



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

In the Matter of: )  
 )  
 )  
 Super Salvage, Inc. )  
 1711 1st Street, SW )  
 Washington, DC 20024, )  
 ) U.S. EPA Docket No.: CWA/EPCRA-03-2015-0257  
 Respondent, )  
 ) Corrected U.S. EPA Docket No.:  
 Super Salvage, Inc. ) CWA/EPC-03-2016-0026  
 1711 1st Street, SW )  
 Washington, DC 20024, )  
 )  
 Facility. )

**NOTICE OF CORRECTION OF DOCKET NUMBER  
 FOR THE CONSENT AGREEMENT**

The Complainant hereby notifies the Regional Hearing Clerk and the Respondent of an error in the docket number of the original filing of the Consent Agreement in the above referenced matter. The error was discovered after the September 15, 2015, filing of the Consent Agreement. The Consent Agreement had been filed with the Regional Hearing Clerk prior to publication of the notice advising the public of EPA's intent to file a Consent Agreement and Final Order assessing an administrative penalty and the public's opportunity to comment thereon. **The correct docket number for the Consent Agreement in the above referenced matter is CWA/EPC-03-2016-0026.** This Notice is submitted to correct all references to the docket number within the Consent Agreement.

Respectfully submitted,

Daniel L. Isales  
 Daniel L. Isales  
 U.S. Environmental Protection Agency  
 Environmental Science Center  
 701 Mapes Road  
 Fort Meade, MD 20755-5350  
 (410) 305-3016



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

RECEIVED  
2015 DEC -4 PM 3:20  
REGIONAL HEARING OFFICE  
EPA REGION III, PHILADELPHIA

In the Matter of )  
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Super Salvage, Inc. )  
1711 1<sup>st</sup> Street, SW )  
Washington, DC 20024, )  
Respondent, )  
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Super Salvage, Inc. )  
1711 1<sup>st</sup> Street, SW )  
Washington, DC 20024, )  
Facility. )

U.S. EPA Docket No.: CWA/EPCRA-03-2015-0257

**CONSENT AGREEMENT**

**Statutory Authority**

This Consent Agreement (CA) is entered into by the Director of the Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency, Region III (EPA or Complainant), and Super Salvage, Inc. (Respondent or Super Salvage), pursuant to Sections 309(g) and 311(b) of Clean Water Act (CWA), 33 U.S.C. §§ 1319(g) and 1321(b), Section 325 of the Emergency Planning and Community Right-to-Know Act (EPCRA), 42 U.S.C. § 11045, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), 40 C.F.R. Part 22, including, specifically 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3).

The parties agree to the commencement and conclusion of this cause of action by issuance of this Consent Agreement and Final Order (referred to collectively herein as CAFO) as prescribed by the Consolidated Rules pursuant to 40 C.F.R. § 22.13(b), and having consented to the entry of this CAFO, agree to comply with the terms of this CAFO.

**General Provisions**

1. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. §§ 22.1(a)(6) and 22.1(a)(8).

2. The Regional Administrator has the authority to approve this settlement and conclude this proceeding.

3. For the purpose of this proceeding, Respondent admits to the jurisdictional allegations in this Consent Agreement and agrees not to contest EPA's jurisdiction with respect to the execution or enforcement of this Consent Agreement.

4. With the exception of Paragraph 3, above, for the purpose of this proceeding, Respondent neither admits nor denies the factual allegations or conclusions of law set forth in this Consent Agreement, but expressly waives its rights to contest said allegations.

5. For the purpose of this proceeding, Respondent expressly waives its right to a hearing and to appeal the Final Order under Section 309(g)(5) of the CWA, 33 U.S.C. § 1319(g)(5), Section 311(b)(6)(G) of the CWA, 33 U.S.C. § 1321(g)(6)(G), and Section 325(f) of EPCRA, 42 U.S.C. § 11045(f).

6. The provisions of the CAFO shall be binding upon Respondent, its officers, directors, agents, servants, employees, and successors or assigns. By his or her signature below, the person signing this Consent Agreement on behalf of the Respondent is acknowledging that he or she is fully authorized by the party represented to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of the Consent Agreement and accompanying Final Order.

