



REGION 3 ADMINISTRATOR  
PHILADELPHIA, PA 19103

**FILED**  
Feb 16, 2024  
10:06 am  
U.S. EPA REGION 3  
HEARING CLERK

<b>In the Matter of:</b>	:
	:
<b>JO Associates LLC</b>	:
<b>4800 Hampden Lane, Suite 300</b>	:
<b>Bethesda, MD 20814</b>	:
	:
<b>Respondent.</b>	:
	:
<b>Townhomes at Michigan Park</b>	:
<b>4451 Joseph Pl NE</b>	:
<b>Washington, DC, 20017</b>	:
	:
<b>Facility.</b>	:

**CONSENT AGREEMENT**

**PRELIMINARY STATEMENT**

1. This Consent Agreement is entered into by the Director of the Enforcement & Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 (“Complainant”) and JO Associates LLC (“Respondent”) (collectively the “Parties”), pursuant to Section 309(g) of the Clean Water Act (“CWA” or “Act”), 33 U.S.C. § 1319(g), 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 309(g) of the CWA, 33 U.S.C. § 1319(g), authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties 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 Section 309(g) of the CWA, 33 U.S.C. § 1319(g), 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)(6).

**GENERAL PROVISIONS**

5. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
7. 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.
8. 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.
9. 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.
10. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.
11. Pursuant to Section 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45(b), EPA is providing public notice and an opportunity to comment on the Consent Agreement prior to issuing the Final Order.

**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 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant (other than dredged or fill material) from a point source into waters of the United States, except in compliance with a permit issued pursuant to the National Pollutant Discharge Elimination System (“NPDES”) program under Section 402 of the Act, 33

U.S.C. § 1342.

14. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the NPDES program for the discharge of pollutants from point sources to waters of the United States. The discharges are subject to specific terms and conditions as prescribed in the permit.
15. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and 40 C.F.R. §§ 122.2 and 122.26 provide that facilities with stormwater discharges are “point sources” subject to NPDES permitting requirements under Section 402(a) of the CWA, 33 U.S.C. § 1342(a).
16. Stormwater discharge associated with small construction activity include stormwater discharged from: “(i) Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five acres . . .” 40 C.F.R. § 122.26(b)(15).
17. “Pollutant” is defined as “dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.” 40 C.F.R. § 122.2. See also 33 U.S.C. § 1362(6).
18. “Discharge of a pollutant” means “[a]ny addition of any ‘pollutant’ or combination of pollutants to ‘waters of the United States’ from any ‘point source.’” 40 C.F.R. § 122.2. See also 33 U.S.C. § 1362(12).
19. “Storm water” is defined as “storm water runoff, snow melt runoff, and surface runoff and drainage.” 40 C.F.R. § 122.26(b)(13).
20. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and implementing regulations at 40 C.F.R. § 122.26(a)(9)(i)(B), require dischargers of stormwater associated with small construction activity to obtain a permit for those discharges.
21. In accordance with Section 402(a) of the Act, 33 U.S.C. § 1342(a), EPA issued a NPDES General Permit for Discharges from Construction Activities (the “2022 CGP”), which, for construction activities in the District of Columbia, became effective on February 17, 2022 and superseded the prior NPDES General Permit for Discharges from Construction Activities (“2017 CGP” and together with the 2022 CGP, the “CGPs”), which was effective on February 16, 2017 and expired February 16, 2022.
22. Upon information and belief, Respondent is a limited liability company in the business of constructing residential homes in the District of Columbia.

