



REGION 3

PHILADELPHIA, PA 19103

FILED

Feb 05, 2025

8:29 am

**U.S. EPA REGION 3
HEARING CLERK**

In the Matter of:

Central Columbia School District
4777 Old Berwick Road
Bloomsburg, Pennsylvania 17815

Respondent

Central Columbia School District
Wastewater Treatment Plant
4777 Old Berwick Road
Bloomsburg, Pennsylvania 17815
NPDES Permit No. PA0031852

Facility

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: **U.S. EPA Docket No. CWA-03-2025-0007DN**
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: **ADMINISTRATIVE ORDER ON CONSENT**
: **PURSUANT TO 33 U.S.C. § 1319(a)**

I. STATUTORY AUTHORITY AND JURISDICTION

1. This Administrative Order on Consent ("AOC" or "Order") for compliance is issued to the Central Columbia School District ("Respondent"), under the authority vested in the United States Environmental Protection Agency ("EPA") by Section 309(a) of the Clean Water Act ("CWA" or "Act"), 33 U.S.C. § 1319(a). The Administrator delegated this authority to the Regional Administrator of EPA Region 3, who further delegated it to the Director of the Enforcement & Compliance Assurance Division, EPA Region 3.
2. Section 309(a) of the Act, 33 U.S.C. § 1319(a), provides, among other things, that: "Whenever, on the basis of information available to [EPA], [EPA] finds that any person is in violation of any condition or limitation [implementing section 301, 302, 306, 307, 308, 318, or 405 of this title] in a permit issued under section [402] ... of this title, ... [EPA] shall issue an order requiring such person to comply with such condition or limitation" See 33 U.S.C. § 1319(a)(3).

3. The EPA has jurisdiction over the above-captioned matter, as described in Paragraphs 1 and 2, above.
4. The EPA has consulted with the Pennsylvania Department of Environmental Protection ("PADEP") regarding this action and, subsequent to the Effective Date, the EPA will provide a copy of this fully executed AOC to the appropriate PADEP representative.

II. GENERAL PROVISIONS

5. For purposes of this proceeding, Respondent admits the jurisdiction allegations set forth in this AOC, agrees not to contest the jurisdiction of the EPA with respect to the execution and enforcement of this Order, and consents to the issuance of this Order.
6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations set forth in this AOC.
7. The provisions of this AOC shall apply to and be binding upon the Respondent and its officers, directors, employees, contractors, agents, trustees, successors and assigns of the Respondent.
8. Respondent shall bear its own costs and attorney's fees in connection with this proceeding and associated with the implementation or enforcement of this AOC, including any costs related to resolution of any dispute arising regarding this AOC.
9. Issuance of this AOC is intended to address the violations described herein. The EPA reserves the right to commence action against any person, including Respondent, in response to any condition which the EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. The EPA also reserves any existing rights and remedies available to it under the CWA, 33 U.S.C. § 1251 – 1389, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction. Further, the EPA reserves any rights and remedies available to it under the CWA, the regulations promulgated thereunder, and any other federal laws or regulations for which the EPA has jurisdiction, to enforce the provisions of this AOC, following the Effective Date, as defined below.
10. This AOC does not constitute a waiver or modification of the terms or conditions of any permit issued to Respondent. Nothing in this Order shall relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local laws and regulations, nor shall it restrict the 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 Order does not constitute a waiver, suspension, or modification of the requirements of the Act, 33 U.S.C. §§ 1251 – 1389, or any regulations promulgated thereunder.

11. Respondent waives any and all remedies, claims for relief and otherwise available rights to judicial or administrative review that Respondent may have with respect to any issue of fact or law set forth in this AOC, including any right of judicial review pursuant to Chapter 7 of the Administrative Procedure Act, 5 U.S.C. §§ 701 – 706.
12. The EPA reserves all existing inspection authority otherwise available to the EPA pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, or pursuant to any other statute or law.
13. The undersigned representative of Respondent certifies that he or she is fully authorized by the Respondent to enter into the terms and conditions of this AOC and to execute and legally bind the Respondent.
14. By signing this AOC, Respondent acknowledges that this AOC may be available to the public and represents that, to the best of Respondent's knowledge and belief, this AOC does not contain any confidential business information or personally identifiable information from Respondent.
15. Respondent certifies that any information or representation it has supplied or made to the 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. The EPA shall have the right to institute further actions to recover appropriate relief if the EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this AOC are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that the 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.
16. For purposes of the identification requirement in Section 162(f)(2)(A)(ii) of the Internal Revenue Code, 26 U.S.C. § 162(f)(2)(A)(ii), and 26 C.F.R. § 162-21(b)(2), performance of the tasks set forth in Section V of this AOC (Compliance Order) is deemed restitution, remediation, or required to come into compliance with the law.

