

EPA ENFORCEMENT ACCOUNTS RECEIVABLE CONTROL NUMBER FORM FOR ADMINISTRATIVE ACTIONS

This form was originated by Wanda I. Santiago for Catherine Smith 7/8/9
Name of Case Attorney Date

in the ORC (RAA) at 918-1113
Office & Mail Code Phone number

Case Docket Number CA#-01-2019-0005

Site-specific Superfund (SF) Acct. Number _____

This is an original debt This is a modification

Name and address of Person and/or Company/Municipality making the payment:

Jonathan Prince, Esq.
Corp. Atty-Environmental Services
SUEZ - 461 From Road Suite 400
Paramus, NJ 07652

Total Dollar Amount of Receivable \$ 20,900.00 Due Date: 8/7/19

SEP due? Yes _____ No X Date Due _____

Installment Method (if applicable)

- INSTALLMENTS OF:
- 1st \$ _____ on _____
 - 2nd \$ _____ on _____
 - 3rd \$ _____ on _____
 - 4th \$ _____ on _____
 - 5th \$ _____ on _____

For RHC Tracking Purposes:

Copy of Check Received by RHC _____ Notice Sent to Finance _____

TO BE FILLED OUT BY LOCAL FINANCIAL MANAGEMENT OFFICE:

IFMS Accounts Receivable Control Number _____

If you have any questions call: _____
in the Financial Management Office

Phone Number _____



U. S. ENVIRONMENTAL PROTECTION AGENCY – NEW ENGLAND
5 POST OFFICE SQUARE, SUITE 100 (OES04-4)
BOSTON, MA 02109-3912

VIA HAND DELIVERY

July 8, 2019

Ms. Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912

Re: SUEZ Water Environmental Services Inc. -- Springfield Wastewater Treatment
Facility: Consent Agreement and Final Order, Docket No. CAA-01-2019-0005

Dear Ms. Santiago:

Attached for filing in the above-referenced matter are an original and one copy of an executed Consent Agreement and Final Order (“CAFO”). Also attached are an original and one copy of a Certificate of Service. EPA will send copies of the CAFO, the Certificate of Service, and this letter to the Respondent by Certified Mail. Thank you for your assistance. Please call me at 617-918-1777 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Catherine Smith", written over a light blue rectangular background.

Catherine Smith
Senior Enforcement Counsel

cc: Len Wallace, EPA
Jonathan M. Prince, Esq., SUEZ

Enclosures:

1. Original CAFO and copy of CAFO
2. Certificate of Service and copy

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

IN THE MATTER OF:)	
)	
SUEZ WATER ENVIRONMENTAL SERVICES INC.)	Docket No.:
)	CAA-01-2019-0005
190 M Street Extension)	
Agawam, Massachusetts 01001)	
)	
Respondent.)	
)	
Proceeding under Section 113(d) of)	
the Clean Air Act, 42 U.S.C. § 7413(d))	

CONSENT AGREEMENT AND FINAL ORDER

1. The United States Environmental Protection Agency Region 1 (“EPA” or “Complainant”) and SUEZ Water Environmental Services Inc. (“Respondent”) consent to the entry of this Consent Agreement and Final Order (“CAFO”) pursuant to 40 C.F.R. § 22.13(b) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Suspension of Permits, 40 C.F.R. Part 22 (“Consolidated Rules of Practice”). This CAFO resolves Respondent’s liability for alleged violations of Section 112(r)(1) of the Clean Air Act (“CAA”), 42 U.S.C. § 7412(r)(1).

2. EPA and Respondent hereby agree to settle this matter through this CAFO without the filing of an administrative complaint, as authorized under 40 C.F.R. §§ 22.13(b) and 22.18(b).

3. EPA and Respondent agree that settlement of this matter is in the public interest, and that entry of this CAFO without further litigation is the most appropriate means of resolving this matter.

4. Therefore, before taking any testimony, upon the pleadings, without adjudication or admission of any issue of fact or law, it is hereby agreed and ordered as follows:

I. PRELIMINARY STATEMENT

5. This Consent Agreement is entered into under Section 113(d) of the CAA, as amended, 42 U.S.C. § 7413(d), and the Consolidated Rules of Practice, 40 C.F.R. Part 22.

6. The EPA and the United States Department of Justice jointly determined that this matter is appropriate for administrative penalty assessment. 42 U.S.C. § 7413(d); 40 C.F.R. § 19.4.

7. The Regional Judicial Officer is authorized to ratify this Consent Agreement, which memorializes a settlement between Complainant and Respondent. 40 C.F.R. §§ 22.4(b) and 22.18(b).

