

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

**IN RE:** :  
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 :  
 :  
 United States Coast Guard :  
 :  
 Respondent, :  
 : Docket No. CAA-RCRA-03-2018-0086  
 :  
 :  
 Coast Guard Yard :  
 2401 Hawkins Point Rd. :  
 Baltimore, MD 21226 :  
 :  
 Facility. :

**CONSENT AGREEMENT**

**U.S. EPA-REGION 3-RHC**  
FILED-17JUL2018PM4:11

**Preliminary Statement**

This Consent Agreement (“CA”) is entered into by the Director of the Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency, Region III (“EPA” or “Complainant”) and the United States Coast Guard (“USCG” or “Respondent”). This CA is entered into pursuant to Section 3008(a) and (g) of the Resource Conservation and Recovery Act, as amended (“RCRA”), 42 U.S.C. § 6928(a) and (g), Sections 113 and 118(a) of the Clean Air Act, as amended (“CAA”), 42 U.S.C. §§ 7413 and 7418(a), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules”), 40 C.F.R. Part 22, including, specifically 40 C.F.R. §§ 22.13(b) and .18(b)(2) and (3).

## **Regulatory Background**

### **RCRA Background**

This CA and the accompanying Final Order (collectively “CAFO”) resolve violations of the RCRA, Subtitle C, 42 U.S.C. §§ 6921- 6939f, and regulations in the authorized Maryland hazardous waste program in connection with Respondent’s facility, the Coast Guard Yard, located at Hawkins Point, Baltimore, Maryland.

The Maryland Hazardous Waste Management Regulations (MdHWMR) were originally authorized by EPA on February 11, 1985, pursuant to Section 3006(b) of RCRA, 42 U.S.C. § 6926(b). Revisions to the MdHWMR set forth at Code of Maryland Regulations (COMAR), Title 26, Subtitle 13 were authorized by EPA effective July 31, 2001 (*See* 66 FR 29712), and September 24, 2004 (*See* 69 FR 44463). The provisions of the revised authorized program are enforceable by EPA pursuant to Section 3008(a) of RCRA, 42 U.S.C. § 6928(a).

### **Notice to the State**

Respondent was previously notified regarding the RCRA Subtitle C allegations recited herein in a letter dated July 11, 2017. In accordance with Section 3008(a)(2), 42 U.S.C. § 6928(a)(2), EPA has notified the State of Maryland of EPA’s intent to enter into a CAFO with Respondent resolving the RCRA Subtitle C violations set forth herein.

### **CAA Regulatory Background**

Section 113 of the CAA, 42 U.S.C. § 7413, authorizes the Administrator of EPA to issue an administrative order assessing a civil administrative penalty whenever, on the basis of any information available to the Administrator, the Administrator finds that any person has violated, or is in violation of, any requirement, rule, plan, order, waiver, or permit promulgated, issued, or approved under Subchapters I, IV, V and VI (also referred to as Titles I, IV, V and VI) of the CAA. Title V of the CAA, and implementing regulations at 40 C.F.R. Part 70, require that states develop and submit to EPA operating permit programs, and that EPA act to approve or disapprove each program. Provisions included by state permitting authorities in Title V permits issued under a program approved by EPA are enforceable by EPA unless denoted in the permit as a state or local requirement that is not federally enforceable. EPA fully approved the Title V operating permit programs for the State of Maryland effective on January 15, 2003. 40 C.F.R. Part 70, Appendix A. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), and 40 C.F.R. § 70.7(b) provide that, after the effective date of any permit program approved or promulgated under Title V of the CAA, no source subject to Title V may operate except in compliance with a Title V permit.

Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), limits the Administrator’s authority to matters where the first alleged violation occurred no more than 12 months prior to the initiation of an administrative action, except where the Administrator and the Attorney

General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action. The Administrator and Attorney General, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

#### Notice to the State

Respondent was previously notified regarding the CAA allegations recited herein in a letter dated July 11, 2017. EPA has notified the State of Maryland of EPA's intent to enter into a CAFO with Respondent to resolve the CAA violations set forth herein and, in accordance with Section 113(a)(4) of the CAA, 42 U.S.C. § 7413(a)(4), will provide a copy of the CAFO to MDE.

