

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

FILED

Sep 22, 2026

11:57 am

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

IN THE MATTER OF:

**The United States Navy
Naval Research Laboratory**

Respondent

**Naval Research Laboratory
4555 Overlook Ave., SW
Washington, DC 20375**

Facility

) **DOCKET NO.: RCRA-03-2026-0079**
)
)
)
) **EXPEDITED SETTLEMENT AGREEMENT AND**
) **FINAL ORDER**
)
)
) **Proceeding under Section 9006 of the**
) **Resource Conservation and Recovery Act,**
) **as amended, 42 U.S.C. § 6991e**
)

EXPEDITED SETTLEMENT AGREEMENT

1. The United States Navy Naval Research Laboratory ("Respondent") and the Director, Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") enter into this Expedited Settlement Agreement ("Agreement") pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C § 6991e, and the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits* ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to 40 C.F.R. §§ 22.13(b), 22.18(b)(2), and (3)). The Administrator has delegated the authority to enter into this Agreement to the Regional Administrator who, in turn, has delegated it to the Complainant.
2. The U.S. Environmental Protection Agency, Region 3 ("EPA") has jurisdiction over this matter pursuant to 9006 of RCRA, 42 U.S.C. § 6991e, and 40 C.F.R. §§ 22.1(a)(4) and 22.4 of the Consolidated Rules of Practice.
3. Pursuant to Section 9007 of RCRA, 42 U.S. C. § 6991f, Respondent is subject to the substantive and procedural Underground Storage Tank Requirements of RCRA and the District of Columbia Regulatory Requirements Applicable to the Underground Storage Tank Program, including administrative penalties and fines.

4. Complainant alleges that, at all times relevant to the allegations described in this Agreement, Respondent is a department, agency, or instrumentality of the United States and is therefore a “person,” and the “operator” and/or “owner” of “underground storage tanks” (“USTs”) and “UST systems,” as those terms are defined in Section 9001(5), 9001(4), 9001(3), 9001(10) of RCRA, 42 U.S.C. § 6991(5), 6991(4), 6991(3), 6991(10) of RCRA, and the District of Columbia Municipal Regulations in 20 DCMR 7099.1, located at Naval Research Laboratory (“NRL”), 4555 Overlook Ave, SW, Washington, DC 20375 (“Facility”).
5. Complainant alleges and finds that Respondent failed to comply with specific requirements of Subtitle I of RCRA, 42 U.S.C. §§ 6991 *et seq.*, and the federally-authorized District of Columbia Regulatory Requirements Applicable to the Underground Storage Tank Program.
6. On October 24, 2023, a representative of EPA conducted a Compliance Evaluation Inspection, and observed the following UST main tanks located at the Facility:
 - a. A 12,000-gallon tank that was installed in or about January 1989, and that, at all times relevant hereto, routinely contained diesel, a “regulated substance” as that term is defined in 20 DCMR 7099.1 (hereinafter “UST No. “T6”).
 - b. A 15,000-gallon tank that was installed in or about June 2003, and that, at all times relevant hereto, routinely contained regular-grade gasoline, a “regulated substance” as that term is defined in 20 DCMR 7099.1 (hereinafter “UST No. “T22”).
7. Based on the Compliance Evaluation Inspection as well as additional information subsequently provided by the Respondent, Complainant has identified the following violations:
 - a. Respondent failed to annually test release detection system components for T6 and T22, in violation of 20 DCMR 6000.15. Annual testing was due by 12/07/22, but was not conducted until 10/23/23.
 - b. Respondent failed to monitor day tanks 310, 311, 312, 313, Yellow #1 & Yellow #2 (note: these day tanks are associated with the UST main tanks and part of the UST system) every 30 days, in violation of 20 DCMR 6003.3.