7. This CAFO resolves only those civil claims which are alleged herein. Nothing herein shall be construed to limit the authority of the Complainant to undertake action against any person, including the Respondent, in response to any condition which Complainant determines may present an imminent and substantial endangerment to the public health, public welfare or the environment. Nothing in this CAFO shall be construed to limit the United States' authority to pursue criminal sanctions.

8. Each party to this action shall bear its own costs and attorney's fees.

9. Pursuant to Section 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45(b), EPA will provide public notice and an opportunity to comment on the Consent Agreement prior to issuing the Final Order. In addition, pursuant to Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1), EPA has consulted with the District of Columbia regarding this action, and in addition will mail a copy of this document to the appropriate District of Columbia official.

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

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

follow.

11. Respondent is a corporation duly formed and in good standing under the laws of the State of Delaware and duly authorized to transact business and in good standing under the laws of the District of Columbia.

12. Respondent is the owner and operator of a salvage yard at 1711 1<sup>st</sup> Street, SW, Washington, DC 20024-3404 (Facility).

13. EPA inspected the Facility on February 20, 2013, and May 28-29, 2013 (EPA Inspections).

14. As a corporation, Respondent is a “person” as defined by Section 311(a)(7) of the CWA, 33 U.S.C. § 1321(a)(7), Section 502(5) of the CWA, 33 U.S.C. § 1362(5), Section 329(7) of EPCRA, 42 U.S.C. § 11049(7), and the regulations at 40 C.F.R. §§ 112.2, 122.2, and 370.66.

**Count I – Storm Water**

15. Paragraphs 1-14 of this CAFO are incorporated by reference as though fully set forth herein.

16. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant (other than dredged or fill material) from a point source into waters of the United States except in compliance with a permit issued pursuant to the National Pollutant Discharge Elimination System (NPDES) program under Section 402 of the CWA, 33 U.S.C. § 1342.

17. Section 402(a) of the CWA, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the NPDES program for the discharge of pollutants from point sources to waters of the United States or may authorize states to issue such permits. The discharges are subject to specific terms and conditions as prescribed in the permit.

18. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and 40 C.F.R. §§ 122.2 and 122.26 provide that, with some exceptions, not relevant here, storm water discharges are “point sources” subject to NPDES permitting requirements under Section 402(a) of the CWA, 33 U.S.C. § 1342(a).

19. “Storm water” is defined as “storm water runoff, snow melt runoff and surface runoff and drainage.” 40 C.F.R. § 122.26(b)(13).

20. “Storm water discharge associated with industrial activity” is defined as “the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant....[T]he term includes material handling sites.” 40 C.F.R. § 122.26(b)(14).

21. “Material handling activities” is defined as including “storage, loading and

unloading, transportation, or conveyance of any raw material, intermediate product, final product, by-product or waste product.” 40 C.F.R. § 122.26(b)(14).

22. Beginning in or about 1959, and at all times relevant to this Consent Agreement, Respondent has been the owner and operator of a scrap recycling facility, operating under Standard Industrial Classification (SIC) Code 5093, located at 1711 1<sup>st</sup> Street, SW in Washington, DC.

23. Pursuant to Section 402(b) of the CWA, 33 U.S.C. § 1342(b), EPA issued an NPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, which became effective on October 30, 2000 (hereinafter, 2000 MSGP). The 2000 MSGP authorized discharges of storm water associated with industrial activities including, but not limited to, scrap recycling facilities, but only in accordance with the conditions of the 2000 MSGP. The 2000 MSGP expired on October 30, 2005, and was administratively extended until its reissuance.

24. Pursuant to Section 402(b) of the CWA, 33 U.S.C. § 1342(b), EPA issued an NPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, which became effective on September 29, 2008 (hereinafter, 2008 MSGP) and which replaced the 2000 MSGP. The 2008 MSGP authorized discharges of storm water associated with industrial activities including, but not limited to, scrap recycling facilities, but only in accordance with the conditions of the 2008 MSGP. The 2008 MSGP expired at midnight on September 29, 2013, and was administratively extended until the issuance of an NPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity on June 4, 2015.