#### General Provisions

1. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this CAFO.
2. Respondent neither admits nor denies the specific factual allegations and conclusions of law set forth in this CAFO, except as provided in Paragraph 1, above.
3. Respondent agrees not to contest EPA's jurisdiction with respect to the execution of this CA, the issuance of the attached Final Order, or the enforcement of the CAFO.
4. For the purposes of this proceeding only, Respondent hereby expressly waives the right to contest the allegations set forth in this Consent Agreement and any right to appeal the accompanying Final Order, or any right to confer with the EPA Administrator pursuant to the RCRA Section 6001(b)(2), 42 U.S.C. § 6961(b)(2).
5. Respondent consents to the issuance of this CAFO and agrees to comply with its terms and conditions.
6. Respondent shall bear its own costs and attorney's fees.
7. Respondent certifies to EPA by its signature herein that, upon investigation, to the best of its knowledge and belief, it is presently in compliance with the provisions of the RCRA and the CAA allegedly violated as set forth in this CAFO.
8. The provisions of this CAFO shall be binding upon Complainant and Respondent, their officers, directors, employees, successors, and assigns.
9. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit; nor does this CAFO

constitute a waiver, suspension or modification of the requirements of the RCRA, the CAA, or any regulations promulgated thereunder.

**EPA's Findings of Fact and Conclusions of Law**

10. In accordance with the Consolidated Rules at 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3), Complainant makes the findings of fact and conclusions of law which follow.

11. The USCG is the owner and operator of the Coast Guard Yard facility, located at 2401 Hawkins Point Road, Baltimore, MD 21226 (the "Facility").

12. Since 1899, and at all times relevant to this CAFO, USCG was the operator of the Facility.

13. EPA conducted an inspection of the Facility on June 1-3, 2015 ("Inspection").

**COUNT I (RCRA SUBTITLE C-OPERATING A TREATMENT, STORAGE OR DISPOSAL FACILITY ("TSD") WITHOUT A PERMIT OR INTERIM STATUS)**

14. The allegations in each of the preceding paragraphs are incorporated by reference herein as though fully set forth at length.

15. The USCG was at all times relevant to this CAFO the "owner" and "operator" of a "facility," as those terms are defined by COMAR 26.13.01.03B(59), (58) and (23).

16. The USCG is a department, agency and/or instrumentality of the United States and is a "person" as defined by Section 1004(15) of the RCRA, 42 U.S.C. § 6903(15), and COMAR 26.13.01.03B(61).

17. Respondent was at all times relevant to this CAFO a "generator" of, and has engaged in the "storage" in "containers" of, materials that are "solid wastes" and "hazardous wastes" at the Facility, as those terms are defined in COMAR 26.13.01.03B(29), (76), (73), and (31).

18. Section 3005(a) and (e) of RCRA, 42 U.S.C. § 6925(a) and (e), and COMAR 26.13.07.01 A, provide, in pertinent part, that a person may not operate a hazardous waste storage, treatment or disposal facility ("TSD") unless such person has first obtained a permit for the facility.

### **Satellite Accumulation**

19. Pursuant to COMAR 26.13.03.05E(3), a generator may accumulate as much as 55 gallons of hazardous waste or 1 quart of acutely hazardous waste listed in COMAR 26.13.02.19E in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit and without complying with COMAR 26.13.03.05E(1), provided,

- (i) Complies with COMAR 26.13.05.09B-D; and,
- (ii) The containers are marked with the words “Hazardous Waste” or other words to identify the contents of the containers.

20. At the time of the June 1-3, 2015 Inspection, Respondent stored a 30-gallon drum containing paint waste, marked with the words “Paint Slop,” in its Building 5 Satellite Accumulation Area, which was not at or near the point of generation for all of the paint waste deposited in the drum.

