



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 10

1200 Sixth Avenue, Suite 155, Seattle, Washington 98101

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2021-0167, NPDES No. Unpermitted

Vintage Airframes, LLC ("Respondent") is a "person," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

Attached is an "Industrial Non-filer Expedited Settlement Worksheet" ("Settlement Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the alleged violations specified in the Settlement Form.

Respondent had unauthorized discharge(s) of stormwater in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311.

EPA finds, and Respondent admits, that Respondent is subject to Section 301 of the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondent neither admits nor denies the specific alleged violations specified in the Settlement Form.

EPA is authorized to enter into this Consent Agreement and Final Order ("Agreement") under the authority vested in the Administrator of EPA by Section 309(g) of the Act, 33 U.S.C. § 1319(g), and by 40 C.F.R. Part 22. The parties enter into this Agreement to settle the civil violation(s) alleged in this Agreement for a penalty of \$2,500. Respondent consents to the assessment of this penalty and waives the right to: (1) contest the finding(s) specified in the Form; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8).

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that the Respondent has addressed the alleged violations identified in the Settlement Form by either: a) developing and implementing a Stormwater Pollution Prevention Plan and submitting to the permit authority a Notice of Intent to be covered by the applicable industrial stormwater permit; or b) acting to meet eligibility requirements for a waiver from industrial stormwater permit requirements as allowed by the permit authority and submitting the relevant forms (such as the No Exposure Certification form), to the permit authority.

Respondent certifies that it has submitted a bank, cashiers, or certified check, with case name and docket number noted, for the amount specified above, payable to the "Treasurer, United States of America," via certified mail, to:

U.S. EPA, Region 10
Fines and Penalties, Cincinnati Finance Center
In the Matter of: Vintage Airframes, LLC
Docket No.: CWA-10-2021-0167
P.O. Box 979077
St. Louis, Missouri 63197-9000

This Agreement settles EPA's civil penalty claims against Respondent for the alleged Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected alleged violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

APPROVED BY EPA:

EDWARD KOWALSKI Digitally signed by EDWARD KOWALSKI Date: 2021.08.20 16:16:48 -07'00' Date:
Edward J. Kowalski, Director
Enforcement and Compliance Assurance Division
EPA Region 10

APPROVED BY RESPONDENT:

Name
(print): Michael Brestars
Title
(print): Owner / Vintage Airframes.com
Signature: MR Date: Aug 17, 21

More than 40 days have elapsed since the issuance of public notice pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and EPA has received no comments concerning this matter.

Having determined that this Agreement is authorized by law, IT IS SO ORDERED:

RICHARD MEDNICK Digitally signed by RICHARD MEDNICK Date: 2021.09.28 10:55:50 -07'00' Date:
Richard Mednick
Regional Judicial Officer, U.S. EPA Region 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)	DOCKET NO.
)	CWA-10-2021-0167
Vintage Airframes, LLC)	
)	CERTIFICATE OF SERVICE
Caldwell, Idaho)	
)	
Respondent)	
_____)	

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER, In the Matter of: Vintage Airframes, LLC, Docket No.: CWA-10-2021-0167**, was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

The undersigned certifies that a true and correct copy of the document was delivered to:

Chris Gebhardt
U.S. Environmental Protection Agency
Region 10, Mail Stop 20-C04
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
Gebhardt.chris@epa.gov

Further, the undersigned certifies that a true and correct copy of the aforementioned document was delivered electronically to:

Michael Breshears
Owner
Vintage Airframes, LLC
4411 Aviation Way
Caldwell, Idaho 83605
Mike@vintageairframes.com

DATED this _____ day of September, 2021.

TERESA
YOUNG

 Digitally signed by
TERESA YOUNG
Date: 2021.09.29
09:53:25 -07'00'

TERESA YOUNG
Regional Hearing Clerk
EPA Region 10