23. Respondent is a “person” within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5).
24. At all times relevant to this Consent Agreement, upon information and belief, Respondent was the “owner” and/or “operator” of a site known as Townhomes at Michigan Park, located at 4451 Joseph Pl NE, Washington, DC, 20017 (the “Site”), as those terms are described in federal regulations at 40 C.F.R. §§ 122.2.
25. At all relevant times relevant to this Consent Agreement, Respondents have been engaged in “construction activity” at the Site that “discharges” “storm water” from a “point source” to the Washington D.C. Municipal Separate Storm Sewer System (“MS4”), as those terms are described in federal regulations at 40 C.F.R. §§ 122.2 and 122.26. The Washington D.C. MS4 discharges to the Anacostia River, Potomac River, and Rock Creek, and tributaries to each such waterbody.
26. At all times relevant to this Consent Agreement, the construction activities at the Site disturbed over one acre of land, approximately 4.75 acres.
27. At all times relevant to this Consent Agreement, stormwater from the Site discharged to the Washington D.C. MS4, which then flowed to the Anacostia River.
28. The Anacostia River is a “waters of the United States” as that term is defined in Section 502(7) of the CWA, 33 U.S.C. § 1362(7).
29. Upon information and belief, construction activity at the Site began on or about January 19, 2021.
30. On March 23, 2022, a representative of EPA Headquarters and EPA contractors from PG Environmental and Eastern Research Group (“EPA Inspection Team”) conducted an inspection of the Facility (“Inspection”), pursuant to Section 308 of the CWA, 33 U.S.C. § 1318.
31. EPA finalized the Inspection report and sent the Inspection report to Respondent by email on May 6, 2022.
32. Pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, EPA required Respondent to provide information regarding the Site as well as other sites owned or operated by Respondent or its affiliates in a letter dated and sent on January 26, 2023 (“Information Request Letter”). Respondent sent responses to the Information Request Letter on March 13, 2023.
33. Based on the Inspection and review of Respondent’s responses to the Information Request Letter, EPA has identified the following violation of Section 301 of the CWA, 33 U.S.C. § 1311, described in the Paragraphs below.

**Count I**  
**Failure to Obtain a Permit / Discharge Without a Permit**

- 34. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
- 35. Part 1.4 (Submitting Your Notice Of Intent) of the CGPs requires an applicant for coverage under the relevant CGP to submit to EPA a complete and accurate Notice of Intent (“NOI”) for coverage prior to commencing construction activities.
- 36. Based on the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Technical Release 55 titled “Urban Hydrology for Small Watersheds,” for an area that is 85% impervious with a corresponding Soil Conservation Service (SCS) Runoff Curve Number of 89, runoff will be generated in rain events greater than approximately 0.25 inches of rain.
- 37. According to the National Oceanic and Atmospheric Administration’s (“NOAA”) National Centers for Environmental Information (“NCEI”), precipitation at the NOAA Station named WASHINGTON 2.6 NE, DC US US1DCDC0026 (Latitude/Longitude: 38.932715°, -76.983545°), located approximately one mile from the Site exceeded 0.25” on 64 days between January 19, 2021 and April 29, 2022 as summarized in Table 1 below.

**Table 1**  
**Monthly summary of data from NOAA Station WASHINGTON 2.6 NE, DC US US1DCDC0026**

Date	Rain, Melted Snow, Etc. (in)	Days > 0.25 inches of Rain, Melted Snow, etc.
Jan 19 – Jan 31, 2021	0.32	0
Feb-2021	3.86	7
Mar-2021	3.91	4
Apr-2021	3.06	4
May-2021	3.20	4
Jun-2021	4.33	4
Jul-2021	5.41	5
Aug-2021	7.99	9
Sep-2021	3.95	5
Oct-2021	4.19	3
Nov-2021	1.06	1
Dec-2021	0.84	1
Jan-2022	4.20	6
Feb-2022	2.80	3
Mar-2022	3.11	5
Apr 1 – Apr 29, 2022	3.75	3
<b>TOTAL</b>	<b>55.98</b>	<b>64</b>