### **Hazardous Waste Lamps – Open Containers and Labeling**

21. COMAR 26.13.03.05.E(1)(c)-(g) states, *inter alia*, that a generator may accumulate hazardous waste on-site without a permit or without holding interim status for 90 days or less if:

- (i) Containers used to accumulate the waste meet the standards of Section A of COMAR 26.13.03.05;
- (ii) The generator accumulates the waste in containers in accordance with COMAR 26.13.05.09;
- (iii) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
- (iv) Each container is:
  - (a) Properly labeled according to Sections B and C of COMAR 26.13.03.05, and
  - (b) Labeled or marked clearly with the words “Hazardous Waste”, while being accumulated on site;
- (iv) The generator complies with the requirements for owners or operators in COMAR 26.13.05.02G, .03, and .04.

22. COMAR 26.13.05.09.D, as referenced by COMAR 26.13.03.05.E(1)(d), requires, *inter alia*, that a container holding hazardous waste shall always be closed during storage, except

when it is necessary to add or remove waste.

23. On June 1-3, 2015, Respondent stored hazardous waste lamps in five containers that were not closed at a time when no hazardous waste lamps were being added to or removed from the containers, in violation of COMAR 26.13.05.09.D, as referenced by COMAR 26.13.03.05.E(1)(d).

24. On June 1-3, 2015, Respondent stored hazardous waste lamps in five unmarked containers, in violation of COMAR 26.13.03.05.E(1)(f)(2).

25. Because Respondent did not comply with the satellite accumulation requirements, as described in Paragraphs 19-20, above, and the container management and container labeling requirements, as described in Paragraphs 21-24, above, Respondent failed to satisfy the conditions set forth at COMAR 26.13.03.05.E, for a generator to qualify for an exemption from the permit and/or interim status requirements of RCRA Section 3005(a) and (e), 42 U.S.C. § 6925(a) and (e), and COMAR 26.13.07.01.A.

26. Respondent did not have a permit or interim status, as required by COMAR 26.13.07.01 and Section 3005 of RCRA (a) and (e), 42 U.S.C. § 6925(a) and (e).

27. Therefore, Respondent operated a TSD without a permit in violation of COMAR 26.13.07.01.

**COUNT II (RCRA SUBTITLE C FAILURE TO PROPERLY STORE HAZARDOUS WASTE LAMPS)**

28. The allegations in each of the preceding paragraphs are incorporated by reference herein as though fully set forth at length.

29. COMAR 26.13.05.09.D requires, *inter alia*, that a container holding hazardous waste shall always be closed during storage, except when it is necessary to add or remove waste.

30. On June 1-3, 2015, Respondent stored hazardous waste lamps in five containers that were not closed at a time when no hazardous waste lamps were being added to or removed from the containers.

31. Respondent violated COMAR 26.13.09.D by storing hazardous waste lamps in containers that were not closed at a time when no hazardous waste lamps were being added to or removed from the containers.

**COUNT III (CAA TITLE V PERMIT RECORD KEEPING & REPORTING)**

32. The allegations in each of the preceding paragraphs are incorporated by reference herein as though fully set forth at length.

33. EPA is authorized by Section 113 of the CAA, 42 U.S.C. § 7413, to take action to ensure that air pollution sources comply with all federally applicable air pollution control requirements. These include requirements promulgated by EPA and those contained in federally enforceable state implementation plans or permits.

34. Title V of the CAA, and implementing regulations at 40 C.F.R. Part 70, require that states develop and submit to EPA operating permit programs, and that EPA act to approve or disapprove each program.

35. Provisions included by state permitting authorities in Title V permits issued under a program approved by EPA are enforceable by EPA unless denoted in the permit as a state or local requirement that is not federally enforceable.

36. EPA granted full approval to the Maryland Title V operating permit program on January 15, 2003, and the program became effective on February 14, 2003. *See* 68 Fed. Reg. 1974 (Jan. 15, 2003) (granting full approval to Maryland's operating permits program). *See also* 61 Fed. Reg. 34733 (July 3, 1996) (granting interim final approval to Maryland's operating permits program).

37. Section 113(d)(1) of the CAA limits the Administrator's authority to matters where the first alleged violation occurred no more than 12 months prior to initiation of an administrative action, except where the Administrator and the Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

38. The Administrator and the Attorney General, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

39. The Facility received a Title V permit (Operating Permit No. 24-003-00316) from MDE effective on April 1, 2011, which was in effect at the time of the EPA Inspection and was renewed on December 1, 2015.

