

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2**

**January 27, 2026 1:14pm  
USEPA – Region II  
Regional Hearing Clerk**

**IN THE MATTER OF:**

Island Redi-Mix, Inc.  
2351 Richmond Terrace  
Staten Island, NY 10302

NYSDEC SPDES No. NYR00H036

**Respondent**

Proceeding pursuant to Section 309(g) of the  
Clean Water Act, 33 U.S.C. §1319(g)

**PROCEEDING TO ASSESS A CLASS I CIVIL  
PENALTY**

**DOCKET No. CWA-02-2026-3302**

**ADMINISTRATIVE COMPLAINT  
FINDINGS OF VIOLATION, NOTICE OF PROPOSED  
ASSESSMENT OF AN ADMINISTRATIVE PENALTY, AND  
NOTICE OF OPPORTUNITY TO REQUEST A HEARING**

**I. STATUTORY AND REGULATORY AUTHORITIES**

1. This Administrative Complaint, Findings of Violation, Notice of Proposed Assessment of an Administrative Penalty, and Notice of Opportunity to Request a Hearing (“Complaint”) is issued under the authority vested in the Administrator of the United States Environmental Protection Agency (“EPA”) by Section 309(g)(2)(A) of the Clean Water Act (“Act” or “CWA”), 33 U.S.C. § 1319(g)(2)(A). The Administrator has delegated this authority to the Regional Administrator of EPA, Region 2, who in turn has redelegated it to the Director, Enforcement and Compliance Assurance Division (“ECAD”) of EPA, Region 2 (“Complainant”).
2. Pursuant to Section 309(g)(2)(A) of the Act, and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (“CROP”), 40 C.F.R. Part 22 (2001), a copy of which is attached, Complainant hereby requests that the Regional Administrator assess a civil penalty against Respondent, as a result of Complainant’s determination that the Respondent is in violation of Sections 301 and 402 of the Act, 33 U.S.C. §§ 1311 and 1342, for discharges of stormwater associated with industrial activity to a water of the United States without proper coverage under the New York State Department of Environmental Conservation (“NYSDEC”) State Pollutant Discharge Elimination System (“SPDES”) Multi-Sector General Permit for Stormwater Discharges (“MSGP”) Associated with Industrial Activity, GP-0-17-004 and GP-0-23-001 and not complying with the MSGP once MSGP coverage was obtained.

## **II. DEFINITIONS AND STATUTORY PROVISIONS**

1. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), makes it unlawful for any person to discharge any pollutant from a point source to waters of the United States, except, among other things, with the authorization of, and in compliance with, a National Pollutant Discharge Elimination System (“NPDES”) permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.
2. Section 402 of the CWA, 33 U.S.C. § 1342, authorizes the Administrator of the EPA to issue a NPDES permit for the discharge of any pollutant, or combination of pollutants, subject to certain requirements of the CWA and conditions which the Administrator determines are necessary. The New York State Department of Environmental Conservation (“NYSDEC”) is the agency with the authority to administer the federal NPDES program in New York pursuant to Section 402 of the CWA, 33 U.S.C. § 1342. EPA maintains concurrent enforcement authority with authorized States for violations of the CWA. Additionally, under the authority granted to the NYSDEC by the EPA under Section 402(b) of the CWA, 33 U.S.C. § 1342(b), a State Pollutant Discharge Elimination System (“SPDES”) permit is required to be issued to facilities by the NYSDEC for the discharge of pollutants from said facilities from a point source to a navigable water of the United States.
3. “Person” is defined by Section 502(5) of the CWA, 33 U.S.C. § 1362(5), to include an individual, corporation, partnership, association or municipality.
4. “Discharge of a pollutant” is defined by Section 502(12) of the CWA, 33 U.S.C. § 1362(12), to include any addition of any pollutant to navigable waters from any point source.
5. “Pollutant” is defined by Section 502(6) of the CWA, 33 U.S.C. § 1362(6), to include among other things, solid waste, dredged spoil, rock, sand, cellar dirt, sewage, sewage sludge and industrial, municipal and agricultural waste discharged to water.
6. “Point source” is defined by Section 502(14) of the CWA, 33 U.S.C. § 1362(14), to include any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.
7. “Navigable waters” are defined by Section 502(7) of the CWA, 33 U.S.C. § 1362(7), as “waters of the United States, including the territorial seas.”
8. “Owner or operator” is defined by 40 C.F.R. § 122.2 as the owner or operator of any “facility or activity” subject to regulation under Section 402 of the CWA, 33 U.S.C. § 1342(a).
9. Section 402(p) of the Act, 33 U.S.C. § 1342(p) sets forth the requirements for the discharges of stormwater.
10. 40 C.F.R. § 122.26(a)(1)(ii) and § 122.26(b)(14) require operators to obtain a NPDES permit for stormwater discharges associated with industrial activity. The regulations at 40 C.F.R. § 122.26(b)(14) establish requirements for stormwater discharges associated with industrial activity.

