



BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

GWWH A JOINT VENTURE and J.E.  
MCAMIS, INC.

Respondents.

DOCKET NO. MPRSA-10-2026-0061

**CONSENT AGREEMENT**

Proceedings Under Section 105(a) of the Marine  
Protection, Research and Sanctuaries Act, 33  
U.S.C. § 1415(a)

**I. STATUTORY AUTHORITY**

1.1. This Consent Agreement is entered into under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by Section 105(a) of the Marine Protection, Research and Sanctuaries Act (MPRSA), 33 U.S.C. § 1415(a).

1.2. Pursuant to MPRSA Section 105(a), 33 U.S.C. § 1415(a), EPA is authorized to assess an administrative civil penalty of not more than \$50,000 for each violation, against any person who has violated MPRSA Section 101(a), 33 U.S.C. § 1411(a), the regulations promulgated pursuant to the MPRSA, and/or any permit condition or limitation in a permit issued under MPRSA. The maximum civil penalty has been adjusted for inflation. Under the 2025 Civil Monetary Penalty Adjustment Rule, 90 Fed. Reg. 1375 (Jan. 8, 2025), civil penalties assessed on or after January 8, 2025, shall be not more than \$248,851 for each violation.

1.3. Pursuant to MPRSA Section 105(a), 33 U.S.C. § 1415(a), and in accordance with Section 22.18 of the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties,” 40 C.F.R. Part 22, EPA issues, and GWWH a Joint Venture (GWWH) and J.E. McAmis, Inc. (J.E. McAmis) (Respondents) agree to issuance of, the Final Order attached to this Consent Agreement.

## **II. PRELIMINARY STATEMENT**

2.1. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b), execution of this Consent Agreement commences this proceeding, which will conclude when the Final Order becomes effective.

2.2. The Administrator has delegated the authority to sign consent agreements between EPA and the party against whom a penalty is proposed to be assessed pursuant to MPRSA Section 105(a), 33 U.S.C. § 1415(a), to the Regional Administrator of EPA Region 10, who has redelegate this authority to the Director of the Enforcement and Compliance Assurance Division, EPA Region 10 (Complainant).

2.3. Part III of this Consent Agreement contains a concise statement of the factual and legal basis for the alleged violations of the MPRSA, together with the specific provisions of the MPRSA and implementing regulations that Respondents are alleged to have violated.

## **III. ALLEGATIONS**

### **Statutory and Regulatory Framework**

3.1. MPRSA Section 2, 33 U.S.C. § 1401(a), finds that “[u]nregulated dumping of material into ocean waters endangers human health, welfare, and amenities, and the marine environment, ecological systems, and economic potentialities.”

3.2. MPRSA Section 101(a), 33 U.S.C. § 1411(a), prohibits a person from transporting from the United States any material for the purpose of dumping it into ocean waters, except as may be authorized by a permit issued pursuant to MPRSA Section 102 or 103, 33 U.S.C. §§ 1412 or 1413, and as subject to regulations issued pursuant to MPRSA Section 108, 33 U.S.C. § 1418.

3.3. MPRSA Section 102(c), 33 U.S.C. § 1412(c), authorizes EPA to designate sites for ocean dumping that will mitigate the adverse impact on the environment to the greatest extent practicable.

3.4. MPRSA Section 103, 33 U.S.C. § 1413, and the regulations promulgated thereunder, authorizes the U.S. Army Corps of Engineers (USACE), to issue permits for the transportation of dredged material for the purpose of dumping it into ocean waters as long as the dumping will not unreasonably degrade or endanger human health, welfare, or amenities, or the marine environment, ecological systems, or economic potentialities.

3.5. MPRSA Section 3(b), 33 U.S.C. § 1402(b), defines “ocean waters” as “those waters of the open seas lying seaward of the base line from which the territorial sea is measured, as provided for in the Convention on the Territorial Sea and the Contiguous Zone.”

3.6. MPRSA Section 3(c), 33 U.S.C. § 1402(c), defines “material” as “matter of any kind or description, including, but not limited to, dredged material, solid waste, incinerator residue, garbage, sewage, sewage sludge, munitions, radiological, chemical, and biological warfare agents, radioactive materials, chemicals, biological and laboratory waste, wreck or discarded equipment, rock, sand, excavation debris, and industrial, municipal, agricultural, and other waste.”