8. This CAFO both initiates and resolves an administrative action for the assessment of monetary penalties, pursuant to Section 113(d) of the CAA, 42 U.S.C. § 7413(d).

9. As discussed below, this CAFO resolves an alleged failure to design and maintain a safe facility, in violation of the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

II. STATUTORY AND REGULATORY AUTHORITY

10. Pursuant to Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing substances listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), or any other extremely hazardous substance, have a general duty, in the same manner and to the same extent as 29 U.S.C. § 654, to (a) identify hazards which may result from accidental releases of such substances using appropriate hazard assessment techniques; (b) design and maintain a safe

facility, taking such steps as are necessary to prevent releases; and (c) minimize the consequences of accidental releases which do occur. This section of the CAA is referred to as the “General Duty Clause.”

11. The term “extremely hazardous substance” means substances listed pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3), or any other extremely hazardous substance. Extremely hazardous substances include any chemical which may, as a result of short-term exposures associated with releases to the air, cause death, injury, or property damage due to its toxicity, reactivity, flammability or corrosivity.¹ Also, the release of any substance that causes death or serious injury because of its acute toxic effect or as a result of an explosion or fire or that causes substantial property damage by blast, fire, corrosion or other reaction would create a presumption that such substance is extremely hazardous.²

12. The term “accidental release” is defined by Section 112(r)(2)(A) of the CAA, 42 U.S.C. § 7412(r)(2)(A), as an unanticipated emission of a regulated substance or other extremely hazardous substance into the ambient air from a stationary source.

13. The term “stationary source” is defined by Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C), in pertinent part, as any buildings, structures, equipment, installations or substance-emitting stationary activities, located on one or more contiguous properties under the control of the same person, from which an accidental release may occur.

14. The term “have a general duty in the same manner and to the same extent as section 654, title 29 of the United States code” means owners and operators must comply with

¹ Senate Committee on Environment and Public Works, Clean Air Act Amendments of 1989, Sen. Report No. 228, 101st Congress, 1st Session 211 (1989).

² *Id.*

the General Duty Clause in the same manner and to the same extent as employers must comply with the Occupational Safety Health Act administered by OSHA.³

15. The General Duty Clause is a performance standard with requirements that often can be achieved in a variety of ways. EPA routinely consults codes, standards, and guidance (“Industry Standards of Care”) issued by trade and fire prevention associations to understand the hazards posed by the use of various extremely hazardous substances. The Industry Standards of Care are also evidence of the methods that industry, itself, has found to be appropriate for managing those hazards. These Industry Standards of Care are consistently relied upon by industry and fire prevention experts and are sometimes incorporated into state building, fire, and mechanical codes. For facilities that store chemicals in laboratories or storage rooms, EPA often consults, among other things, the chemicals’ Safety Data Sheets, National Fire Protection Association (“NFPA”) codes (such as NFPA’s flammable liquids and hazardous materials codes), state fire codes, the Center for Chemical Process Safety’s *Guidelines for Safe Warehousing of Chemicals* and *Safe Storage and Handling of Reactive Materials*; and the National Oceanic and Atmospheric Administration’s CAMEO Chemicals database, available at

³ Section 654 of OSHA provides, in pertinent part, that “[e]ach employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees” and “shall comply with occupational safety and health standards promulgated under [OSHA].” 29 U.S.C. § 654. See Durion Co., Inc. v. Secretary of Labor, 750 F.2d 28 (6th Cir. 1984). According to the legislative history of the CAA General Duty Clause, Durion is cited as a guide for EPA’s application of the General Duty Clause. Durion criteria are those established earlier in National Realty & Construction Co. v. OSHRC, 489 F.2d 1257 (D.C. Cir. 1973), namely, that OSHA must prove (1) the employer failed to render the workplace free of a hazard; (2) the hazard was recognized either by the cited employer or generally within the employer’s industry; (3) the hazard was causing or was likely to cause death or serious physical harm; and (4) there was a feasible means by which the employer could have eliminated or materially reduced the hazard. For purposes of complying with the CAA General Duty Clause, owners and operators must maintain a facility that is free of a hazard, the hazard must be recognized by the owner/operator or recognized by the owner/operator’s industry, the hazard from an accidental release must be likely to cause harm, and the owner/operator must be able to eliminate or reduce the hazard. U.S. EPA, *Guidance for Implementation of the General Duty Clause Clean Air Act Section 112(r)(1)* (May 2000) at 11, footnote 4.

<https://cameochemicals.noaa.gov/>, which provides chemical information and can help predict the effects of mixing various chemicals.

