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U.S. EPA REGION 1
HEARING CLERK

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1

IN THE MATTER OF	**DOCKET NO: CWA-01-2026-0036**
Shoreline Marine Terminal, LLC 137 Pope's Island New Bedford, MA 02740	**ADMINISTRATIVE CONSENT AGREEMENT AND FINAL ORDER**
Respondent	
Proceeding under Section 309(g)(2)(B) and Section 311(b)(6)(B)(ii) of the Clean Water Act, 33 U.S.C. §§ 1319(g)(2)(B), 1321(b)(6)(B)(ii)	

The United States Environmental Protection Agency ("EPA"), Region 1 enters into this Consent Agreement and Final Order ("CAFO") with Shoreline Marine Terminal, LLC ("Shoreline" or "Respondent"), for the purpose of resolving alleged violations of Sections 301(a) and 311(j) of the Clean Water Act ("CWA"), 33 U.S.C. §§ 1311(a), 1321(j), as well as the Oil Pollution Prevention regulations set forth at 40 C.F.R. Part 112.

Statutory and Regulatory Authority

1. EPA takes this action under the authority of Sections 309(g)(2)(B) and 311(b)(6)(B)(ii) of the CWA, 33 U.S.C. § 1319(g)(2)(B) and 1321(b)(6)(B)(ii), as amended by the Oil Pollution Act of 1990, and in accordance with applicable delegations and 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) of EPA's *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, set forth at 40 C.F.R. Part 22.

2. Pursuant to Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1), and 40 C.F.R.

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§ 22.38(b), EPA has notified the Commonwealth of Massachusetts of this action.

General Allegations

Stormwater Regulations

3. The CWA is designed to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Section 101(a) of the CWA, 33 U.S.C. § 1251(a).

4. To accomplish the objectives of the CWA, Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person except in compliance with a permit issued pursuant to Section 402 or 404 of the CWA, 33 U.S.C. §§ 1342 or 1344, and EPA's implementing regulations, found at 40 C.F.R. Part 122.

5. Section 502(5) of the CWA, 33 U.S.C. § 1362(5), defines "person" to include "an individual, corporation, partnership, [or] association."

6. Section 502(12) of the CWA, 33 U.S.C. § 1362(12), defines "discharge of a pollutant" to include "any addition of any pollutant to navigable waters from any point source."

7. Section 502(6) of the CWA, 33 U.S.C. § 1362(6), defines "pollutant" to include, among other things garbage, rock, sand, and industrial, municipal, and agricultural waste discharged into water.

8. Section 502(14) of the CWA, 33 U.S.C. § 1362(14), defines "point source" to include "any discernible, confined and discrete conveyance . . . from which pollutants are or may be discharged."

9. Section 502(7) of the CWA, 33 U.S.C. § 1362(7), defines "navigable waters" as "the waters of the United States, including the territorial seas."

10. Section 402(a) of the CWA, 33 U.S.C. § 1342(a), authorizes EPA to issue National Pollutant Discharge Elimination System ("NPDES") permits for the discharge of pollutants into navigable waters in compliance with the CWA.

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11. Section 308(a) of the CWA, 33 U.S.C. § 1318(a), authorizes the Administrator of EPA to require the owner or operator of any point source to establish such records, make such reports, install, use and maintain such monitoring equipment or methods, sample such effluents, and provide other such information as the Administrator may reasonably need to carry out the objectives of the CWA, including, among other things, developing and issuing of NPDES permits under Section 402 of the CWA, 33 U.S.C. § 1342.

12. Pursuant to Sections 308 and 402 of the CWA, 33 U.S.C. §§ 1318 and 1342, EPA promulgated stormwater discharge regulations at 40 C.F.R. § 122.26.

13. Forty C.F.R. § 122.26(b)(13) defines "stormwater" to include stormwater runoff, snow melt runoff, and surface runoff and drainage.

14. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and implementing regulation 40 C.F.R. § 122.26(a)(1)(ii) require stormwater discharges associated with industrial activity to be authorized by an NPDES permit.

