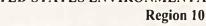
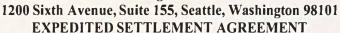
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



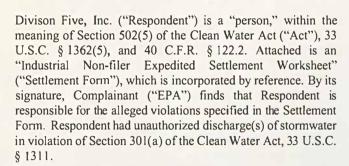


Docket Number: CWA-10-2024-0227, NPDES No. Unpermitted Penalty Amount: \$2,500, Inspection Date: May 29, 2024



January 22, 2025 8:23 A.M. PST

U.S. EPA REGION 10 HEARING CLERK



UNITED STA

EPA finds, and Respondent admits, that Respondent is subject to Section 301 of the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondent neither admits nor denies the specific alleged violations specified in the Settlement Form or this Expedited Settlement Agreement ("Agreement").

This Agreement constitutes a Consent Agreement and Final Order, which EPA is authorized to enter under the authority vested in the Administrator of EPA by Section 309(g) of the Act, 33 U.S.C. § 1319(g), and by 40 C.F.R. Part 22. The parties enter into this Agreement to settle the civil violation(s) alleged in this Agreement for a penalty of \$2,500. Respondent consents to the assessment of this penalty and waives the right to: (1) contest the finding(s) specified in the Form; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8).

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that the Respondent has addressed the alleged violations identified in the Settlement Form by either: a) developing and implementing a Stormwater Pollution Prevention Plan and submitting to the permit authority a Notice of Intent to be covered by the applicable industrial stormwater permit; or b) acting to meet eligibility requirements for a waiver from industrial stormwater permit requirements as allowed by the permit authority and submitting the relevant forms (such as the No Exposure Certification form), to the permit authority.

Respondent certifies that, within ten (10) days after receipt of the Final Order, Respondent will submit electronic payment via www.pay.gov or submit a bank, cashiers, or certified check, with case name and docket number noted, for the amount specified above, payable to the "Treasurer, United States of America," via certified mail, to:

U.S. EPA, Region 10
Fines and Penalties, Cincinnati Finance Center
In the Matter of: Division Five, Inc.
Docket No.: CWA-10-2024-0227
P.O. Box 979077
St. Louis, Missouri 63197-9000

This Agreement settles EPA's civil penalty claims against Respondent for the alleged Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected alleged violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

Date:

APPROVED BY EPA:

Edward J. Kowalski, Director

Enforcer EPA Rep	ment and Compligion 10	liance Assurance	ee Division
	ved by RESPO		
Title (print): _	Presiden	+	
Signatur	e: Isler	m	_Date! 2/9/2024

§ 1319(g)(4)(A), and EPA has received no comments concerning this matter.

More than 40 days have elapsed since the issuance of public

notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C.

Nicolas Haddad, Case Officer Enforcement and Compliance Assurance Division

IT IS SO ORDERED:	greement is authorized by law,
	Date:
Richard Mednick Regional Judicial Officer, U.S.	EPA Region 10