25. The 2008 MSGP required that, to be covered, an applicant that was in operation prior to October 30, 2005, but not covered under the 2000 MSGP or another NPDES permit, immediately submit to EPA a complete and accurate Notice of Intent (NOI) for coverage. See, 2008 MSGP at Section 1.3.1.

26. The scrap recycling activities at the Facility constitute “industrial activity” within the meaning of Section 402(p) of the CWA and 40 C.F.R. §§ 122.2 and 122.26(b)(14)(vi).

27. The Facility discharges storm water from its Facility to the Anacostia River via the Washington, DC municipal separate storm sewer system (DC MS4).

28. The Anacostia River is a “water of the United States” as that term is defined at 40 C.F.R. § 122.2.

29. Respondent did not submit a NOI for coverage under either the 2000 MSGP or the 2008 MSGP prior to the EPA Inspections.

30. Respondent did not submit a permit application for an individual NPDES permit pursuant to 40 C.F.R. § 122.26.

31. Respondent discharged unpermitted, unallowable, storm water associated with an industrial activity to the DC MS4, which discharges to a water of the United States.

32. Respondent's unpermitted discharges constitute a violation of Section 301 of the CWA, 33 U.S.C. § 1311.

**Count II – SPCC**

33. Paragraphs 1-32 of this CAFO are incorporated by reference as though fully set forth herein.

34. Section 311(j)(1)(C) of the CWA, 33 U.S.C. § 1321(j)(1)(C), requires the President to promulgate regulations which, among other things, establish procedures, methods, and other requirements for preventing discharges of oil from onshore facilities into navigable waters and for containing such discharges.

35. By Executive Order 12777, the President delegated the authority to promulgate regulations under Section 311(j) of the CWA to the Administrator of EPA for non-transportation-related onshore and offshore facilities.

36. Pursuant to its delegated authority under Section 311(j) of the CWA, EPA promulgated the Oil Pollution Prevention Regulations, 40 C.F.R. Part 112, 38 Fed. Reg. 34165 (Dec. 11, 1973), effective January 10, 1974. These regulations, as amended from time to time, are codified at 40 C.F.R. Part 112 (Oil Pollution Prevention Regulations).

37. 40 C.F.R. § 112.1(b) of the Oil Pollution Prevention Regulations states “. . . this part applies to any owner or operator of a non-transportation-related onshore and offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products, which due to its location, could reasonably be expected to discharge oil in quantities that may be harmful, as described in part 110 of this chapter, into or upon the navigable waters of the United States or adjoining shorelines. . . .”

38. The term “oil” is defined as “oil of any kind or in any form, including, but not limited to . . . petroleum, fuel oil, sludge, synthetic oils, mineral oils, oil refuse, or oil mixed with wastes other than dredged spoil.” 40 C.F.R. § 112.2.

39. Respondent is engaged in the storage and use of hydraulic fluid, diesel fuel, motor oil, waste oil, and gear lubricant at the Facility.

40. Respondent is the owner and operator of the Facility within the meaning of Section 311(a)(6) of the CWA, 33 U.S.C. § 1321(a)(6), and 40 C.F.R. § 112.2.

41. The Facility's oil storage capacity, at the time of the EPA Inspections and currently, exceeds the 1,320 gallon above ground capacity threshold of the Oil Pollution Prevention Regulations, as set forth at 40 C.F.R. § 112.1(d)(2)(ii).

42. The Facility is located approximately 0.31 miles from the Potomac River and 0.2 miles from the Anacostia River.

43. Storm water from the Facility discharges to the Anacostia River via the District of Columbia's MS4.

44. The Anacostia River and the Potomac River are navigable waters of the United States within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7), and 40 C.F.R. § 112.2.

45. The Facility is an onshore facility within the meaning of Section 311(a)(10) of the CWA, 33 U.S.C. § 1321(a)(10), and 40 C.F.R. § 112.2.

46. The Facility is a non-transportation-related facility within the meaning of 40 C.F.R. § 112.2 and Appendix A of 40 C.F.R. Part 112, as incorporated by reference within 40 C.F.R. § 112.2.