15. Section 309(g) of the CWA, 33 U.S.C. § 1319, provides for the assessment of penalties for violations of Sections 301 and 308 of the CWA, 33 U.S.C. §§ 1311, 1318, and for violating any condition or limitation in a permit issued under Section 402 of the CWA, 33 U.S.C. § 1342.

16. Forty C.F.R. § 122.26(c)(1) provides that dischargers of stormwater associated with industrial activity are required to apply for an individual permit, apply for a permit through a group application, or seek coverage under a general permit.

17. Pursuant to 40 CFR 122.26(b)(14)(x), stormwater discharges associated with industrial activity includes stormwater discharges associated with construction activity, including clearing, grading, and excavation of five acres or more of total land area.

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18. On January 18, 2022, EPA issued the Construction General Permit ("CGP") for stormwater discharges, which became effective on February 17, 2022. The CGP contains conditions designed to ensure the implementation of best practices to prevent the stormwater discharge of pollutants.

Oil and Hazardous Substances Liability

19. Section 311(j)(1) of the CWA, 33 U.S.C. § 1321(j)(1), provides that the President shall issue regulations "establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of oil and hazardous substances . . . from onshore and offshore facilities, and to contain discharges . . . ."

20. Under the authority of Section 311(j)(1) of the CWA, the Oil Pollution Prevention regulations, found at 40 C.F.R. Part 112, establish procedures, methods, and requirements for preventing the discharge of oil. These requirements apply to owners or operators of non-transportation-related facilities engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil or oil products which, due to their location, could reasonably be expected to discharge oil in harmful quantities (as defined in 40 C.F.R. Part 110) to navigable waters of the United States or adjoining shorelines. 40 C.F.R. § 112.1(b).

21. Under 40 C.F.R. § 112.3(a)(1), an owner or operator of an onshore facility that has discharged or, due to its location, could reasonably be expected to discharge, oil in harmful quantities into or upon the navigable waters of the United States must prepare and fully implement a Spill Prevention, Control, and Countermeasure ("SPCC") plan in accordance with 40 C.F.R. § 112.7.

22. Section 311(b)(6) of the CWA, 33 U.S.C. § 1321(b)(6), provides for the

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assessment of penalties for violations of Section 311(j) of the CWA, 33 U.S.C. § 1321(j), and the Oil Pollution Prevention regulations, found at 40 C.F.R. Part 112.

Findings of Violations

23. Respondent is a Massachusetts corporation with a principal office located at 137 Pope's Island in New Bedford, Massachusetts. Respondent is a "person" within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and 40 C.F.R. § 112.2.

Clean Water Act Violations

24. Paragraphs 1 through 23 are incorporated herein by reference.

25. Respondent is the developer of an expanded ship maintenance and repair business located at 26 North Front Street in New Bedford, Massachusetts (the "Site" or the "Facility"). Respondent disturbed approximately five acres for its redevelopment project, as observed by EPA and as acknowledged by Respondent in the Stormwater Pollution Prevention Plan that Respondent developed pursuant to the 2022 CGP.

26. Since at least February 2022, Respondent has conducted "industrial activity," within the meaning of 40 C.F.R. § 122.26(b)(14)(x) at the Facility.

27. Respondent submitted a Notice of Intent to EPA on March 24, 2022, certifying the Site's eligibility for coverage under the CGP, which became effective on April 7, 2022 (NPDES Permit No. MAR1003T5).

28. Stormwater from the Site associated with industrial activity discharges to the Acushnet River.

29. The Acushnet River is a "water[] of the United States."

30. EPA inspected the Site on May 30, 2024 to evaluate Respondent's compliance with the CWA (the "Inspection").

31. Part 2.1 of the CGP requires permittees to "design, install, and maintain

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stormwater controls . . . to minimize the discharge of pollutants from construction activities."

32. In addition, Part 2.1.4 of the CGP requires permittees to "[e]nsure all stormwater controls are maintained and remain in effective operating condition during permit coverage and are protected from activities that would reduce their effectiveness."