38. According to the Inspection report, curb inlets were observed located offsite along 12<sup>th</sup> Street NE, Allison Street NE, and Sargent Road NE. Among other stormwater control deficiencies, no inlet protection measures were observed at the time of the Inspection except three filter socks protecting curb inlets at Allison Street NE and 12<sup>th</sup> Street NE that were worn and tattered and in need of maintenance at the time of the Inspection.
39. Upon information and belief, construction activity at the Site was occurring as of January 19, 2021. Respondent did not have an approved NOI for coverage under the CGP prior to the start of construction activities.
40. On March 23, 2022, on the day of the inspection, Respondent sent to Complainant evidence of submittal of the NOI by email.
41. The NOI requesting coverage under the CGP was accepted and authorization to discharge under the CGP became effective on April 29, 2022 and expires on February 16, 2027.
42. During at least January 19, 2021 through April 29, 2022, there were discharges of stormwater from the Site into the Anacostia River based on precipitation data collected at NOAA's Station named WASHINGTON 2.6 NE, DC US US1DCDC0026 (Latitude/Longitude: 38.932715°, -76.983545°), located approximately one mile from the Site.
43. Respondent's failure to obtain NPDES permit coverage prior to start of construction activities (approximately January 19, 2021) constituted a violation of Section 301 of the CWA, 33 U.S.C. § 1311 and Part 1.4 of the CGPs.
44. Respondent's discharge of stormwater without NPDES permit coverage constituted a violation of Section 301 of the CWA, 33 U.S.C. § 1311.
45. In failing to comply with the CGPs and Section 301 of the CW, 33 U.S.C. § 1311, Respondent is subject to an assessment of penalties under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

#### **CIVIL PENALTY**

46. 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 FORTY THOUSAND FIVE HUNDRED dollars (\$40,500), which Respondent shall be liable to pay in accordance with the terms set forth below.
47. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Section 309(g) of the CWA, 33 U.S.C. § 1319(g), including, the following: the seriousness of the violation or violations; the economic benefit (if any) resulting from the violation; any history of such violations; any

good-faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator, and such other matters as justice may require. These factors were applied to the particular facts and circumstances of this case with specific reference to EPA's Interim Clean Water Act Settlement Penalty Policy dated March 1, 1995, and EPA's Supplemental Guidance to the Interim Clean Water Act Settlement Penalty Policy for Violations of the Construction Storm Water Requirements, dated February 5, 2008, 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.

48. Respondent agrees that, within 30 days of the effective date of this Consent Agreement and Final Order, Respondent shall make a payment of **\$40,500** to **"United States Treasury"** with the case name, address and docket number of this Consent Agreement and Final Order (CWA-03-2024-0058), for the amount specified above. 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>.
49. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously by email to:

Catherine Chong  
Assistant Regional Counsel  
[chong.catherine@epa.gov](mailto:chong.catherine@epa.gov)

**and**

U.S. EPA Region 3 Regional Hearing Clerk  
[R3\\_Hearing\\_Clerk@epa.gov](mailto:R3_Hearing_Clerk@epa.gov).

50. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment of the penalty as specified herein shall result in the assessment of late payment charges including interest, penalties and/or administrative costs of handling delinquent debts.
51. Payment of the civil penalty is due and payable immediately upon the effective date of this 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 as of the effective date of this Consent Agreement and Final Order by Respondent in accordance with 40 C.F.R. § 13.9(a).

52. **INTEREST:** Interest on the civil penalty assessed in this Consent Agreement and Final Order will begin to accrue on the effective date of this Consent Agreement and Final Order. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the effective date of this Consent Agreement and Final Order. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R § 13.11(a).
53. **ADMINISTRATIVE COSTS:** The costs of the EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). If payment is not received within 30 calendar days of the effective date of this Consent Agreement, EPA will also assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
54. **LATE PAYMENT PENALTY:** A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
55. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this Consent Agreement and Final Order.
56. **The Parties consent to service of the Final Order by e-mail at the following valid e-mail addresses: chong.catherine@epa.gov (for Complainant), and RMuniz@eya.com (and cc: to Amy.Edwards@hklaw.com) (for Respondent).**

#### **GENERAL SETTLEMENT CONDITIONS**

57. 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.
58. 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**

59. 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**

60. 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 the CWA, 33 U.S.C. § 1251 *et seq.*, or any regulations promulgated thereunder.

### **RESERVATION OF RIGHTS**

61. This Consent Agreement and Final Order resolves only EPA's claims for civil penalties for the specific violation 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 the CWA, 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. Respondent reserves whatever rights or defenses it may have to defend itself in any such action.

### **EXECUTION / PARTIES BOUND**

62. 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**

63. Pursuant to 40 C.F.R. § 22.45(b), this Consent Agreement and Final Order shall be issued only after a 40-day public notice and comment period is concluded. This Consent Agreement and Final Order will become final and effective thirty (30) days after having been signed by the Regional Administrator or his delegate, the Regional Judicial Officer, and filed with the Regional Hearing Clerk.