III. STATUTORY AND REGULATORY BACKGROUND

17. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person except in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act, 33 U.S.C. §§ 1311, 1312, 1316, 1317, 1328, 1342, and 1344.
18. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of the EPA may issue permits under the National Pollutant Discharge Elimination System ("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. Section 402(b) of the Act, 33 U.S.C. § 1342(b), provides for the authorization of state programs to issue NPDES permits.

19. "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).
20. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), the EPA authorized PADEP to administer the NPDES program in the State of Pennsylvania.
21. Pursuant to Section 402(i) of the CWA, 33 U.S.C. § 1342(i), the EPA retains its authority to take enforcement action within Pennsylvania for NPDES permit violations.

IV. FINDINGS OF FACT AND JURISDICTIONAL ALLEGATIONS

22. Respondent is a "person" within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5).
23. At all times relevant to this AOC, Respondent owned and operated the Central Columbia School District Wastewater Treatment Plant ("WWTP" or "Facility"), a municipal wastewater treatment facility that treats domestic wastewater from the Central Columbia School District in South Centre Township, Columbia County Pennsylvania. The WWTP discharges domestic wastewater into an unnamed tributary to Susquehanna River.
24. At all times relevant to this AOC, the operation of the WWTP has been subject to Pennsylvania NPDES Discharge Permit No. PA0031852 ("Permit"), which was issued by PADEP on March 2, 2021, became effective on April 1, 2021, and expires on March 31, 2026.
25. Respondent is authorized to discharge pollutants, in the form of wastewater from the WWTP, to waters of the United States only in accordance with the terms and conditions of the Permit.
26. At all times relevant to this AOC, the WWTP discharged wastewater through a "point source," as that term is defined at Section 502(14) of the Act, 33 U.S.C. § 1362(14), into an unnamed tributary, a relatively permanent water, that is connected to the Susquehanna River.
27. The Susquehanna River is a traditional navigable water. The unnamed tributary connected to the Susquehanna River and the Susquehanna River are waters of the United States within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).

28. On April 3, 2022, representatives of EPA inspected the WWTP for purposes of determining compliance with the Permit ("Inspection").

Count 1 – Effluent Exceedances/Reporting Violations

29. Part A.I.A of the Permit defines effluent limitations and monitoring requirements for Outfall 001 discharges.
30. According to EPA's Enforcement and Compliance History Online (ECHO) database, the WWTP experienced the following effluent limit exceedances from Outfall 001 from March 31, 2021 to May 31, 2024:

Table 1. Outfall 001 Effluent Exceedances (March 31, 2021, through May 31, 2024)

Permit #	Monitoring Period End Date	Parameter Name	DMR Value	Permit Limit	Units	Limit Type
PA0031852	3/31/2021	Total Suspended Solids	43	30	mg/L	Monthly Average
PA0031852	8/31/2021	Total Suspended Solids	50	30	mg/L	Monthly Average
PA0031852	9/30/2021	Fecal Coliform	493	200	CFU/100mL	Geometric Mean
PA0031852	9/30/2021	Fecal Coliform	20000	1000	CFU/100mL	Instantaneous Maximum
PA0031852	2/28/2022	Total Ammonia Nitrogen (as N)	17	16	mg/L	Monthly Average
PA0031852	3/31/2022	Total Suspended Solids	53	30	mg/L	Monthly Average
PA0031852	4/30/2022	Total Suspended Solids	33	30	mg/L	Monthly Average
PA0031852	5/31/2022	CBOD5	31	25	mg/L	Monthly Average
PA0031852	5/31/2022	Fecal Coliform	9899	200	CFU/100mL	Geometric Mean
PA0031852	5/31/2022	Fecal Coliform	20000	1000	CFU/100mL	Instantaneous Maximum
PA0031852	5/31/2022	Total Ammonia Nitrogen (as N)	26	5.5	mg/L	Monthly Average
PA0031852	5/31/2022	Total Suspended Solids	61	30	mg/L	Monthly Average
PA0031852	7/31/2022	Total Suspended Solids	35	30	mg/L	Monthly Average