11. The terms “Industrial Stormwater Permit”, “Multi Sector General Stormwater Permit” or “MSGP” mean the NYSDEC SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity.
12. The MSGP (GP-0-17-004), issued by the NYSDEC became effective on March 1, 2018, and expired on February 28, 2023. This MSGP was administratively extended until March 8, 2023, when MSGP (GP-0-23-001) became effective. MSGP (GP-0-23-001) is currently in effect.

### **III. FINDINGS OF VIOLATION**

1. Island Redi-Mix, Inc. (“Respondent”) is a “person” pursuant to Section 502(5) of the CWA, 33 U.S.C. § 1362(5).
2. Respondent owns and operates a ready-mixed concrete facility located at 2351 Richmond Terrace Staten Island, New York (the “Facility”). Therefore, Respondent is an owner or operator within the meaning of 40 C.F.R. § 122.2.
3. Respondent’s Facility discharges stormwater associated with industrial activity, a “pollutant” within the meaning of Section 502(6) of the CWA, 33 U.S.C. § 1362(6) to the Kill Van Kull. The Kill Van Kull is a traditionally navigable water of the United States, and as such, Respondent is required to obtain the appropriate authorization under the NYSDEC SPDES MSGP in order to discharge pollutants as defined in Section 502(12) of the CWA, 33 U.S.C. § 1362(12).
4. Respondent’s Facility also discharges industrial process wastewater, a “pollutant” within the meaning of Section 502(6) of the CWA, 33 U.S.C. § 1362(6) to the Kill Van Kull, a traditionally navigable water, and as such, Respondent is required to obtain an Individual SPDES Permit in order to discharge pollutants as defined in Section 502(12) of the CWA, 33 U.S.C. § 1362(12).
5. The Respondent’s operations at the Facility are classified by Standard Industrial Classification (“SIC”) Code 3273 (Ready-Mixed Concrete), and therefore the Facility is regulated under both 40 C.F.R. § 122.26 and the MSGP.
6. On June 9, 2023, a representative of EPA Region 2 conducted a Compliance Evaluation Inspection (“2023 CEI”) at the Facility.
7. Based on observations at the time of the 2023 CEI, EPA found that Respondent failed to comply with the CWA, including, but not limited to, the following:
  - a. The Facility did not have coverage under any SPDES permit or the relevant MSGP for its stormwater discharges from the Facility, including stormwater discharges from the ready-mix concrete production area and the spud barge (the facility’s dock). Industrial Stormwater discharges occurring on the spud barge flowed from the barge deck, a point source, into the Kill Van Kull.
  - b. Sand and gravel were delivered by barges to the Facility. The sand and gravel were then unloaded from the delivery barge onto the spud barge and transferred using a conveyor to the material storage pile located inside the facility wall.