33. During the Inspection, EPA observed that the majority of demolition activities as well as construction material stockpiling at the Site occurred within the drainage area of Outfall 001. The soil within this drainage area, which directly abuts the Acushnet River, was unstabilized. In addition, construction material stockpiles in the same drainage area were exposed to precipitation events.

34. EPA also observed the puddling and pooling of rainfall along a concrete barrier that continued toward the location of Outfall 001, indicating that stormwater discharges from active construction areas on the Site to the Acushnet River.

35. As of the date of the Inspection, the Site did not have permanent stormwater drainage or control structures installed. Respondent also did not use temporary control measures during its construction activities as of the date of the Inspection.

36. Thus, during May 2024, Respondent failed to implement best management practices to prevent stormwater discharges into the Acushnet River from the Site, as required by Part 2.1 of the 2022 CGP.

37. Part 4.2 of the CGP requires that permittees conduct a site inspection "[a]t least once every seven (7) calendar days" or "[o]nce every 14 calendar days and within 24 hours[] of the occurrence of: (a) A storm event that produces 0.25 inches or more of rain within a 24-hour period."

38. In a letter dated August 6, 2024 enclosing EPA's inspection report, EPA

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requested that Respondent provide copies of all inspection reports conducted pursuant to the CGP from the past six months. As of January 2, 2026, Respondent has not submitted any inspection reports in response to EPA's request.

39. From February through July 2024, Respondent failed to conduct site inspections, as required by Part 4.2 of the 2022 CGP.

40. By discharging stormwater associated with industrial activity into waters of the United States in violation of the terms and conditions of a permit issued pursuant to Section 402 of the CWA, and by failing to comply with all the conditions in the 2022 CGP, Respondent violated Section 301(a) of the CWA from February through July 2024.

Violations of the Oil Pollution and Prevention Regulations

41. Paragraphs 1 through 40 are incorporated herein by reference.

42. At all times relevant to the allegations in this CAFO, Respondent engaged in storing, using, and consuming "oil" or oil products located at the Facility within the meaning of 40 C.F.R. § 112.2.

43. At all times relevant to the allegations in this CAFO, the Facility had an aboveground oil storage capacity greater than 1,320 gallons in containers each with a shell capacity of at least 55 gallons, within the meaning of 40 C.F.R. § 112.1.

44. The Facility is an "onshore facility" within the meaning of Section 311(a)(10) of the CWA, 33 U.S.C. § 1321(a)(10), and 40 C.F.R. § 112.2.

45. The Facility is a "non-transportation-related" facility within the meaning of Appendix A to 40 C.F.R. Part 112, as incorporated by reference within 40 C.F.R. § 112.2.

46. The topography leading from the Facility to the Acushnet River presents a clear path into navigable waters.

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47. The Acushnet River is a "navigable water[] of the United States" as defined in Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

48. Based on the allegations in Paragraphs 1 through 47 above, Respondent is the owner and/or operator of a non-transportation-related facility engaged in storing, using, and consuming oil or oil products that could reasonably be expected to discharge oil in harmful quantities to navigable waters of the United States, and the Facility is therefore subject to jurisdiction of Section 311 of the CWA, 33 U.S.C. § 1321 and the Oil Pollution Prevention regulations at 40 C.F.R. Part 112.

49. During EPA's inspection of the Facility on May 30, 2024, EPA determined that Respondent did not have an SPCC Plan for the Facility.

50. In addition, during the May 30, 2024 inspection, EPA determined that Respondent did not have adequate secondary containment required by 40 C.F.R. § 112.7(c) and 112.8(c)(2) for approximately twenty-two 55-gallon oil drums and five 250-gallon totes located in the Facility's maintenance garage to prevent a discharge of oil from the Facility.

51. In a letter dated August 6, 2024 enclosing EPA's inspection report, EPA requested that Respondent provide copies of any SPCC Plans for the Facility. In response, Respondent did not provide any past SPCC Plans but instead provided a draft SPCC Plan to EPA on December 10, 2024. As of January 2, 2026, Respondent has still not provided a final SPCC Plan to EPA.