47. Due to its location, the Facility could reasonably be expected to discharge oil in harmful quantities, as defined by 40 C.F.R. § 110.3, into or upon navigable waters of the United States or its adjoining shoreline.

48. Pursuant to 40 C.F.R. § 112.1, Respondent, as the owner and operator of the Facility, is subject to the Oil Pollution Prevention Regulations codified at 40 C.F.R. Part 112.

49. Pursuant to Section 311(j) of the CWA, 33 U.S.C. § 1321(j), and 40 C.F.R. §§ 112.1 and 112.3, the Facility is subject to the Spill Prevention, Control, and Countermeasure (SPCC) requirements of 40 C.F.R. § 112.3 because the Facility's oil storage capacity exceeds the 1,320-gallon above ground capacity threshold of the Oil Pollution Prevention Regulations and the Facility is an onshore non-transportation-related facility that, due to its location, could reasonably be expected to discharge oil in harmful quantities into or upon the navigable waters of the United States or adjoining shorelines. Pursuant to 40 C.F.R. § 112.3, as an owner and operator of an onshore facility, Respondent was required to prepare an SPCC Plan in writing in accordance with 40 C.F.R. § 112.7.

50. At the time of the EPA Inspections, Respondent had not prepared an SPCC Plan for the Facility in accordance with 40 C.F.R. §§ 112.3 and 112.7.

51. On or about January 31, 2014, Respondent submitted to EPA an SPCC Plan for the Facility.

52. Respondent's failure to prepare and implement an SPCC Plan for the Facility prior to January 31, 2014, constitutes a violation of 40 C.F.R. § 112.3.

**Count III – EPCRA Tier II**

53. Paragraphs 1-52 of this CAFO are incorporated by reference as though fully set

forth herein.

54. Under Section 312(a) of EPCRA, 42 U.S.C. § 11022(a), and 40 C.F.R. § 370.10, any facility which is required to prepare or have available a Material Safety Data Sheet (MSDS) for a hazardous chemical under the Occupational Safety and Health Act of 1970 (OSHA) must prepare and submit an emergency and hazardous chemical inventory form (Tier I or Tier II or its state equivalent) to the Local Emergency Planning Committee (LEPC), the State Emergency Response Commission (SERC), and the local fire department. The Tier I or Tier II form must be submitted annually on or before March 1 and is required to contain information with respect to the preceding calendar year.

55. During the calendar years 2010, 2011, and 2012, Respondent stored or used diesel fuel and hydraulic oil which are "hazardous chemicals" as defined in 40 C.F.R. § 370.66 at the Facility.

56. Respondent was required to prepare or have available an MSDS for diesel fuel and hydraulic oil which are "hazardous chemicals" under OSHA and the regulations promulgated thereunder at 29 C.F.R. § 1910.1200.

57. Pursuant to 40 C.F.R. § 370.10(a)(2), the minimum threshold level for Tier I or Tier II reporting for fuel oils, diesel fuel, and hydraulic oil (as hazardous chemicals) at facilities that are not retail gas stations is 10,000 pounds.

58. During calendar years 2010, 2011, and 2012, Respondent stored diesel fuel and hydraulic oil at the Facility in quantities that exceeded 10,000 pounds.

59. Respondent was therefore subject to the reporting requirements of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a), and 40 C.F.R. § 370.20 for the calendar years 2010, 2011, and 2012.

60. Accordingly, on or before March 1 of 2011, 2012, and 2013, Respondent was required to prepare and submit to the SERC, LEPC and the fire department with jurisdiction over the Facility a Tier I or Tier II form containing chemical information for calendar years 2010, 2011, and 2012.

61. EPA determined that at the time of the EPA Inspections Respondent had not submitted a Tier I or Tier II Emergency and Hazardous Chemical Inventory form to the LEPC, the SERC, and the fire department with jurisdiction over the Facility for calendar years 2010, 2011, and 2012.

62. Respondent's failure to prepare and submit a Tier I or Tier II form for the calendar years 2010, 2011, and 2012 to the LEPC, SERC and the fire department with jurisdiction over the Facility, on or before the reporting deadlines, constitutes a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a), and 40 C.F.R. § 370.20.