40. Respondent is a "person" as that term is defined at Section 302(e) of the CAA, 42 U.S.C. § 7602(e).

41. Permit Sections IV.1.4 and IV.1.5 of MDE Title V Operating Permit No. 24-003-00316 for the Facility incorporate reporting requirements set forth at 40 C.F.R. § 63.788(b) and (c), respectively.

42. 40 C.F.R. § 63.788(b) Record Keeping requires:

- (1) Each owner or operator of a major source shipbuilding or ship repair facility having surface coating operations with less than 1000 liters (L) (264 gallons (gal)) annual marine coating usage shall record the total volume of coating applied at the source to ships. Such records shall be compiled monthly and maintained for a minimum of 5 years.
- (2) Each owner or operator of an affected source shall compile records on a monthly basis and maintain those records for a minimum of 5 years. At a minimum, these records shall include:
  - (i) All documentation supporting initial notification;
  - (ii) A copy of the affected source's approved implementation plan;
  - (iii) The volume of each low-usage-exempt coating applied;
  - (iv) Identification of the coatings used, their appropriate coating categories, and the applicable VOHAP limit;
  - (v) Certification of the as-supplied VOC content of each batch of coating;
  - (vi) A determination of whether containers meet the standards as described in § 63.783(b)(2); and
  - (vii) The results of any Method 24 of appendix A to 40 C.F.R. Part 60 or approved VOHAP measurement test conducted on individual containers of coating, as applied.

43. 40 C.F.R. § 63.788(c) Reporting requires, before the 60th day following completion of each 6 month period after the compliance date specified in § 63.784, each owner or operator of an affected source shall submit a report to the Administrator for each of the previous 6 months. The report shall include all of the information that must be retained pursuant to paragraphs (b)(2) through (3) of 63.788, with exceptions not relevant herein.

44. At the time of the Inspection, the volumes of coatings applied by the Paint Shop, which are the majority of coatings used by Facility, were not compiled monthly, but were instead totaled every six months and averaged to report the monthly totals in the 2014 and 2015 Semi-Annual Compliance Reports for the Ship Building and Repair NESHAP in violation of Sections IV.1.4 and IV.1.5 of Respondent's Title V Permit.

45. In its 2014 and 2015 Semi-Annual Compliance Reports, Respondent did not accurately compile the total volumes of coatings applied as required in violation of Sections IV.1.4 and IV.1.5 of its Title V Operating Permit.

**COUNT IV (TITLE V PERMIT- CERTIFICATIONS)**

46. The allegations in each of the preceding paragraphs are incorporated by reference herein as though fully set forth at length.

47. Section III.10 of the Title V Permit requires certification of all application forms, reports, and compliance certifications, by a responsible official.

48. Section III.15 of the Title V permit requires the Facility to comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, regarding ozone depleting substances. The Title V Permit specifically states that persons performing maintenance, service, repairs or disposal of appliances shall certify with the Administrator pursuant to 40 C.F.R. § 82.162, which requires persons maintaining, servicing, or repairing appliances except for MVACs, and persons disposing of appliances except for small appliances and MVACs, to certify to the Administrator within 20 days of commencing business, that such person has acquired certified recovery or recycling equipment and is complying with the applicable requirements of 40 C.F.R. Part 82, Subpart F.

49. At the time of the Inspection, the Facility had not submitted certifications to EPA that it had acquired certified refrigerant recovery or recycling equipment and was complying with applicable requirements of 40 C.F.R. Part 82, Subpart F in violation of the Title V Permit.

**CIVIL PENALTY**

50. Respondent consent to the assessment of a civil penalty of **Forty-Seven Thousand Five Hundred Ninety-Seven Dollars (\$47,597.00)** in full satisfaction of all claims for civil penalties for the violations alleged above in Counts I-IV of this CAFO. In order to avoid the assessment of interest, administrative costs and late payment penalties in connection with such civil penalty, Respondent must pay the civil penalty no later than **THIRTY (30)** calendar days after the effective date.