3.7. MPRSA Section 3(e), 33 U.S.C. § 1402(e), defines “person” to include “any private person or entity, or any officer, employee, agent, department, agency, or instrumentality of the Federal Government, of any State or local unit of government, or of any foreign government.”

3.8. MPRSA Section 3(f), 33 U.S.C. § 1402(f), defines “dumping” to mean “disposition of material.”

3.9. MPRSA Section 3(i), 33 U.S.C. § 1402(i), defines “Dredged material” to mean “any material excavated or dredged from the navigable waters of the United States.”

3.10. Under Section 105(a) of MPRSA, 33 U.S.C. § 1415(a), as amended by the 2025 Civil Monetary Penalty Inflation Adjustment Rule, 90 Fed. Reg. 1375 (January 8, 2025), any person who violates any provision of MPRSA, or of the regulations promulgated under MPRSA, or a MPRSA permit is liable for a civil penalty of not more than \$248,851 for each violation.

### **General Allegations**

3.11. Respondent GWWH is a California joint venture and a “person” under MPRSA Section 3(e), 33 U.S.C. § 1402(e).

3.12. Respondent J.E. McAmis is a California corporation and a “person” under MPRSA Section 3(e), 33 U.S.C. § 1402(e).

3.13. Pursuant to MPRSA Section 102(c), EPA Region 10 designated the Mouth of the Columbia River Deep Water Site off the coast of Oregon in the Pacific Ocean (Deep Water Site). 40 C.F.R. § 228.15(n)(9)(vi). EPA Region 10’s designation includes explicit use restrictions, including a prohibition on “[d]irect disposal of dredged material into the identified buffer zone”.  
*Id.*

3.14. The United States Coast Guard (USCG) applied for a permit from the USACE to, among other things, transport and dump up to 68,000 cubic yards of dredged material from East Tongue Point in Oregon into the Deep Water Site as part of the USCG’s project to Construct Fast Response Cutter (FRC) Homeport at East Tongue Point, Astoria, Oregon (USCG Project).

3.15. Pursuant to MPRSA Sections 102 and 103, EPA Region 10 concurred, subject to conditions, on the proposed transport and disposal of dredged material from East Tongue Point to the Deep Water Site in a July 20, 2023 letter (Concurrence).

3.16. On August 2, 2023, the USACE issued a permit, NWP-2020-418 (Permit), to the USCG, which included a special condition requiring the permittee to comply with the conditions specified in the Concurrence. *See* Permit Special Condition d.2.

3.17. Respondent GWWH was the prime contractor on the USCG Project pursuant to a contract with the USCG.

3.18. Respondent J.E. McAmis provided dredging, sand capping, in-water disposal, and vessel services, including ocean disposal of dredged material from East Tongue Point for the USCG Project pursuant to a subcontract with GWWH.

### **Violations**

3.19. As described below, Complainant alleges that from January 8, 2024, to June 27, 2024, Respondents violated MPRSA Section 101(a), 33 U.S.C. § 1411(a), the conditions in the Permit, and the MPRSA regulations pertaining to the Deep Water site at 40 C.F.R. § 228.15(n)(9)(vi).

#### Violation 1 – Unauthorized Transportation of Dredged Material and Dumping in Ocean Waters

Complainant alleges:

3.20. Paragraphs 3.1 through 3.19 are realleged and incorporated herein by reference.

3.21. Condition 6 in the Concurrence, which is incorporated in Permit Special Condition d.2, required obtaining “a disposal plan from the USACE Ocean Dumping Coordinator, developed in consultation with the EPA Ocean Dumping Coordinator, [which would specify] where the material [would] be dumped within the MCR-14-DWS drop-zone at the Deep Water Site.”

3.22. Respondents failed to obtain a disposal plan from the USACE.

3.23. 40 C.F.R. § 228.15(n)(9)(vi) outlines restrictions for use of the Deep Water Site and explicitly states that “[d]irect disposal of dredged material into the identified buffer zone is prohibited.”

3.24. Between January 8, 2024, and June 27, 2024, Respondent J.E. McAmis transported dredged material and dumped it in ocean waters in the Deep Water Site’s buffer zone. Respondent J.E. McAmis transported and dumped in ocean waters approximately one thousand three hundred fifty (1,350) cubic yards of dredged material on each trip, approximately forty thousand (40,000) cubic yards in total.