- c. Heavy equipment (an excavator) is used to unload the barges and place material on the conveyor. At the time of inspection, sand was seen on the spud barge deck. Maintenance of heavy equipment, including fueling, oil changes, and grease application are done on the spud barge.
  - d. There were exposed materials at the concrete-making portion of the Site, including a waste concrete pile, sand and gravel storage bins, and used oil and oil storage at the facility. Stormwater associated with industrial activities from this portion of the Facility accumulated on-site and then flowed out through gaps in the block wall, or portions of the Site where there is no block wall, or it flowed into the concrete washout pit and was pumped onto the waste concrete pile and discharged as described below.
  - e. At the time of the inspection, the Facility was discharging concrete wash water associated with washing out concrete truck barrels and/or other process wastewater into the Kill Van Kull from its waste concrete pile.
  - f. The wastewater from the concrete washout was being transported via a submersible pump connected to a hose. The discharge end of the hose was positioned at the top of the sloped waste concrete pile, allowing wastewater to flow from the hose, down the slope of the concrete wash pile, over the block wall, and through a rock channel into the Kill Van Kull, where there was a visible grey color in the water next to the shore.
8. Based upon the start date of operations at the Facility and the submittal of an NOI, noncompliance was continual from the period of January 2023 to July 9, 2024. Compliance was achieved at the site on or about July 9, 2024, when the Notice of Intent to obtain MSGP coverage was submitted and a Stormwater Pollution Prevention Plan ("SWPPP") was finalized, after a long period of delay.
  9. NYSDEC sent an acknowledgement letter to Respondent on August 13, 2024. Based upon this letter, Respondent's facility is now covered by the MSGP under SPDES Identification Number NYR00H036 as of August 8, 2024.
  10. On April 25, 2025, EPA conducted another Compliance Evaluation Inspection of the Respondent's Facility ("2025 CEI") and documented the following violations of the current 2023 MSGP as follows:
    - a. Part II.A.3 of the 2023 MSGP requires proper maintenance of control measures which includes performing inspections and preventative maintenance of stormwater drainage, source controls, treatment systems and systems that could fail and result in contamination of stormwater. During the 2025 CEI, EPA documented that concrete washwater was being collected in depressions in the waste concrete pile and was seeping out through the concrete block wall, indicating that Respondent was not properly inspecting and maintaining the block wall in violation of Part II.A.3 of the Permit.
    - b. Part III.A.6.n of the 2023 MSGP requires that the Stormwater Pollution Prevention Plan ("SWPPP") contain a site map which includes items such as locations of potential pollutant sources and location and description of non-stormwater discharges. The site

map included in the Facility's 2024 SWPPP did not identify the following, in violation of the MSGP:

- i. the concrete washout ponds built into the waste concrete pile;
- ii. the concrete washwater storage areas;
- iii. the opening in the block wall (and potential stormwater discharge point) in the northwestern portion of the Site near the diesel generator; and
- iv. the drum storage outside, east of the maintenance shop.

c. Part IV, Inspection and Monitoring, of the 2023 MSGP Part IV, Inspection and Monitoring of the MSGP requires the following:

- i. Part IV.B of the MSGP requires quarterly routine inspection of Best Management Practices. Part IV.B.2 of the MSGP requires that quarterly routine inspections must be documented in writing and maintained with the SWPPP. Based on the 2025 CEI, quarterly reports were not available during the inspection, nor were they provided following the inspection as requested by EPA. Quarterly routine inspection reports from the third and fourth quarter of 2024 and the first quarter of 2025 were not available during and following the inspection in violation of Part IV.B of the MSGP;
- ii. Part IV.C. of the MSGP requires an annual dry weather inspection and that the inspection be documented in a written inspection report. Part III.A.7.f of the MSGP requires that that SWPPP contain a certification that all outfalls have been tested or evaluated for the presence of non-stormwater discharges and that the certification be included in the SWPPP. Respondent's SWPPP dated August 2024 does not contain such non-stormwater certification, nor was a certification provided to EPA following the inspection in violation of Part III.A.7.f of the MSGP;
- iii. Part IV.E. of the MSGP requires Quarterly Visual Monitoring of the stormwater outfalls and documentation of the Quarterly Visual Monitoring results. Quarterly routine inspection reports from the third and fourth quarter of 2024 and the first quarter of 2025 were not available during and following the inspection, in violation of the Part IV.B of the MSGP; and
- iv. Part IV.F of the MSGP requires semi-annual benchmark monitoring as well as maintainance of these records. During and following the inspection, semi-annual benchmark monitoring lab reports/data were not available in violation of Part IV.F of the Permit.

11. Based on the Findings cited in paragraphs 1-10 above, Respondent has violated Section 301 and 402 of the Act, 33 U.S.C. § 1311 and 1342, and applicable implementing regulations.