52. From July 2019, when Respondent acquired the Facility, to the present, Respondent failed to develop, maintain, and implement an SPCC Plan. In addition, Respondent failed to maintain adequate secondary containment at the Facility to prevent oil spills from reaching navigable water since at least May 30, 2024.

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53. Respondent's failure to develop, maintain, and implement its SPCC Plan constitutes a violation of Section 311(j) of the CWA, 33 U.S.C. § 1321(j).

Consent Agreement

54. EPA and Respondent agree that settlement of this cause of action is in the public interest and that entry of this CAFO without litigation is the most appropriate means of resolving this matter. Therefore, before taking any testimony, upon the pleadings, without adjudication of any issue of fact or law, and upon consent and agreement of the parties, it is hereby ordered and adjudged as follows:

55. Consistent with 40 C.F.R. § 22.18(b)(2), Respondent admits the jurisdictional allegations set forth in this CAFO, and neither admits nor denies the factual or non-jurisdictional allegations set forth in this CAFO. Respondent waives any defenses it might have as to jurisdiction and venue.

56. Respondent waives the right to a hearing under Section 309(g)(2)(B) and 311(b)(6)(B)(ii) of the CWA, 33 U.S.C. § 1319(g)(2)(B), 1321(b)(6)(B)(ii), and to any appeal of the Final Order in this matter under Sections 309(g)(8)(B) and 311(b)(6)(G)(ii) of the CWA, 33 U.S.C. § 1319(g)(8)(B), 1321(b)(6)(G)(ii). Respondent consents to the issuance of a Final Order without further adjudication.

57. Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waive any right to challenge the lawfulness of the Final Order accompanying the Consent Agreement.

58. Pursuant to Sections 309(g)(3) and 311(b)(8) of the CWA, 33 U.S.C. § 1319(g)(3), 1321(b)(8), and taking into account the particular facts and circumstances of this case with reference to relevant statutory penalty criteria and the applicable penalty policies,

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including Respondent's ability to pay and the economic impact of the penalty on Respondent, EPA has determined that it is fair and proper to assess a civil penalty of $9,636 for the violations of Section 311 of the CWA, 33 U.S.C. § 1321, alleged in this CAFO and a civil penalty of $21,462 for the violations of Section 301 of the CWA, 33 U.S.C. §1311, alleged in this CAFO.

59. Respondent agrees to pay a civil penalty in the amount of $31,098 (Assessed Penalty"). Based on Respondent's documented inability to pay claim, and in accordance with applicable laws, EPA conducted an analysis of Respondent's financial information and determined that the Assessed Penalty is an appropriate amount to settle this action, which Respondent consents to pay as follows:

a. The Assessed Penalty shall be paid in five equal installments, in order to complete payment of the entire Assessed Penalty and interest, which is assessed at the Internal Revenue Service ("IRS") standard underpayment rate. Including the Assessed Penalty and interest, the total amount that will be paid upon completion of all payments will be $32,326.70. The first payment is due within thirty (30) days after the date the Final Order ratifying this CAFO is filed with the Regional Hearing Clerk ("Filing Date"). Respondent's second payment is due within ninety (90) days after the Filing Date, and Respondent's subsequent payments shall thereafter be due in 90-day intervals.

b. Respondent shall make payments in accordance with the following schedule:

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Payment Number	Payment Shall Be Made Within	Principal Amount	Interest Amount	Total Payment Amount
1	Thirty (30) days of the Filing Date.	U.S. $6,465.34	U.S. $0.00	U.S. $6,465.34
2	Ninety (90) days of the Filling Date	U.S. $5,889.68	U.S. $575.66	U.S. $6,465.34
3	One Hundred Eighty (180) days of the Filing Date	U.S. $6,138.81	U.S. $326.53	U.S. $6,465.34
4	Two Hundred Seventy (270) days of the Filing Date	U.S. $6,247.65	U.S. $217.69	U.S. $6,465.34
5	Three Hundred Sixty (360) days of the Filing Date	U.S. $6,356.51	U.S. $108.83	U.S. $6,465.34
Total:		U.S. $31,098.00	U.S. $1,228.70	U.S. $32,326.70