PA0031852	9/30/2022	CBOD5	44	25	mg/L	Monthly Average
PA0031852	9/30/2022	Fecal Coliform	20000	1000	CFU/100mL	Instantaneous Maximum
PA0031852	9/30/2022	Total Ammonia Nitrogen (as N)	29	5.5	mg/L	Monthly Average
PA0031852	9/30/2022	Total Suspended Solids	52	30	mg/L	Monthly Average
PA0031852	10/31/2022	Total Ammonia Nitrogen (as N)	6	5.5	mg/L	Monthly Average
PA0031852	12/31/2022	CBOD5	31	25	mg/L	Monthly Average
PA0031852	12/31/2022	Total Suspended Solids	36	30	mg/L	Monthly Average
PA0031852	1/31/2023	Total Suspended Solids	37	30	mg/L	Monthly Average
PA0031852	2/28/2023	Total Suspended Solids	42	30	mg/L	Monthly Average
PA0031852	5/31/2023	Nitrogen, ammonia total as (N)	22	5.5	mg/L	Monthly Average
PA0031852	11/30/2023	Total Suspended Solids	32	30	mg/L	Monthly Average
PA0031852	12/31/2023	Total Suspended Solids	45	30	mg/L	Monthly Average
PA0031852	12/31/2023	CBOD5	36	25	mg/L	Monthly Average
PA0031852	1/31/2024	Total Suspended Solids	41	30	mg/L	Monthly Average
PA0031852	1/31/2024	CBOD5	26	25	mg/L	Monthly Average
PA0031852	5/31/2024	Nitrogen, ammonia total as (N)	7	5.5	mg/L	Monthly Average

31. Based on the above allegations, Respondent violated Part A.I.A of the Permit by failing to comply with the effluent limitations contained in the Permit on 29 occasions from March 31, 2021 through May 31, 2024.
32. In failing to comply with the effluent limitations contained in Part A.I.A of the Permit, Respondent has violated Section 301 of the CWA, 33 U.S.C. § 1311.

Count 2 – Failure to Take Representative Samples

33. Part A.III.A.1 of the Permit states, “Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity (40 CFR 122.41(j)(1)). Representative sampling includes the collection samples, where possible, during periods of adverse weather, changes in treatment plant performance and changes in treatment plant loading. If possible, effluent samples must be collected where the effluent is well mixed, near the center of the discharge conveyance and at the approximate mid-depth point, where the turbulence is at a maximum and the settlement of solids is minimized (40 CFR 122.48,25 Pa. Code § 92a.61).”
34. At the time of the Inspection, the automatic sampler used at the WWTP had a strainer with a screened end which could prevent some material from being included in a sample which could potentially cause the sample to not be fully representative.
35. Based on the above allegations, Respondent violated Part A.III.A.1 of the Permit by failing to take samples representative of the monitored activity.
36. In failing to comply with the self-monitoring requirements contained in Part A.III.A.1 of the Permit, Respondent has violated Section 301 of the CWA, 33 U.S.C. § 1311.

Count 3 – Failure to Properly Operate and Maintain the Facility

37. Part B.I.E.2 of the Permit states: “The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the terms and conditions of the permit. Proper operation and maintenance includes, but is not limited to, adequate laboratory controls including appropriate quality assurance procedures. That provision also includes the operation of backup or auxiliary facilities or similar systems that are installed by the permittee, only when necessary to achieve compliance with the terms and conditions of this permit (40 CFR 122.41(e)).”
38. The Inspectors made several observations during the Inspection related to the operation and maintenance of the WWTP:
 - a. The control box on the newly installed communicator was oriented facing the wall, in a direction making it inaccessible to operators.
 - b. The Inspectors observed damage to the manhole crown structure on the manhole used for flow monitoring located immediately outside the WWTP fence line. The damaged crown structure may allow stormwater to enter the manhole and impact flow measurement.

39. Based on the above allegations, Respondent violated Part B.I.E.2 of the Permit by failing to maintain parts and properly operate and maintain facilities and systems.
40. In failing to comply with the operating requirements in Part B.I.E.2 of the Permit, Respondent has violated Section 301 of the CWA, 33 U.S.C. § 1311.

V. COMPLIANCE ORDER

Therefore, Respondent is hereby ORDERED, pursuant to Section 309(a) of the CWA, 33 U.S.C. § 1319(a), to conduct, and consents to conduct, the following activities:

41. Within forty-five (45) days of the Effective Date of the AOC, the Respondent shall:
 - a. Reorient the control box on the newly installed communicator, so as to make is accessible to operators.
 - b. Adjust sample collection procedures as to comply with the SV-30 count in the 200-250 range established in the Standard Operating Procedures Manual.
 - c. Fix the manhole crown structure damage observed in the Inspection.