Day Tanks 310, 311, 312 & 313

Monitoring Due	Monitoring Date	Days Late
2/08/24	02/13/24	5
5/11/24	5/16/24	5
8/10/24	8/15/24	5
9/14/24	9/19/24	5

10/19/24	10/23/24	4
11/22/24	11/27/24	5

Day Tanks Yellow #1 & Yellow #2

Monitoring Due	Monitoring Date	Days Late
2/08/24	02/13/24	5
8/10/24	8/15/24	5
9/14/24	9/19/24	5
10/19/24	10/23/24	4
11/22/24	11/27/24	5

- c. Respondent failed to maintain documentation evidencing compliance with 30 day monitoring requirement of 20 DCMR 6003.3, in violation of 20 DCMR 6001.3, during the following periods of time:

For T6: 1/7/24 – 1/10/24, 2/11/24 – 2/28/24, 6/16/24 – 6/19/24, 8/11/24 – 8/14/24, 9/15/24 – 9/18/24, 10/20/24 – 10/22/24, 11/23/24 – 11/26/24;

For T22: 5/12/24 – 5/15/24, 6/16/24 – 6/20/24.

- d. Respondent failed to conduct periodic walkthrough inspections every 30 days, in violation of 20 DCMR 5904.2.

Day Tanks 310, 311, 312 & 313

Walkthrough Due	Walkthrough Date	Days Late
2/08/24	02/13/24	5
5/11/24	5/16/24	5
8/10/24	8/15/24	5
9/14/24	9/19/24	5
10/19/24	10/23/24	4
11/22/24	11/27/24	5

Day Tanks Yellow #1 & Yellow #2

Walkthrough Due	Walkthrough Date	Days Late
2/08/24	02/13/24	5
8/10/24	8/15/24	5
9/14/24	9/19/24	5
10/19/24	10/23/24	4
11/22/24	11/27/24	5

T6

Walkthrough Due	Walkthrough Date	Days Late
1/06/24	1/11/24	5
2/10/24	2/29/24	19
6/15/24	6/20/24	5
8/10/24	8/15/24	5
9/14/24	9/19/24	5
10/19/24	10/23/24	4
11/22/24	11/27/24	5

T22

Walkthrough Due	Walkthrough Date	Days Late
5/11/24	5/16/24	5
6/15/24	6/21/24	6

8. Complainant and Respondent agree that settlement of this matter for a penalty of **\$11,583 (ELEVEN THOUSAND FIVE HUNDRED EIGHTY-THREE DOLLARS)** is in the public interest. In calculating this amount, Complainant considered the statutory factors set forth in Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c).
9. Respondent agrees that, within 30 days of the effective date of this Agreement, Respondent shall make a payment of **\$11,583** (the Assessed Penalty). Respondent shall pay the Assessed Penalty and any other charges due using one of the electronic payment options provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions relating to electronic payment options, see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. Respondent acknowledges that EPA has provided adequate notification that, prior to the Effective Date, in accordance with Executive Order 14247: Modernizing Payments To and From America's Bank Account, EPA ceased accepting paper checks as a form of payment of civil penalties and EPA only accepts specific electronic methods of payments as provided on the above website.

Respondent's Treasury Account Symbol is 97X4930. Inquiries concerning this payment may be made to Angela Kolbe, who may be contacted at nrl_funding@us.navy.mil. Payment may also be made using the Intra Governmental Payment and Collection application (IPAC), Agency Location Code 68-01-0727, and Respondent's Treasury Account Symbol 97X4930. Please include the Docket Number of this action (Docket No. RCRA-03-2026-0079) in the description field of the IPAC.
10. Within 24 hours of payment, the Respondent shall also send proof of payment (confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer), by electronic mail to:

Caitlin Stormont (3ED22) and Regional Hearing Clerk (3RC00)
stormont.caitlin@epa.gov R3_Hearing_Clerk@epa.gov