51. As alleged in Counts I - II, EPA considered a number of factors including, but not limited to, the statutory factors set forth in Section 3008(a)(3) of the RCRA, 42 U.S.C. § 6928(a)(3), *i.e.*, the seriousness of Respondent's violations and the good faith efforts by Respondent to comply with the applicable requirements of the RCRA, and the *RCRA Civil Penalty Policy* (2003). EPA has also considered the *Adjustments of Civil Penalties for Inflation and Implementing the Debt Collection Improvement Act of 1996* ("DCIA"), as set forth in 40 C.F.R. Part 19, and the December 6, 2013 memorandum by EPA Assistant Administrator Cynthia Giles entitled, *Amendments to the U.S. Environmental Protection Agency's Civil Penalty Policies to Account for Inflation (Effective December 6, 2013)* ("2013 Giles Memorandum").

52. For the violations alleged in Counts III - IV, EPA considered a number of factors, including, but not limited to, the penalty assessment criteria in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), including the size of the business, the economic impact of the penalty on the

business, the violator's full compliance history and good faith efforts to comply, the duration of the violation as established by any credible evidence (including evidence other than the applicable test method), payment by the violator of penalties previously assessed for the same violation, the economic benefit of noncompliance, the seriousness of the violation and such other factors as justice may require. EPA also considered the *Clean Air Act Stationary Source Civil Penalty Policy* (1991), the DCIA and the 2013 Giles Memorandum.

53. Payment of the civil penalty in the amount of **\$47,597.00**, in satisfaction of the aforementioned allegations in this CAFO, shall be made by either cashier's check, certified check or electronic wire transfer, in the following manner:

- a. All payments shall reference Respondent's name and address, and the EPA Docket Number of this Consent Agreement, **CAA-RCRA-03-2018-0086**;
- b. All checks shall be made payable to "**United States Treasury**;"
- c. All payments made by check and sent by regular mail shall be addressed and mailed to:

U.S. Environmental Protection Agency  
Fine and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

Customer service contact: 513-487-2091

- d. All payments made by check and sent by overnight delivery service shall be addressed and mailed to:

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
Government Lockbox 979077  
1005 Convention Plaza  
Mail Station SL-MO-C2-GL  
St. Louis, MO 63101

Contact: 314-418-1818

- e. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance  
US EPA, MS-NWD  
26 W. M.L. King Drive  
Cincinnati, OH 45268-0001

- f. All payments made by electronic wire transfer shall be directed to:

Federal Reserve Bank of New York  
ABA = 021030004  
Account = 68010727  
SWIFT address = FRNYUS33  
33 Liberty Street  
New York, NY 10045

Field Tag 4200 of the Fedwire message should read:  
**“D 68010727 Environmental Protection Agency”**

- g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US Treasury REX / Cashlink ACH Receiver  
ABA = 051036706  
Account No.: 310006, Environmental Protection Agency  
CTX Format Transaction Code 22 - Checking

Physical location of U.S. Treasury facility:  
5700 Rivertech Court  
Riverdale, MD 20737

Contact: 866-234-5681

- h. On-Line Payment Option: [WWW.PAY.GOV/paygov/](http://WWW.PAY.GOV/paygov/)

Enter **sfo 1.1** in the search field. Open and complete the form.

- i. Payment may be made using the Intra Governmental Payment and Collection application (IPAC), ALC 68-01-0727, and Treasury Symbol 681099. Please include the Docket Number of this action (Docket No. **CAA-RCRA-03-2018-0086**) in the description field of the IPAC. The Customer Service contact is Molly Williams at 513-487-2076.
- j. Additional payment guidance is available at:

<https://www.epa.gov/financial/makepayment>

54. At the same time that any payment is made, Respondent shall mail copies of any corresponding check, or written notification confirming any electronic wire transfer, to:

Regional Hearing Clerk (3RC00)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

and to

Jeffrey S. Nast (3RC30)  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

55. In the event that the payment required by Paragraph 50 is not made within thirty (30) calendar days after the effective date, interest, administrative costs 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 shall be managed in accordance with 31 U.S.C. § 3717, Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5), and 40 C.F.R. § 13.11.