c. Notwithstanding Respondent's agreement to pay the Assessed Penalty in accordance with the installment schedule set forth above, Respondent may pay the entire Assessed Penalty of $31,098 within thirty (30) days of the Filing Date and, thereby, avoid the payment of interest pursuant to 40 C.F.R. § 13.11(a). In addition, Respondent may, at any time after commencement of payments under the installment schedule, elect to pay the entire principal balance remaining, together with any interest and other charges accrued up to the date of such full payment. The installment payment plan was based upon Respondent's inability to pay the entire Assessed Penalty amount within 30 days without experiencing undue financial hardship and, in accordance with 40 C.F.R. § 13.18, was determined by EPA to be in the best interest of the United States.

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60. 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.

61. When making a payment, Respondent shall:

a. Identify every payment with Respondent's name (*i.e.*, "Shoreline Marine Terminal, LLC") and the docket number of this CAFO, CWA-01-2026-0036.

b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve proof of such payment to the following persons:

Wanda Santiago, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
Via electronic mail to:
r1_hearing_clerk_filings@epa.gov

and

Bibeka Shrestha, Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
Via electronic mail to:
shrestha.bibeka@epa.gov

and

U.S. Environmental Protection Agency
Cincinnati Finance Center
Via electronic mail to:
CINWD_AcctsReceivable@epa.gov

"Proof of payment" means, as applicable, 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.

62. Interest, Charges, and Penalties on Late Payments. Pursuant to 33 U.S.C.

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§§ 1319(g)(9), 1321(b)(6)(H), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this CAFO, the entire unpaid balance of the Assessed Penalty and all accrued interest shall become immediately due and owing, and EPA is authorized to recover the following amounts.

a. Interest. Interest begins to accrue from the Filing Date. 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. Interest will be assessed at prevailing rates, per 33 U.S.C. §§ 1319(g)(9) and 1321(b)(6)(H). 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 CAFO, EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Filing 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,

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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 Filing Date.

63. 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 may 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 IRS 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 that EPA sponsors or funds, per 40 C.F.R. § 13.17.

d. Per 15 U.S.C. § 2615(a), the Attorney General bringing a civil action in the appropriate district court to recover the full remaining balance of the Assessed Penalty, in addition to interest and the amounts described above, pursuant to 33 U.S.C. § 1319(g)(9). In any such action, the validity, amount, and appropriateness of the Assessed Penalty shall not be subject to review.

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64. 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.

65. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.

General Provisions

66. The provisions of this CAFO shall apply to, and be binding on, Respondent and Respondent's officers, directors, successors, and assigns. The civil penalty provided under this CAFO, and any interest, nonpayment penalties, and charges described in this CAFO, shall represent penalties assessed by EPA within the meaning of 26 U.S.C. § 162(f) and are not tax deductible for purposes of federal, state, or local law. Accordingly, Respondent agrees to treat all payments made pursuant to this CAFO as penalties within the meaning of 26 C.F.R. § 1.162-21, and further agrees not to use those payments in any way as, or in furtherance of, a tax deduction under federal, state, or local law.

67. This CAFO does not constitute a waiver, suspension, or modification of the requirements of the CWA or any regulations or permits promulgated thereunder. Payment of the penalty pursuant to this CAFO resolves only Respondent's liability for federal civil penalties for the violations and facts alleged herein through the effective date of this CAFO.

68. This CAFO in no way relieves Respondent or its employees of any criminal liability, and EPA reserves all its other criminal and civil enforcement authorities, including the authority to seek injunctive relief and the authority to undertake any action against Respondent in response to conditions which may present an imminent and substantial endangerment to the public health, welfare, or the environment.

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69. Nothing in this CAFO shall be construed as prohibiting, altering, or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent's violation of this CAFO or of the statutes and regulations upon which this CAFO is based, or for Respondent's violation of any applicable provision of law.