11. In signing this Agreement, the Respondent: admits the jurisdictional allegations in this Agreement; neither admits nor denies the specific factual allegations in this Agreement, except as provided in the jurisdictional admission above; agrees not to contest EPA's jurisdiction with respect to the execution of this Agreement, the issuance of the attached Final Order, or the enforcement the Agreement; expressly waives its right to a hearing on any issue of law or fact in this Agreement and any right to appeal the accompanying Final Order; consents to the issuance of the Agreement and agrees to comply with its terms; agrees to bear its own costs and attorney's fees; and agrees not to deduct for federal tax purposes the civil penalty assessed in this Agreement and Final Order.
12. By its signature below, the Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that (1) he or she has corrected the alleged violations, and (2) any documentation or information that he or she provided to EPA was true and accurate.
13. This Agreement and the attached Final Order constitute a settlement by EPA of its claims for civil penalties for the violations alleged in this Agreement.
14. By signing this Agreement, 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 waives any right to challenge the lawfulness of the final order accompanying the Agreement.
15. 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 Sections 22.18(c) and 22.31(a) of the Consolidated Rules of Practice. Further, EPA reserves any rights and remedies available to it under the RCRA, the RCRA regulations promulgated, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this Agreement, following its filing with the Regional Hearing Clerk.
16. This Agreement is binding on the parties signing below and is effective upon filing, in accordance with 40 C.F.R. § 22.31(b).
17. The undersigned representative certifies that she/he is fully authorized to execute this Agreement and to legally bind the United States Navy Naval Research Laboratory.

18. As permitted under 40 C.F.R. § 22.6, the Regional Hearing Clerk will serve copies of this Agreement and Final Order by e-mail to the parties at the following valid e-mail addresses: stormont.caitlin@epa.gov (for Complainant), and joseph.a.jordan26.civ@us.navy.mil and anna.m.lesichar.civ@us.navy.mil (for Respondent).
19. By signing this Agreement, Respondent acknowledges that this Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent or information which may adversely affect national security.
20. Antideficiency Act. Respondent shall seek all existing funds to meet the requirements of this Agreement and Final Order. Failure to obtain adequate funds or appropriations from Congress does not release Respondent from its obligation to comply with RCRA, the applicable regulations thereunder, or with this Agreement and Final Order. Nothing in this Agreement and Final Order shall be interpreted to require obligation or payment of funds in violation of the Antideficiency Act, 31 U.S.C. § 1341.

For Respondent: The United States Navy Naval Research Laboratory

Date: _____

By: _____

CHESWICK.JEN
NIFER.12397426

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Jennifer Cheswick, PE, Director (Acting),
Research and Development Services Division

For Complainant: U.S. Environmental Protection Agency, Region 3

After reviewing the Agreement and other pertinent matters, I, the undersigned Acting Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

[Digital Signature and Date]

Acting Director

Enforcement and Compliance Assurance Division

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Philadelphia, Pennsylvania 19103

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DOCKET NO.: RCRA-03-2026-0079

EXPEDITED SETTLEMENT AGREEMENT AND
FINAL ORDER

Proceeding under Section 9006 of the
Resource Conservation and Recovery Act,
as amended, 42 U.S.C. § 6991e

FINAL ORDER

Pursuant to the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits ("Consolidated Rules of Practice"), 40 C.F.R. Part 22 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)), the Expedited Settlement Agreement resolving this matter is hereby ratified and incorporated by reference into this Final Order.

The Respondent is hereby **ORDERED** to comply with all of the terms of the Expedited Settlement Agreement.

The effective date of the foregoing Expedited Settlement Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

[Digital Signature and Date]

Regional Judicial Officer
U.S. EPA - Region 3

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103**

In the Matter of:	:	
	:	
The United States Navy Naval Research Laboratory	:	
	:	U.S. EPA Docket No. RCRA-03-2026-0079
	:	
Respondent.	:	Proceeding under 9006 of the
	:	Resource Conservation and Recovery Act
	:	("RCRA"), as amended, 42 U.S.C §
	:	6991e, and the Consolidated Rules of
Naval Research Laboratory	:	Practice Governing the Administrative
4555 Overlook Ave., SW	:	Assessment of Civil Penalties and the
Washington, DC 20375	:	Revocation/Termination or Suspension of
Facility	:	Permits ("Consolidated Rules of
	:	Practice"), 40 C.F.R. Part 22

CERTIFICATE OF SERVICE

I certify that the foregoing ***Expedited Settlement Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Expedited Settlement Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served 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 email to:

Joseph Jordan, Tank Program Manager
Naval Research Laboratory ("NRL")
joseph.a.jordan26.civ@us.navy.mil
 4555 Overlook Ave, SW
 Washington, DC 20375

Caitlin Stormont
Life Scientist
U.S. EPA, Region 3
Stormont.caitlin@epa.gov

[Digital Signature and Date]
 Regional Hearing Clerk
 U.S. Environmental Protection Agency, Region