#### **IV. NOTICE OF PROPOSED ORDER ASSESSING A CIVIL PENALTY**

Based on the foregoing Findings of Violation, and pursuant to the authority of Section 309(g) of the Act, 33 U.S.C. § 1319(g), and the Debt Collection Improvement Act of 1996, EPA, Region 2 hereby proposes to issue a Final Order Assessing Administrative Penalties ("Final Order") to Respondent

assessing a civil penalty of **\$68,445**. EPA determined the proposed penalty after taking into account the applicable factors identified at Section 309(g)(3) of the Act, 33 U.S.C. § 1319(g)(3). EPA has taken account of the nature, circumstances, extent, and gravity of the violation (or violations), and Respondent's prior compliance history, degree of culpability, economic benefit or savings accruing to Respondent by virtue of the violations, and Respondent's ability to pay the proposed penalty. Based on the Findings set forth in Part III above, the Respondent is liable for sixty-seven (67) violations of the Act. The on-going violations are described in Part III Paragraph 10 Subsections a, b, and c. EPA may issue the Final Order Assessing Administrative Penalties thirty (30) days after Respondent's receipt of this Notice, unless Respondent files an Answer to the Complaint within that time and requests a Hearing on this Notice pursuant to the following section.

## **V. PROCEDURES GOVERNING THIS ADMINISTRATIVE ACTION**

The rules of procedure governing this civil administrative litigation have been set forth in the CROP, 40 C.F.R. Part 22. A copy of these rules accompanies this Complaint.

### **A. Answering The Complaint**

Where Respondent intends to contest any material fact upon which the Complaint is based, to contend that the proposed penalty is inappropriate or to contend that Respondent is entitled to judgment as a matter of law, Respondent must file with the Regional Hearing Clerk of EPA, Region 2, both an original and one copy of a written Answer to the Complaint, and such Answer must be filed within thirty (30) days after service of the Complaint. 40 C.F.R. § 22.15(a). The address of the Regional Hearing Clerk of EPA, Region 2, is:

**Karen Maples**  
**Regional Hearing Clerk**  
**U.S. Environmental Protection Agency, Region 2**  
**290 Broadway, 16th Floor**  
**New York, NY 10007-1866**  
[maples.karen@epa.gov](mailto:maples.karen@epa.gov)  
[region2\\_regionalhearingclerk@epa.gov](mailto:region2_regionalhearingclerk@epa.gov)

Respondent shall also then serve one copy of the Answer to the Complaint upon Complainant and any other party to the action. 40 C.F.R. § 22.15(a). Respondent's Answer to the Complaint must clearly and directly admit, deny, or explain each of the factual allegations that are contained in the Complaint and with regard to which the Respondent has any knowledge. 40 C.F.R. § 22.15(b). Where Respondent lacks knowledge of a particular factual allegation and so states in the Answer, the allegation is deemed denied. 40 C.F.R. § 22.15(b). The Answer shall also set forth: (1) the circumstances or arguments that are alleged to constitute the grounds of defense, (2) the facts that the Respondent disputes (and thus intends to place at issue in the proceeding), (3) the basis for opposing the proposed relief and (4) whether Respondent requests a Hearing. 40 C.F.R. § 22.15(b).

Respondent's failure affirmatively to raise in the Answer facts that constitute or that might constitute the grounds of a defense may preclude Respondent, at a subsequent stage in this proceeding, from raising such facts and/or from having such facts admitted into evidence at a Hearing.

### **B. Opportunity To Request A Hearing**

If requested by Respondent in its Answer, a Hearing upon the issues raised by the Complaint and Answer may be held. 40 C.F.R. § 22.15(c). If however, Respondent does not request a Hearing, the Presiding Officer (as defined in 40 C.F.R. § 22.3) may hold a Hearing if the Answer raises issues appropriate for adjudication. 40 C.F.R. § 22.15(c).

Any Hearing in this proceeding will be held at a location determined in accordance with 40 C.F.R. § 22.21(d). A Hearing of this matter will be conducted in accordance with the applicable provisions of the Administrative Procedure Act, 5 U.S.C. §§ 551-59, and the procedures set forth in Subpart D of 40 C.F.R. Part 22.

