

January 27, 2026 1:14pm

USEPA – Region II

Regional Hearing Clerk



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

January 26, 2026

Via Email and Via UPS Overnight Mail

VIA E-MAIL TO: frankb@islandredimix.com

Frank Biassi, CEO
Island Redi-Mix
2351 Richmond Terrace
Staten Island, NY 10302

**Re: Notice of Complaint and Proposed Assessment of a Civil Penalty
Island Redi-Mix, Inc., Staten Island, New York
MSGP General Permit Tracking No. NYR00H036
Docket No. CWA-02-2026-3302**

Dear Mr. Biassi:

Enclosed is an Administrative Complaint ("Complaint"), which the U.S. Environmental Protection Agency ("EPA") is issuing to Island Redi-Mix, Inc. ("Respondent") as a result of our determination that Respondent, with a Facility located at 2351 Richmond Terrace, Staten Island New York 10302, has failed to comply with Sections 301 and 402 of the Clean Water Act ("Act"), 33 U.S.C. §§ 1311 and 1342. This Complaint is filed pursuant to the authority of Section 309(g) of the Act, 33 U.S.C. § 1319(g). The Complaint proposes that a penalty of \$68,445 be assessed against Respondent for this violation.

Respondent has the right to a hearing to contest the factual allegations in the Complaint. If Respondent admits the allegations, or they are found to be true after Respondent has had an opportunity for a hearing on them, Respondent has the right to contest the penalty proposed in the Complaint. Enclosed is a copy of the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits" ("CROP"), 40 C.F.R. Part 22, which EPA follows in cases of this kind. Please note the requirements for an Answer at 40 C.F.R. § 22.15. If Respondent wishes to contest the allegations in the Complaint or the penalty proposed in the Complaint, Respondent must file an Answer within thirty (30) days of receipt of the enclosed Complaint with the EPA Regional Hearing Clerk at the following address:

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor (Room 1631)
New York, New York 10007-1866
Region2_RegionalHearingClerk@epa.gov

If Respondent does not file an Answer within thirty (30) days of receipt of this Complaint, Respondent may be judged to have defaulted (See § 22.17 of the CROP). If a default order is entered, the entire proposed penalty may be assessed without further proceedings. Whether or not Respondent requests a formal hearing, Respondent may informally confer with EPA concerning the alleged violations and the amount of the proposed penalty.

EPA encourages all parties against whom it files a Complaint to pursue the possibility of settlement as a result of such informal conference with the Agency. Respondent may represent itself or be represented by an attorney at any stage of the proceedings, including any informal discussions, whether in person or by telephone. Please note that a request for an informal conference does not substitute for a written Answer or affect what Respondent may choose to say in an Answer, nor does it extend the thirty (30) days by which Respondent must file an Answer requesting a hearing. Any hearing held in this matter will be conducted in accordance with the CROP, including Subpart I thereof.

If you have any questions or wish to discuss a settlement of this matter with the EPA by an informal conference, please immediately contact:

Andie D'Angelo, Esq.
Assistant Regional Counsel
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 2
Telephone (212) 637-3269
dangelo.andie@epa.gov

Sincerely,

Doughlas McKenna, Acting Director
Enforcement & Compliance Assurance Division

Enclosures:

- Administrative Complaint
- Consolidated Rules of Practice (CROP)
- Information for Small Business

cc: Karen Maples, Regional Hearing Clerk (w/Complaint and enclosures)
Ryan Waldron, P.E., Director of Water Compliance Programs, NYSDEC