#### **EFFECT OF SETTLEMENT**

56. The settlement set forth in this CAFO shall constitute full and final satisfaction of all civil claims for penalties which Complainant may have against Respondent under RCRA Subtitle C, and the CAA, for the violations alleged in Counts I through IV of this Consent Agreement. Compliance with this CAFO shall not be a defense to any action commenced at any time for any other violation of the federal laws and regulations administered by EPA.

#### **RESERVATION OF RIGHTS**

57. This CAFO resolves only the civil claims for monetary penalties for the specific violations alleged in the CAFO. 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. In addition, 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. Further, EPA reserves any rights and remedies available to it under RCRA, the CAA, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of

this CAFO, following its filing with the Regional Hearing Clerk. Respondent reserves all available rights and defenses it may have to defend itself in any such action.

**FULL AND FINAL SATISFACTION**

58. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Sections 3008 of the RCRA, 42 U.S.C. § 6928, and Section 113 of the CAA, 42 U.S.C. § 7413, for the specific violations alleged in this CAFO. This CAFO constitutes the entire agreement and understanding of the parties regarding settlement of all claims pertaining to 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 CAFO.

**ANTIDEFICIENCY ACT**

59. Failure to obtain adequate funds or appropriations from Congress does not release the USCG from its obligation to comply with the RCRA, the CAA, the applicable regulations thereunder, or with this CAFO. Nothing in this CAFO shall be interpreted to require obligation or payment of funds in violation of the Antideficiency Act, 31 U.S.C. § 1341.

**AUTHORITY TO BIND THE PARTIES**

60. The undersigned representatives of Respondent certify that each is fully authorized to enter into the terms and conditions of this Consent Agreement and to bind the Respondent to it.

**EFFECTIVE DATE**

The effective date of this CAFO is the date on which it is filed with the Regional Hearing Clerk after signature by the Regional Judicial Officer or Regional Administrator.

**For Respondent:**

The United States Coast Guard Yard

07 JUN 2018

Date



Matthew W. Lake  
Captain, USCG  
Commanding

**For Complainant:**

U.S. Environmental Protection Agency,  
Region III

6/12/18

Date

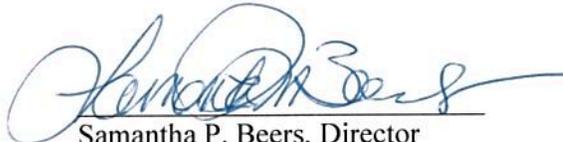


Jeffrey S. Nast  
Sr. Assistant Regional Counsel  
U.S. EPA - Region III

Accordingly, I hereby recommend that the Regional Administrator or his designee, the Regional Judicial Officer, issue the Final Order attached hereto.

6/25/18

Date



Samantha P. Beers, Director  
Office of Enforcement, Compliance, and  
Environmental Justice  
U.S. EPA - Region III



*In re: United States Coast Guard*

*Docket No. CAA-RCRA-03-2018-0086*

**dollars (\$47,579.00)**, in accordance with the payment provisions set forth in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

The effective date of this CAFO is the date on which it is filed with the Regional Hearing Clerk after signature by the Regional Judicial Officer or Regional Administrator.

July 17, 2018  
Date

  
\_\_\_\_\_  
Joseph J. Lisa  
Regional Judicial Officer  
U.S. Environmental Protection Agency, Region III

**CERTIFICATE OF SERVICE**

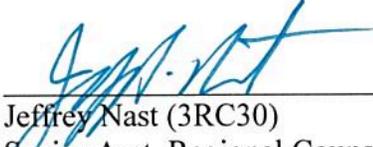
I hereby certify that the original and one copy of the Consent Agreement and Final Order, Docket No. CAA-RCRA-03-0086, have been hand delivered and filed with the EPA Region III Regional Hearing Clerk on the date below, and that a copy of the same was sent via UPS expedited delivery to the following:

CDR Christopher G. Wolfe  
USCG-Yard  
2401 Hawkins Point Road  
Baltimore, MD 21226

And

Miguel Padilla, Esq.  
Counsel for USCG  
300 East Main Street  
Ste. 400  
Norfolk, VA 23510-9100

7/17/18  
Date

  
\_\_\_\_\_  
Jeffrey Nast (3RC30)  
Senior Asst. Regional Counsel  
U.S. EPA, Region III  
(215) 814-2652