Should Respondent request a Hearing on this proposed penalty assessment, members of the public to whom EPA is obligated to give notice of this proposed action, will have a right under Section 309(g)(4)(B) of the Act, 33 U.S.C. § 1319(g)(4)(B), to be heard and to present evidence on the appropriateness of the penalty assessment. Should Respondent not request a Hearing, EPA will issue a Final Order, and only members of the public who submit timely comment on this proposal will have an additional thirty (30) days to petition EPA to set aside the Final Order and to hold a Hearing thereon. EPA will grant the petition and will hold a Hearing only if the petitioner's evidence is material and was not considered by EPA in the issuance of the Final Order.

### **C. Failure To Answer**

If Respondent fails in any Answer to admit, deny, or explain any material factual allegation contained in the Complaint, such failure constitutes an admission of the allegation. 40 C.F.R. § 22.15(d). If Respondent fails to file a timely Answer to the Complaint [i.e. not in accordance with the 30-day period set forth in 40 C.F.R. § 22.15(a)], Respondent may be found in default upon motion. 40 C.F.R. § 22.17(a). Default by Respondent constitutes, for purposes of the pending proceeding only, an admission of all facts alleged in the Complaint and a waiver of Respondent's right to contest such factual allegations. 40 C.F.R. § 22.17(a). Following a default by Respondent for a failure to timely file an Answer to the Complaint, any order issued therefore shall be issued pursuant to 40 C.F.R. § 22.17(c).

Any penalty assessed in the default order shall become due and payable by Respondent without further proceedings thirty (30) days after the Default Order becomes final pursuant to 40 C.F.R. § 22.27(c). 40 C.F.R. § 22.17(d). If necessary, EPA may then seek to enforce such Final Order of Default against Respondent, and to collect the assessed penalty amount, in Federal court.

## **VI. INFORMAL SETTLEMENT CONFERENCE**

Regardless of whether Respondent requests a formal Hearing, EPA encourages settlement of this proceeding consistent with the provisions of the Act and its applicable regulations. 40 C.F.R. § 22.18(b). At an informal conference with a representative(s) of Complainant, Respondent may comment on the charges made in this Complaint and Respondent may also provide whatever additional information is believed to be relevant to the disposition of this matter, including: (1) actions Respondent has taken to correct any or all of the violations herein alleged, (2) any information relevant to Complainant's calculation of the proposed penalty, (3) the effect the proposed penalty would have on Respondent's ability to continue in business and/or (4) any other special facts or circumstances Respondent wishes to raise.

Complainant has the authority to modify the amount of the proposed penalty, where appropriate, in

response to any relevant information previously not known to Complainant that demonstrates that any of the findings herein are without merit, or that the proposed penalty is not warranted. Respondent is referred to 40 C.F.R. § 22.18.

Any request for an informal conference or any questions that Respondent may have regarding this Complaint should be directed to:

Andie D'Angelo  
Attorney-Adviser, Water and General Law Branch  
Office of Regional Counsel  
Telephone (212) 637-3269  
dangelo.andie@epa.gov

The parties may engage in settlement discussions regardless of whether Respondent has requested a Hearing. 40 C.F.R. § 22.18(b)(1). Respondent's requesting a formal Hearing does not prevent Respondent from also requesting an informal settlement conference; the informal conference procedure may be pursued simultaneously with the formal adjudicatory hearing procedure. A request for an informal settlement conference constitutes neither an admission nor a denial of any of the matters alleged in the Complaint.

A request for an informal settlement conference does not affect Respondent's obligation to file a timely Answer to the Complaint pursuant to 40 C.F.R. § 22.15. Note that no penalty reduction will be made simply because an informal settlement conference is held.

Any settlement that may be reached as a result of an informal settlement conference shall be embodied in a written Consent Agreement. 40 C.F.R. § 22.18(b)(2). In accepting the Consent Agreement, Respondent waives any right to contest the allegations in the Complaint and waive any right to appeal the Final Order that is to accompany the Consent Agreement. 40 C.F.R. § 22.18(b)(2). In order to conclude the proceeding, a Final Order ratifying the parties' agreement to settle will be executed. 40 C.F.R. § 22.18(b)(3).