Engineering Evaluation

42. Within ninety (90) days of the Effective Date of the AOC, the Respondent shall provide to the EPA for review, an Engineering Evaluation of the WWTP. The Engineering Evaluation of the WWTP must be completed by a certified Professional Engineer. This evaluation must include an analysis of the causes of effluent exceedances, and responsive recommendations, including repairs and upgrades to the WWTP, required for Respondent to comply with the Permit effluent limitations and monitoring requirements of the Permit.
43. The EPA will review the Engineering Evaluation Report and make a determination of completeness, based on the requirements described in Paragraph 42, above. If the EPA determines that the Engineering Evaluation Report is not complete or adequate, the EPA shall notify Respondent in writing and Respondent shall resubmit an updated Engineering Evaluation Report within sixty (60) calendar days of Respondent's receipt of EPA's notice.

Corrective Action Plan

44. Within sixty (60) calendar days of receiving written notification that the EPA has completed its review of the submitted Engineering Evaluation Report and has determined that it is complete and adequate, the Respondent shall submit to the EPA for review a Corrective Action Plan ("CAP") that outlines how Respondent

will: (1) implement the Professional Engineer's recommendations for corrective action in the Engineering Evaluation Report, a n d (2) perform all the necessary WWTP repairs and upgrades identified in the Engineering Evaluation Report, including the repair or installation of a new WWTP system as recommended by the Engineering Evaluation Report. As part of the CAP, the Respondent shall include deadlines for completing each project or milestone proposed in the CAP. Respondent shall obtain or cause their representatives to obtain all permits and approvals necessary under such laws and regulations to perform the work required under the CAP and Respondent shall submit timely applications and requests for any such permits, permit modifications and approvals.

45. After review of the CAP:

- a. The EPA will, in writing: (i) accept the submission; (ii) accept the submission upon specified conditions; (iii) accept part of the submission and request resubmission of the remainder; or (iv) request a new submission.
- b. If the submission is accepted by EPA, Respondent shall take all actions required by the CAP, in accordance with the schedule and requirements of the CAP, as approved. If the CAP is conditionally accepted or accepted only in part by EPA, Respondent shall, upon written direction from EPA, take all actions required by the accepted CAP that EPA determines are technically severable from any unacceptable portions.

If the CAP is unacceptable in whole or in part, Respondent shall, within thirty (30) days, or such other time as the Parties agree to in writing, correct all deficiencies and resubmit the CAP, or any unacceptable portion thereof, for approval, in accordance with the preceding Paragraphs. If the resubmission is accepted in whole or in part, Respondent shall proceed in accordance with the preceding Paragraph.

- c. CAP Deadlines. No later than twenty (20) days from the EPA's acceptance of the CAP, Respondent shall submit to EPA for review a list of deadlines included in the CAP. The list shall be submitted in an electronic format (e.g., unlocked spreadsheet or similar format agreed to by the Parties). Within ten (10) days of modification of any deadline under the CAP, Respondent shall provide an updated list reflecting changes to the future schedule.

46. Respondent shall submit a notice to the EPA within thirty (30) days of completing a scheduled event in the CAP until all work as identified in and required by the CAP has been completed.

VI. PROCEDURES FOR SUBMISSIONS

47. All documents required to be submitted by this Order and any Request for Termination shall be accompanied by a certification signed by a responsible officer, as defined in 40 CFR 122.22(a), that reads as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signed: _____

Title: _____

Date: _____

48. Respondent may assert a business confidentiality claim covering part of all of the information which this AOC requires it to submit to EPA, but only to the extent and only in the manner described in Part 2 Subpart B of Title 40 of the C.F.R. The EPA will disclose information submitted under a confidentiality claim only as provided in Part 2 Subpart B of Title 40 of the C.F.R. If, at the time any information is submitted to the EPA, Respondent does not assert a confidentiality claim, EPA may make the submitted information available to the public without further notice to Respondent.
49. Unless otherwise directed in writing, Respondent shall submit any submission or written communication, including any accompanying data, relating to this AOC via email to:

Email: Cotton.Dominic@epa.gov
Mr. Dominic Cotton
NPDES Enforcement Officer
Enforcement and Compliance Assurance Division
U.S. EPA, Region 3

AND

R3_ORC_mailbox@epa.gov
ATTN: Louis Ramalho

Any information submitted electronically shall be submitted in a widely recognized electronic format.