### Civil Penalty

63. Respondent consents to the assessment of a civil penalty of one hundred fifty thousand dollars (\$150,000.00) in full satisfaction of all claims for civil penalties for the violations alleged in the above three counts of this CAFO. Respondent must pay the civil penalty no later than **THIRTY (30)** calendar days after the effective date of this CAFO.

64. For the violation alleged in Count I, EPA considered a number of factors including, but not limited to, the statutory factors set forth in Section 309(g)(3) of the CWA, 33 U.S.C. § 1319(g)(3), *i.e.*, the nature, circumstances, extent and gravity of the violation, or violations, and, with respect to the violator, ability to pay, any prior history of such violations, the degree of culpability, economic benefit or savings resulting from the violation, and such other matters as justice may require. EPA has also considered the *Adjustments of Civil Penalties for Inflation and Implementing the Debt Collection Improvement Act of 1996* (DCIA), as set forth in 40 C.F.R. Part 19, and the December 6, 2013 memorandum by EPA Assistant Administrator Cynthia Giles entitled, *Amendments to U.S. Environmental Protection Agency's Civil Penalty Policies to Account for Inflation (Effective December 6, 2013)* (2013 Giles Memorandum).

65. For the violation alleged in Count II, EPA considered a number of factors including, but not limited to, the following statutory factors set forth in Section 311(b)(8) of the CWA, 33 U.S.C. § 1321(b)(8), *i.e.*, the seriousness of the violation or violations, the economic benefit to the violator, if any, resulting from the violation, the degree of culpability involved, any other penalty for the same incident, any history of prior violations, the economic impact of the penalty on the violator, and any other matters as justice may require. EPA has also considered the DCIA, as set forth in 40 C.F.R. Part 19, and the 2013 Giles Memorandum.

66. For the violation alleged in Count III, the proposed EPCRA civil penalty has been determined in accordance with Section 325(c) of the EPCRA, 42 U.S.C. § 11045(c). For purposes of determining the amount of any penalty to be assessed, EPA considered the nature, circumstances, extent and gravity of the violations, and with respect to the Respondent, its ability to pay, prior history of violations, degree of culpability, economic benefit or savings resulting from the violation, and such other matters as justice may require. EPA has also considered the DCIA, as set forth in 40 C.F.R. Part 19, and the 2013 Giles Memorandum.

67. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with the civil penalties pertaining to Counts I and III of this CAFO, Respondent shall submit payment in the amount of \$127,500.00 no later than thirty (30) days after the effective date of the Final Order (the Final Due Date) by either cashier's check, certified check, or electronic wire transfer, as set forth immediately below:

- a. All payments by Respondent shall reference Respondent's name and address, and the Docket Number of this action, CWA/EPCRA-03-2015-0257;
- b. All checks shall be made payable to United States Treasury;
- c. All payments made by check and sent by regular mail shall be addressed to:

U.S. EPA  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000  
Contact: Craig Steffen (513-487-2091)

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

U.S. EPA  
Fines and Penalties  
U.S. Bank  
1005 Convention Plaza  
Mail Station SL-MO-C2GL  
St. Louis, MO 63101

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

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

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

Federal Reserve Bank of New York  
ABA 021030004  
Account No. 68010727  
33 Liberty Street  
New York, NY 10045

Field Tag 4200 of the Fedwire message should read: "D 68010727 Environmental Protection Agency." In case of an international transfer of funds, the Respondent shall use SWIFT address FRNYUS33.

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

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

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

REX: 1-866-234-5681

- h. If paying through the Department of the Treasury's On-Line Payment system, please access [www.pay.gov](http://www.pay.gov), and enter sfo 1.1 in the search field. Open the form and complete the required fields and make payments. Note that the type of payment is "civil penalty," the docket number CWA/EPCRA-03-2015-0257 should be included in the "Court Order # or Bill #" field, and "3" should be included as the Region number.
- i. Additional payment guidance is available at:

[http://www.epa.gov/ocfo/finservices/make\\_a\\_payment.htm](http://www.epa.gov/ocfo/finservices/make_a_payment.htm)