3.25. Such transport of dredged material for the purpose of dumping it into ocean waters and dumping of dredged material in ocean waters in a location that was not authorized in a USACE Disposal Plan was not authorized by MPRSA Section 103, 33 U.S.C. § 1413.

3.26. Such transport of dredged material for the purpose of dumping it into ocean waters and dumping such dredged material in the Deep Water Site’s buffer zone was not authorized by MPRSA Section 103, 33 U.S.C. § 1413.

3.27. Such unauthorized transport and disposal of dredged material into ocean waters violated MPRSA Section 101(a), 33 U.S.C. § 1411(a) and 40 C.F.R. § 228.15(n)(9)(vi).

Violation 2 – Failure to Timely Submit a Final Disposal Report

Complainant alleges:

3.28. Paragraphs 3.1 through 3.19 are realleged and incorporated herein by reference.

3.29. Condition 9 in the Concurrence Letter requires submitting “a final disposal report via electronic mail to the EPA and the USACE Ocean Dumping Coordinators within thirty (30) calendar days of completion of disposal of dredged material at the Mouth of Columbia River

Deep Water Site.” Under condition 9 “[a] disposal event shall be considered complete when the Permittee stops work for greater than seven (7) consecutive calendar days.”

3.30. Respondent J.E. McAmis began ocean disposal of dredged material on January 8, 2024; ended ocean disposal on February 3, 2024; resumed ocean disposal on June 17, 2024; and completed ocean disposal on June 27, 2024. Complainant alleges that Respondents were required to submit two disposal reports because ocean disposal work had stopped for more than seven consecutive calendar days between February 3, 2024, and June 17, 2024. Respondents submitted a single final disposal report on July 24, 2024. Respondents failed to submit a timely final disposal report following the completion of the initial round of ocean disposal on February 3, 2024, in violation of the Permit and the MPRSA.

#### **IV. TERMS OF SETTLEMENT**

4.1. Respondents admit the jurisdictional allegations contained in this Consent Agreement.

4.2. Respondents neither admit nor deny the specific factual allegations contained in this Consent Agreement.

4.3. As required by MPRSA Section 105(a), 33 U.S.C. § 1415(a), EPA has taken into account “the gravity of the violation, prior violations, and the demonstrated good faith of the person charged in attempting to achieve rapid compliance after notification of a violation.” After considering all of these factors as they apply to this case, EPA has determined that an appropriate penalty to settle this action is a total of two hundred twenty-five thousand dollars (\$225,000) (Assessed Penalty).

4.4. Respondents consent to the assessment of the Assessed Penalty set forth in Paragraph 4.3 and agree to pay the total Assessed Penalty within 30 days after the date of the Final Order ratifying this Agreement is filed with the Regional Hearing Clerk (Filing Date).

4.5. Respondents shall pay the Assessed Penalty (and any interest, fees, and other charges that may become due pursuant to Paragraph 4.7 below) 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>.

4.6. When making a payment, Respondents shall:

4.6.1. Identify every payment with Respondents' names and the docket number of this Agreement, MPRSA-10-2026-0061.

4.6.2. Concurrently with any payment or within 24 hours of any payment, Respondents shall serve proof of payment electronically to the following person(s):

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 10  
[R10\\_RHC@epa.gov](mailto:R10_RHC@epa.gov)

Tara Martich  
U.S. Environmental Protection Agency, Region 10  
[martich.tara@epa.gov](mailto:martich.tara@epa.gov)

and

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
Via electronic mail to:  
[CINWD\\_AcctsReceivable@epa.gov](mailto: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 Respondents' names.

4.7. Interest, Charges, and Penalties on Late Payments. Pursuant to 33 U.S.C. § 1319(g)(9), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondents fail to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Agreement, 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.

4.7.1. 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 the 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). The rate of interest is the IRS large corporate underpayment rate.

4.7.2. Handling Charges. The United States' enforcement expenses including, but not limited to, attorneys' fees and costs of collection proceedings.

4.7.3. Late Payment Penalty. A twenty percent (20%) quarterly non-payment penalty.

4.8. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondents fail 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 EPA may take include, but are not limited to, the following.

4.8.1. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.

4.8.2. 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 Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.

4.8.3. Suspend or revoke Respondents' licenses or other privileges, or suspend or disqualify Respondents from doing business with EPA or engaging in programs EPA sponsors or funds, per 40 C.F.R. § 13.17.