VII. CERTIFICATION OF COMPLIANCE AND REQUEST FOR TERMINATION OF AOC

50. Upon completion of all items required by the CAP and a determination of completeness of each item, Respondent shall submit to EPA a Certification of Compliance and Request for Termination of this AOC. Such certification and request shall include:
 - a. a certification that Respondent has maintained compliance with this AOC for the term of this AOC; and
 - b. all necessary documentation, including photo documentation as appropriate, to support a finding that Respondent has complied with Section V (Compliance Order) of this AOC.
51. If, following review of any Certification of Compliance and Request for Termination of this Order, the EPA determines that any requirement has not been completed and implemented in accordance with this Order, the EPA will notify Respondents in writing, provide a written summary of deficiencies, and require Respondents to modify their actions as appropriate to correct such deficiencies. If so required, the EPA may also require Respondents to submit a revised Certification of Compliance and Request for Termination of this Order.
52. If, following review of any Certification of Compliance and Request for Termination of this AOC, the EPA agrees that Respondent has adequately complied with all requirements of this AOC, then EPA may, in its unreviewable discretion, provide written notification of termination of this AOC.

VIII. AOC MODIFICATIONS

53. Any request to modify the terms of, or parties to, this AOC shall be submitted, in writing, by Respondent to the EPA and shall be subject to review and approval by the EPA, in its sole and unreviewable discretion. Respondent's submission of a written request for modification of this AOC shall not relieve Respondent of any obligation under this AOC and shall have no effect on EPA's statutory or regulatory authority to enforce the terms of this AOC, in its sole and unreviewable discretion.

IX. CHANGE OF OWNERSHIP OR OPERATION OF THE WWTP

54. Until or unless this AOC is modified or terminated, in accordance with the terms of this AOC, Respondent shall remain responsible for compliance with the terms of this AOC following any transfer of ownership or operation of the WWTP.
55. At least ninety (90) days prior to any transfer of ownership or operation of the WWTP, Respondent shall submit a written notification to the EPA of any such anticipated change in ownership or operation of the WWTP (Notification of Change of Ownership or Operation). Each such Notification of Change of Ownership or Operation shall include, at a minimum, a detailed summary of the anticipated change in ownership or operation, contact information for the proposed new owner or operator of the WWTP and a schedule for such anticipated change.
56. Respondent shall condition any sale or transfer of ownership or operation of the WWTP, in whole or in part, upon the execution by such Prospective Third-Party Purchaser, or Transferee, of an agreement, which creates an obligation that shall survive the closing of such sale or transfer, of the WWTP, whereby such Prospective Third-Party Purchaser or Transferee agrees to comply with and be bound by the terms of this AOC.

X. EFFECTIVE DATE

57. This AOC will become effective upon the Respondent's receipt of a fully-executed copy of this AOC.

FOR CENTRAL COLUMBIA SCHOOL DISTRICT

Date: 2/3/2025

By:



Jeff Groshek

School District Superintendent

SO ORDERED:

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY

By: **Melvin,
Karen**  Digitally signed by Melvin,
Karen
Date: 2025.02.05
07:43:41 -05'00'

[Digital Signature and Date]
Karen Melvin, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 3



REGION 3

PHILADELPHIA, PA 19103

In the Matter of:

U.S. EPA Docket No. CWA-03-2025-0007DN

Central Columbia School District
4777 Old Berwick Road
Bloomsburg, PA 17815

Respondent

**ADMINISTRATIVE ORDER ON CONSENT
PURSUANT TO 33 U.S.C. § 1319(a)**

Central Columbia School District Wastewater
Treatment Plant
4777 Old Berwick Road
Bloomsburg, PA 17815
NPDES Permit No. PA0031852

Facility

CERTIFICATE OF SERVICE

I certify that by the date of signature the foregoing Administrative Order on Consent, was filed with the EPA Region 3 Regional Hearing Clerk. I further certify that on the date set forth below, 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 UPS to:

Jeff Groshek
School District Superintendent
Central Columbia School District
4777 Old Berwick Road
Bloomsburg, PA 17815
jgroshek@ccsd.cc

Copies served via email to:

Jeff Groshek
School District Superintendent
Central Columbia School District
4777 Old Berwick Road
Bloomsburg, PA 17815
jgroshek@ccsd.cc

Les Harvey – Plant Operator
M&B Environmental, Inc.
744 Harleysville Pike,
Harleysville, PA 19438
lhavelymbe@gmail.com

Louis F. Ramalho
Senior Assistant Regional Counsel
U.S. EPA, Region 3
Ramalho.Louis@epa.gov

Dominic Cotton
Enforcement and Compliance Assurance Division
U.S. EPA, Region 3
Cotton.dominic@epa.gov

BEVIN
ESPOSITO

Digitally signed by BEVIN ESPOSITO
Date: 2025.02.05 08:31:33 -05'00'

[Digital Signature and Date]

Bevin Esposito
Regional Hearing Clerk
U.S. EPA, Region 3