70. Except as described in Paragraph 63 above, the parties shall bear their own costs and fees in this action, including attorney's fees, and specifically waive any right to recover such costs from the other party pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504, or other applicable laws.

71. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to annually send to the IRS, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements) that require a payor to pay an aggregate amount that EPA reasonably believes will be equal to, or in excess of, $50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (*i.e.*, a copy of IRS Form 1098-F). Respondent's failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. To provide EPA with sufficient information to enable it to fulfill these obligations, Respondent shall complete the following actions as applicable.

a. Respondent shall complete an IRS Form W-9 ("Request for Taxpayer Identification Number and Certification"), which is available at

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https://www.irs.gov/pub/irs-pdf/fw9.pdf.

b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent's correct TIN or that Respondent has applied and is waiting for issuance of a TIN.

c. Respondent shall email its completed Form W-9 to EPA's Cincinnati Finance Center at Chalifoux.Jessica@epa.gov, on or before the date that Respondent's first penalty payment is due, pursuant to Paragraph 59 of the CAFO, or within 7 days should the order become effective between December 15 and December 31 of the calendar year. EPA recommends encrypting IRS Form W-9 email correspondence.

d. In the event that Respondent has certified in its completed IRS Form W-9 that it does not yet have a TIN but has applied for a TIN, Respondent shall provide EPA's Cincinnati Finance Center with Respondent's TIN, via email, within five (5) days of Respondent's receipt of a TIN issued by the IRS.

72. As of the date of Respondent's signature to this Consent Agreement, Respondent certifies that, to its knowledge, the Facility is in compliance with the CWA and regulations promulgated thereunder.

73. Respondent's obligations under the CAFO shall end when it has paid in full the scheduled civil penalty, and any interest or nonpayment penalties, and submitted the documentation required by this CAFO.

74. The terms, conditions, and requirements of this CAFO may not be modified or amended except upon the written agreement of all parties, and approval of the Regional Administrator or the Regional Administrator's properly authorized delegee.

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75. Each undersigned representative of the parties to this Consent Agreement certifies that the representative is fully authorized by the party represented to enter into the terms and conditions of this CAFO and to execute and legally bind that party to it.

76. Respondent agrees to acceptance of both (a) EPA's digital or an original signature on this CAFO and (b) service of the fully executed CAFO on Respondent by mail or electronically by email at the following address: tharshaw@ecklandblando.com. EPA agrees to acceptance of Respondent's digital or an original signature on this CAFO.

77. Respondent understands that its mailing or email address may be made public when the CAFO and certificate of service are filed and uploaded to a searchable database.

78. Complainant agrees to acceptance of Respondent's digital or an original signature on this CAFO.

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FOR SHORELINE MARINE TERMINAL, LLC:

DocuSigned by:
D96FBC8BF9E844E...

Date: 2/27/2026

Sign Name

Michael Quinn

Print Name

President

Title

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY:

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James Chow, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 1

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FINAL ORDER

1. EPA has provided a thirty-day opportunity for public notice and comment on this proposed CAFO, pursuant to Sections 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and 311(b)(6)(C)(i), 33 U.S.C. § 1321(b)(6)(C)(i), and 40 C.F.R. § 22.45(b). In addition, EPA has consulted with the Commonwealth of Massachusetts in this matter consistent with Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1).

2. The foregoing Consent Agreement is hereby ratified and incorporated by reference into this Final Order.

3. Respondent is hereby ordered to comply with the terms of the above Consent Agreement, which will become final 30 days from the date the Regional Judicial Officer transmits the Final Order to the Regional Hearing Clerk, unless a petition to set aside the order is filed by a commenter pursuant to Section 309(g)(4)(C) and 311(b)(6)(C)(iii) of the CWA, 33 U.S.C. § 1319(g)(4)(C), 33 U.S.C. § 1321(b)(6)(C)(iii), and 40 C.F.R. Part 22.

_____ Date: _____

Michael J. Knapp
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1