Entering into a settlement through the signing of such Consent Agreement and complying with the terms and conditions set forth in such Consent Agreement and Final Order terminates this administrative litigation and these civil proceedings against Respondent (note that a new enforcement action may be initiated based on continued non-compliance). Entering into a settlement agreement does not extinguish, waive, satisfy or otherwise affect Respondent's obligation and responsibility to comply with all applicable statutory and regulatory requirements, and to maintain such compliance.

## **VII. RESOLUTION OF THIS PROCEEDING WITHOUT HEARING OR CONFERENCE**

Instead of filing an Answer, Respondent may choose to pay the total amount of the proposed penalty (\$68,445) within 30 days after receipt of the Complaint, provided that Respondent file with the Regional Hearing Clerk, Region 2 (at the address noted above), a copy of the check or other instrument of payment. 40 C.F.R. § 22.18(a). A copy of the check or other instrument of payment should be provided to the EPA Attorney identified in Section VI above. Payment of the penalty assessed should be made by sending via Pay.Gov (see attached instructions) in the full amount of the penalty assessed in this complaint (Docket No. CWA-02-2026-3302)



Wire transfers should be directed to the Federal Reserve Bank of New York:

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”.

Pursuant to 40 C.F.R. § 22.18(a)(3), if Respondent elects to pay the full amount of the penalty proposed in the Complaint within thirty (30) days of receiving the Complaint, then, upon EPA’s receipt of such payment, the Regional Administrator of EPA, Region 2 (or, if designated, the Regional Judicial Officer), shall issue a Final Order in accordance with 40 C.F.R. § 22.18(a)(3). In accordance with 40 C.F.R. § 22.45(c)(3), no Final Order shall be issued until at least ten (10) days after the close of the comment period on this Complaint. Issuance of a Final Order terminates this administrative litigation and the civil proceedings arising out of the allegations made in the Complaint (note that a new enforcement action may be initiated based on continued non-compliance). Further, pursuant to 40 C.F.R. § 22.18(a)(3), the making of such payment by Respondent shall constitute a waiver of Respondent’s right both to contest the allegations made in the Complaint and to appeal said Final Order to Federal court. Such payment does not extinguish, waive, satisfy or otherwise affect Respondent’s obligation and responsibility to comply with all applicable statutory and regulatory requirements, and to maintain such compliance.

### **VIII. FILING OF DOCUMENTS**

The Answer and any Hearing Request and all subsequent documents filed in this action should be sent to:

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16th Floor  
New York, NY 10007-1866  
region2\_regionalhearingclerk@epa.gov  
maples.karen@epa.gov

A copy of the Answer, any Hearing Request and all subsequent documents filed in this action shall be sent to:

Andie D’Angelo  
Attorney-Adviser, Water and General Law Branch  
Office of Regional Counsel  
Telephone (212) 637-3269  
dangelo.andie@epa.gov

Justine Modigliani, P.E.  
CWA Compliance Section Chief  
Water Compliance Branch  
U.S. Environmental Protection Agency, Region 2  
modigliani.justine@epa.gov

and

Murray Lantner, P.E.  
Environmental Engineer  
Water Compliance Branch  
U.S. Environmental Protection Agency, Region 2  
lantner.murray@epa.gov

### **IX. GENERAL PROVISIONS**

1. Respondent has a right to be represented by an attorney at any stage of these proceedings.
2. This Complaint does not constitute a waiver, suspension or modification of the requirements of the Act, regulations promulgated there under, or any applicable permit.
3. Neither assessment nor payment of an administrative civil penalty pursuant to Section 309(g) of the Act will affect Respondent's continuing obligation to comply with the Act, and with any separate Compliance Order issued under Section 309(a) of the Act, 33 U.S.C. § 1319(a), for the violations alleged herein.

ISSUED THIS 26th DAY OF JANUARY, 2026.

**DOUGHLAS**  
**MCKENNA**

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Date: 2026.01.26  
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Douglas McKenna, Acting Director  
Enforcement and Compliance Assurance Division  
U. S. Environmental Protection Agency - Region 2  
290 Broadway  
New York, New York 10007-1866