-walled Fiberglass-reinforced Plastic	Double-walled Fiberglass-reinforced Plastic
2	Regular Gas	10,000	11/6/08	Double-walled Fiberglass-reinforced Plastic	Double-walled Fiberglass-reinforced Plastic
3	Regular Gas	10,000	11/6/08	Double-walled Fiberglass-reinforced Plastic	Double-walled Fiberglass-reinforced Plastic

20. At all times relevant to the alleged violations in this Consent Agreement and Final Order, USTs 1-3 are “new tank systems,” as defined in 9 VAC 25-580-10, which states that a “new tank system” means a tank system used to contain an accumulation of regulated substances for which installation has commenced after December 22, 1988.
21. All of the USTs at the Facility were constructed of double-walled, fiberglass-reinforced plastic and utilized pressurized double-walled fiberglass-reinforced plastic piping that routinely contained regulated substances conveyed using a pressurized piping system.
22. All of the USTs at the Facility used a Veeder-Root TLS-350 automatic tank gauge system (“ATG system”) set to perform 0.20 gallons per hour tightness testing on all three USTs at least monthly to detect leaks.
23. At all times relevant to the alleged violations in this Consent Agreement and Final Order, all the USTs at the Facility and the respective underground piping associated with each UST were a “petroleum UST system,” as the term is defined in 9 VAC § 25-580-10.

COUNT I

(Failure to test the ATG system annually for proper operation for USTs 1-3)

24. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
25. 9 VAC § 25-580-130.A.3.a. states, in relevant part, that owners and operators of UST systems must provide a method, or combination of methods, of release detection that:

“Beginning on January 1, 2021, is operated and maintained, and electronic and mechanical components are tested for proper operation, in accordance with one of the following: (i) manufacturer’s instructions; (ii) a code of practice developed by a

*nationally recognized association or independent testing laboratory; or (iii) requirements determined by the department to be no less protective of human health and the environment than the two options listed in subdivisions 1 and 2 of this subsection. A test of the proper operation must be performed at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria:
a. Automatic tank gauge and other controllers: test alarm; verify system configuration; test battery backup;...”*

26. At the time of the March 29, 2023 CEI, Respondent’s most recent passing result for the ATG system was on November 10, 2021. The next annual test was due on or before November 10, 2022.
27. At the time of the March 29, 2023 CEI, EPA noted that from at least November 11, 2022 until December 22, 2022, Respondent failed to test the ATG system for proper operation for USTs 1-3 at the Facility by November 10, 2022. Respondent performed the annual test for the ATG system on December 22, 2022.
28. Respondent violated 9 VAC § 25-580-130.A.3.a. by failing to test the ATG system annually for proper operation for USTs 1-3 at the Facility by November 10, 2022.
29. In failing to comply with 9 VAC § 25-580-130.A.3.a., Respondent has violated Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991m, and is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

COUNT II

(Failure to equip UST systems with adequate overfill prevention equipment)

30. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
31. 9 VAC § 25-580-50.3.a.(2) provides that all UST systems must be equipped with adequate overfill prevention equipment, defined as either a) an automatic shut off of input flow when the tank is no more than 95% full, b) an alert to transfer operators when the tank is no more than 90% full, or c) a restriction on the flow 30 minutes prior to overfilling, an alert to transfer officer with high level alarm one minute before overfilling, or an automatic shut off of flow into the tank.
32. At the time of the March 29, 2023 CEI, USTs 1-3 at the Facility were not equipped with adequate overfill protection equipment. USTs 1-3 were equipped with overfill prevention equipment that was improperly calibrated from July 7, 2021 to April 5, 2023. Respondent provided records that indicated that the last functionality testing of the overfill (drop tubes) was on July 7, 2021, and none of the drop tube overfill prevention devices passed.

33. Respondent replaced the drop tube overflow prevention devices on April 6, 2023.
34. From at least July 7, 2021 to April 5, 2023, Respondent failed to have adequate overflow protection equipment for USTs 1-3 at the Facility.
35. Respondent violated 9 VAC § 25-580-50.3.a.(2) by failing to have adequate overflow prevention equipment for USTs 1-3 at the Facility.
36. In failing to comply with 9 VAC § 25-580-50.3.a.(2), Respondent violated Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991m, and is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

CIVIL PENALTY

37. In settlement of EPA's claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of **Twenty-Six Thousand One Hundred and Eighteen dollars (\$26,118.00)**, which Respondent shall be liable to pay in accordance with the terms set forth below.
38. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Sections 9006(c) and (e) of RCRA, 42 U.S.C. §§ 6991e(c) and (e), which includes the seriousness of the violation, any good faith efforts to comply with the applicable requirements, the compliance history of the owner or operator and any other factors considered appropriate. In developing a proposed penalty for the violations alleged in this Consent Agreement, EPA will take into account the particular facts and circumstances of this case with specific reference to EPA's November 1990 *U.S. E.P.A. Penalty Guidance for Violations of UST Regulations* ("UST Penalty Policy"), the 2023 *Revised Consolidated Enforcement Penalty Policy for Underground Storage Tank Regulations* ("Enforcement Penalty Policy") (collectively the "UST Penalty Policies), the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
39. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
40. When making a payment, Respondent shall:
 - a. Identify every payment with Respondent's name and the docket number of this Consent Agreement, **RCRA-03-2024-0097**

- b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve Proof of Payment simultaneously **by email** to the following person(s):

Jeffrey S. Nast, Esq.
Sr. Assistant Regional Counsel
nast.jeffrey@epa.gov,

and

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctsReceivable@epa.gov,

and

U.S. EPA Region 3 Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov.