4.8.4. Request that the Attorney General bring 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.

4.9. 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.

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

4.11. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, EPA is required to annually send to the Internal Revenue Service (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). Respondents' failure to comply with providing IRS Form W-9 or Tax Identification Number (TIN), as described below, may subject Respondents 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, Respondents shall complete the following actions as applicable.

4.11.1. Respondents shall complete an IRS Form W-9 (Request for Taxpayer Identification Number and Certification), which is available at <https://www.irs.gov/pub/irspdf/fw9.pdf>.

4.11.2. Respondents shall therein certify that their completed IRS Form W-9 includes Respondents' correct TIN or that Respondents have applied and are waiting for issuance of a TIN.

4.12. Respondents shall email their completed Form W-9 to EPA's Cincinnati Finance Division at [henderson.jessica@epa.gov](mailto:henderson.jessica@epa.gov), on or before the date that Respondents' penalty payment is due, pursuant to Paragraph 4.4, 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.

4.12.1. In the event that Respondents have certified in their completed IRS Form W-9 that they do not yet have a TIN but have applied for a TIN, Respondents shall provide EPA's Cincinnati Finance Division with Respondents' TIN, via email, within five (5) days of Respondents' receipt of a TIN issued by the IRS.

4.13. The undersigned representatives of Respondents certify that they are authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondents to this document.

4.14. Except as described in Subparagraph 4.7.2, above, each party shall bear its own fees and costs in bringing or defending this action.

4.15. For the purposes of this proceeding, Respondents expressly waive any affirmative defenses and the right to contest the allegations contained in the Consent Agreement and to appeal the Final Order. By signing this Consent Agreement, Respondents waive any rights or defenses that Respondents have 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.

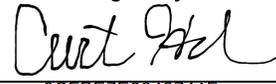
4.16. The provisions of this Consent Agreement and the Final Order shall bind Respondents and their respective agents, servants, employees, successors, and assigns.

4.17. The above provisions are STIPULATED AND AGREED upon by Respondents and EPA Region 10.

DATED:

2/11/2026

FOR RESPONDENTS:

DocuSigned by:  


Curtis Haldeman, POA  
GWWH a Joint Venture

President  
J.E. McAmis, Inc.

4.13. The undersigned representatives of Respondents certify that they are authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondents to this document.

4.14. Except as described in Subparagraph 4.7.2, above, each party shall bear its own fees and costs in bringing or defending this action.

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4.16. The provisions of this Consent Agreement and the Final Order shall bind Respondents and their respective agents, servants, employees, successors, and assigns.

4.17. The above provisions are STIPULATED AND AGREED upon by Respondents and EPA Region 10.

DATED:

FOR RESPONDENTS:

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Curtis Haldeman, POA  
GWWH a Joint Venture

2/11/2026

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Signed by:  
  
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\_\_\_\_\_  
President  
J.E. McAmis, Inc.

FOR COMPLAINANT:

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Edward J. Kowalski  
Director  
Enforcement and Compliance Assurance Division  
EPA Region 10

BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

GWWH A JOINT VENTURE and J.E.  
MCAMIS, INC.

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DOCKET NO. MPRSA-10-2026-0061

**FINAL ORDER**

Proceedings Under Section 105(a) of the Marine  
Protection, Research and Sanctuaries Act, 33  
U.S.C. § 1415(a)

1. The Administrator has delegated the authority to issue this Final Order to the Regional Administrator of the U.S. Environmental Protection Agency (EPA) Region 10, who has in turn delegated this authority to the Regional Judicial Officer in EPA Region 10.

2. The terms of the foregoing Consent Agreement are ratified and incorporated by reference into this Final Order. Respondents are ordered to comply with the terms of settlement.

3. The Consent Agreement and this Final Order constitute a settlement by EPA of all claims for civil penalties pursuant to the Marine Protection, Research and Sanctuaries Act (MPRSA) for the violations alleged in Part III of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(a), nothing in this Final Order shall affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order does not waive, extinguish, or otherwise affect Respondents' obligations to comply with all applicable provisions of the MPRSA and regulations promulgated or permits issued thereunder.

4. This Final Order shall become effective upon filing.

IT IS SO ORDERED.

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RICHARD MEDNICK  
Regional Judicial Officer  
EPA Region 10