68. In order to avoid the assessment of interest, administrative costs, and late payment penalties in connection with the civil penalties pertaining to Count II of this CAFO, Respondent shall submit payment in the amount of \$22,500.00 no later than thirty (30) days after the effective date of the Final Order (the Final Due Date) by either cashier's check, certified check, or electronic wire transfer, as set forth immediately below:

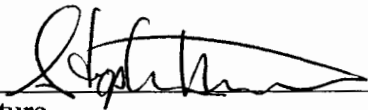
- a. All payments by Respondent shall reference Respondent's name and address, bear the notation "OSLTF-311," and note the Docket Number of this action, CWA/EPCRA-03-2015-0257;
- b. All checks shall be made payable to United States Treasury;
- c. All payments made by check and sent by regular mail shall be addressed to:

Super Salvage, Inc.

EPA Docket No. CWA/EPCRA-03-2015-0257

FOR SUPER SALVAGE, INC.

9/1/15  
Date

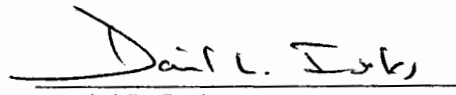
  
Signature

STEPHEN MIDDLETON  
Name [print or type]

President  
Title [print or type]

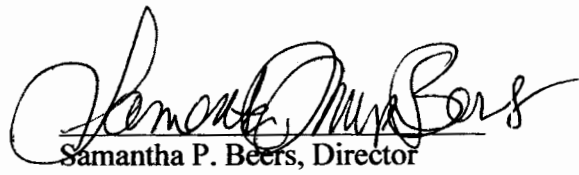
FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY

9-9-15  
Date

  
Daniel L. Isaacs  
Senior Assistant Regional Counsel  
U.S. EPA - Region III

Accordingly, I hereby recommend that the Regional Administrator or his designee, the Regional Judicial Officer, issue the Final Order attached hereto pertaining to Docket No. CWA/EPCRA-03-2015-0257.

9/14/15  
Date

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



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 Facility. )

**FINAL ORDER**

Complainant, the Director of the Office of Enforcement, Compliance and Environmental Justice, U.S. Environmental Protection Agency - Region III, and Respondent, Super Salvage Inc., have executed a document entitled "Consent Agreement," in accordance with 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). Pursuant to Sections 309 and 311 of the Clean Water Act, 33 U.S.C. §§ 1319 and 1321, and Section 325 of the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. § 11045, and in accordance with 40 C.F.R. Part 22, and based on the representations in the Consent Agreement, the foregoing Consent Agreement is ratified and incorporated by reference into this Final Order. The Respondent is ordered to comply with the terms of the referenced Consent Agreement.

**Effective Date**

In accordance with Sections 309(g)(5) of the CWA, 33 U.S.C. § 1319(g)(5), this Final Order will become final thirty (30) days after its issuance and the CAFO will become effective on that same date.

Shawn M. Garvin  
 Shawn M. Garvin  
 Regional Administrator  
 U.S. Environmental Protection Agency, Region III

11/24/2015  
 DATE

RECEIVED

In the Matter of )  
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**Super Salvage, Inc.** )  
**1711 1st Street, SW** )  
**Washington, DC 20024,** )  
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**Respondent,** )  
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**Facility.** )

2015 DEC -4 PM 3: 21

REGIONAL HEARING CLERK  
EPA REGION III, PHILA. PA

) U.S. EPA Docket No.: CWA/EPC-03-2016-0026

**CERTIFICATE OF SERVICE**

I certify that on the date noted below, I sent a true and correct copy of the Consent Agreement and Final Order to the following:

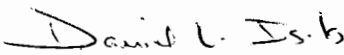
ORIGINAL AND ONE COPY FILED, VIA HAND DELIVERY

Lydia Guy  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103

COPY SERVED, VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Jeryl Olson, Esquire  
Seyfarth Shaw LLP  
131 S. Dearborn Street  
Suite 2400  
Chicago, Illinois 60603-5577

Dated: December 4, 2015

  
\_\_\_\_\_  
Daniel L. Isales  
Assistant Regional Counsel  
U.S. EPA, Region III  
Environmental Science Center  
701 Mapes Road  
Fort Meade, MD 20755-5350  
(410) 305-3016