**ENTIRE AGREEMENT**

64. 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: JO Associates LLC

Date: 12-1-2023

JO Associates LLC,  
a Delaware limited liability company  
By: JO Manager LLC,  
a Delaware limited liability company  
Sole Manager

By:   
Rafael Muñiz  
Senior Vice President

Address: 4800 Hampden Lane; Suite 300  
Bethesda, MD 20814

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/her 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]  
Catherine Chong  
Assistant Regional Counsel  
U.S. EPA – Region 3



REGION 3 ADMINISTRATOR  
PHILADELPHIA, PA 19103

**FILED**  
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<b>JO Associates LLC</b>	:
<b>4800 Hampden Lane, Suite 300</b>	:
<b>Bethesda, MD 20814</b>	:
	:
<b>Respondent.</b>	:
	:
<b>Townhomes at Michigan Park</b>	:
<b>4451 Joseph Pl NE</b>	:
<b>Washington, DC, 20017</b>	:
	:
<b>Facility.</b>	:

**FINAL ORDER**

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3, and Respondent JO Associates LLC, 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 Interim Clean Water Act Settlement Penalty Policy dated March 1, 1995, and EPA's Supplemental Guidance to the Interim Clean Water Act Settlement Penalty Policy for Violations of the Construction Storm Water Requirements, dated February 5, 2008, the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the statutory factors set forth in Section 309(g)(3) of the Clean Water Act, 22 U.S.C. § 1319(g)(3).

**NOW, THEREFORE, PURSUANT TO** Section 309(a) of the Clean Water Act, 33 U.S.C. § 1319(a), 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 **FORTY THOUSAND FIVE HUNDRED**

**DOLLARS (\$40,500)**, 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 the Clean Water Act and the regulations promulgated thereunder.

The Effective Date of the attached Consent Agreement and this Final Order is thirty (30) days after the date on which this Final Order is signed by the Regional Administrator or his delegate, the Regional Judicial Officer, and filed with the Regional Hearing Clerk.

Date: \_\_\_\_\_

By: \_\_\_\_\_

Joseph J. Lisa  
Regional Judicial and Presiding Officer  
U.S. EPA Region 3



**REGION 3 ADMINISTRATOR**

PHILADELPHIA, PA 19103

<b>In the Matter of:</b>	:	
	:	
<b>JO Associates LLC</b>	:	<b>U.S. EPA Docket No. CWA-03-2024-0058</b>
<b>4800 Hampden Lane, Suite 300</b>	:	
<b>Bethesda, MD 20814</b>	:	<b>Proceeding under Section 309(g) of the Clean</b>
	:	<b>Water Act, 33 U.S.C. § 1319(g)</b>
<b>Respondent.</b>	:	
	:	
<b>Townhomes at Michigan Park</b>	:	
<b>4451 Joseph Pl NE</b>	:	
<b>Washington, DC, 20017</b>	:	
	:	
<b>Facility.</b>	:	

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**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:

Lorin Scott Randall  
Senior Vice President of Townhome Construction  
EYA Construction, LLC  
4800 Hampden Lane, Suite 300  
Bethesda, MD 20814  
[lorinr@eya.com](mailto:lorinr@eya.com)

Rafael Muñiz  
Senior Vice President  
JO Associates LLC  
4800 Hampden Lane; Suite 300

Bethesda, MD 20814  
[rmuniz@eya.com](mailto:rmuniz@eya.com)

Amy Edwards  
Partner  
Holland & Knight  
800 17th Street N.W.  
Suite 1100  
Washington, DC 20006  
[Amy.Edwards@hklaw.com](mailto:Amy.Edwards@hklaw.com)

Copies served via email to:

Catherine Chong  
Assistant Regional Counsel  
U.S. EPA, Region 3  
[chong.catherine@epa.gov](mailto:chong.catherine@epa.gov)

Shane McAleer  
Environmental Engineer / Inspector  
U.S. EPA, Region 3  
[mcaleer.shane@epa.gov](mailto:mcaleer.shane@epa.gov)

By: \_\_\_\_\_  
[Digital Signature and Date]  
Regional Hearing Clerk  
U.S. EPA – Region 3