“Proof of Payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent’s name.

41. Interest, Charges, and Penalties on Late Payments. Pursuant to 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this Consent Agreement, EPA is authorized to recover, in addition to the amount of the unpaid Assessed Penalty, the following amounts.

a. Interest. Interest begins to accrue from the Effective Date of this Consent Agreement. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. To protect the interests of the United States, the rate of interest is set at the IRS standard underpayment rate, any lower rate would fail to provide Respondent adequate incentive for timely payment.

b. Handling Charges. Respondent will be assessed monthly a charge to cover EPA’s costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Consent Agreement, EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Effective Date. Additional handling charges will be assessed every thirty (30) days, or any

portion thereof, until the unpaid portion of the Assessed Penalty as well as any accrued interest, penalties, and other charges are paid in full.

c. Late Payment Penalty. A late payment penalty of six percent (6%) per annum, will be assessed monthly on all debts, including any unpaid portion of the Assessed Penalty, interest, penalties, and other charges, that remain delinquent more than ninety (90) days. Any such amounts will accrue from the Effective Date.

42. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, EPA may take additional actions. Such actions EPA may take include, but are not limited to, the following.
- a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.
 - b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
 - c. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.
 - d. Refer this matter to the United States Department of Justice for litigation and collection, per 40 C.F.R. § 13.33.
43. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.
44. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.
45. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the

Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).

46. The parties consent to service of the Final Order by e-mail at the following valid e-mail address: nast.jeffrey@epa.gov (for Complainant), and ASingleton@NOVEC.com (for Respondent).

GENERAL SETTLEMENT CONDITIONS

47. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
48. Respondent certifies that any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

CERTIFICATION OF COMPLIANCE

49. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

50. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This Consent Agreement and Final Order does not constitute a waiver,

suspension or modification of the requirements of RCRA Subtitle I, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

51. This Consent Agreement and Final Order resolves only EPA’s claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under RCRA Subtitle I, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date.

EXECUTION /PARTIES BOUND

52. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

53. The effective date of this Consent Agreement and Final Order is the date on which the Final Order, signed by the Regional Administrator of EPA, Region 3, or his designee, the Regional Judicial Officer, is filed along with the Consent Agreement by the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

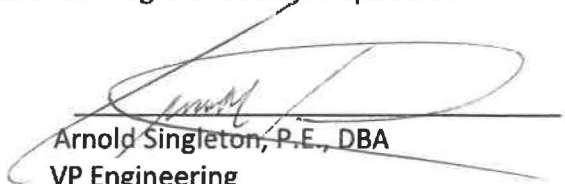
54. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.

For Respondent:

Northern Virginia Electric Cooperative

Date: 5/3/2024

By:


Arnold Singleton, P.E., DBA
VP Engineering

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his designee, the Regional Judicial Officer, issue the attached Final Order.

By: _____

[*Digital Signature and Date*]

Karen Melvin, Director
Enforcement and Compliance Assurance Division
U.S. EPA – Region 3
Complainant

Attorney for Complainant:

By: _____

[*Digital Signature and Date*]

Jeffrey S. Nast
Sr. Assistant Regional Counsel
U.S. EPA – Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3, and Respondent, Northern Virginia Electric Cooperative have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, EPA's November 1990 *U.S. E.P.A. Penalty Guidance for Violations of UST Regulations* ("UST Penalty Policy"), and the 2023 *Revised Consolidated Enforcement Penalty Policy for Underground Storage Tank Regulations* ("Enforcement Penalty Policy") (collectively the "UST Penalty Policies") which reflects the statutory penalty criteria and factors set forth Section 9006(c) of the Resource Conservation and Recovery Act ("RCRA"), and the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.

NOW, THEREFORE, PURSUANT TO Section 9006(d) of RCRA, 42 U.S.C. § 6991e(d), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **TWENTY-SIX THOUSAND ONE-HUNDRED AND**

EIGHTEEN DOLLARS (\$26,118.00), in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent’s obligation to comply with all applicable provisions of RCRA and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

Date: _____

By: _____

[Digital Signature and Date]

Joseph J. Lisa

Regional Judicial and Presiding Officer

U.S. EPA Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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	:	
Northern Virginia Electric Cooperative	:	
10323 Lomond Drive	:	
Manassas, VA 20109	:	
	:	
Facility.	:	
	:	
	:	

CERTIFICATE OF SERVICE

I certify that the foregoing **Consent Agreement and Final Order** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the **Consent Agreement and Final Order**. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Arnold Singleton, P.E., DBA
VP Engineering
10323 Lomond Drive
Manassas, VA 20109
ASingleton@NOVEC.com

Jeffrey S. Nast
Senior Assistant Regional Counsel
U.S. EPA, Region 3

nast.jeffrey@epa.gov

Melissa Toffel
RCRA Branch, Enforcement and Compliance Assurance Division
U.S. EPA, Region 3
toffel.melissa@epa.gov

[Digital Signature and Date]

Bevin Esposito
Regional Hearing Clerk
U.S. EPA, Region 3