16. Sections 113(a) and (d) of the CAA, 42 U.S.C. § 7413(a) and (d), as amended by EPA's Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, promulgated in accordance with the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701, and the Federal Civil Penalties Inflation Adjustment Act of 1990, Public Law 101-410, 28 U.S.C. § 2461 note, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, section 701 of Public Law 114-74, 129 Stat. 599 (Nov. 2, 2015), provide for the assessment of civil penalties for violations of Section 112(r) of the CAA, 42 U.S.C. § 7412(r), in amounts of up to \$37,500 per day per violation for violations occurring from January 12, 2009 through November 2, 2015, and up to \$47,357 per day per violation for violations that occurred after November 2, 2015 and that are assessed on or after February 6, 2019.

17. Section 113(d) of the CAA, 42 U.S.C. § 7413(d), as adjusted for inflation, prescribes a penalty limitation and a twelve-month duration limitation on EPA's authority to initiate an Administrative Penalty Order. However, these limitations may be waived where the Administrator and the Attorney General jointly determine that a matter involving a larger penalty or a longer period of violation is appropriate for an administrative penalty action. EPA and the Department of Justice jointly have determined that an administrative penalty action is appropriate in this case.

III. EPA'S GENERAL ALLEGATIONS

18. Respondent is a corporation with its principal office located in Paramus, New Jersey.

19. Respondent operates a wastewater treatment facility on the banks of the Connecticut River in Agawam, Mass. (the “Facility”), which treats wastewater from Springfield and surrounding communities.

20. The Facility is located near the Connecticut River, another business, and across the river from an interstate highway.

21. Respondent is a “person” within the meaning of Section 302(e) of the CAA, 42 U.S.C. § 7602(e), against whom a civil penalty may be assessed.

22. Respondent is the operator of a “stationary source,” as that term is defined by Section 112(r)(2)(C) of the CAA, 42 U.S.C. § 7412(r)(2)(C).

23. At the time of the violations alleged herein, Respondent stored the following chemicals at the Facility in its laboratory and oxidizer room, among others: sulfuric acid, fuming sulfuric acid, hydrochloric acid, methanol, and potassium permanganate. Respondent also stored chlorine for wastewater treatment in another part of the facility, but that chemical is not the subject of this enforcement action.

- a. Sulfuric acid is listed as an extremely hazardous substance under the Emergency Planning and Community Right-to-Know Act, 42 § U.S.C. 1101 et seq. (see 40 C.F.R. § 355 App. A);
- b. Fuming sulfuric acid and hydrochloric acid are listed as extremely hazardous substances in 40 C.F.R. § 68.130, the list promulgated by EPA pursuant to Section 112(r)(3) of the CAA, 42 U.S.C. § 7412(r)(3);
- c. Methanol is toxic and highly flammable, and its vapors easily mix with air to form an explosive mixture. It is flammable even when very dilute in water and burns with an invisible flame that can present a fire-fighting challenge. It is also

a substance that must be reported to the National Response Center when released, pursuant to 40 C.F.R. § 302.4.

- d. Potassium permanganate, present at the facility in large amounts (about 6,000 pounds), is an extremely strong oxidizing agent that is a fire hazard when stored next to acids, peroxides, combustibles, organics, or metals.

24. The chemicals listed in paragraph 23(a)-(d) above, either alone or improperly co-located with an incompatible material, are chemicals that may, as the result of short-term exposures associated with releases to the air, cause death, injury, or serious adverse effects to human health or the environment due to their toxicity, reactivity, flammability, volatility, or corrosivity. Accordingly, they are “extremely hazardous substances,” within the meaning of the General Duty Clause of Section 112(r)(1) of the CAA, 42 U.S.C. §7412(r)(1).

25. As the operator of a stationary source that processes, handles or stores extremely hazardous substances, Respondent was, at all times relevant to the allegations herein, subject to the General Duty Clause found in Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

26. On November 1, 2016, duly authorized inspector(s) from EPA and an Eastern Research Group, Inc. (“ERG”) contract inspector (collectively, the “EPA Inspectors”) visited the Facility to determine whether Respondent was complying with Section 112(r) of the CAA and Section 312 of EPCRA (the “Inspection”). The EPA inspectors toured the Facility’s perimeter, chlorine storage areas, oxidizer room, and laboratory, among other areas.

27. During the Inspection, the EPA inspectors observed, among other things, that Respondent was storing incompatible chemicals and materials together in a manner that risked fire or toxic releases. For example, it was storing large amounts of potassium permanganate, a Class 2 oxidizer, near wood and cardboard, which created a fire hazard. Also, on a smaller scale,

certain laboratory chemicals were being stored in close contact with incompatible chemicals. Bottles of hydrochloric acid and fuming sulfuric acid were stored on the same shelf; alkaline solutions were stored with methanol in the flammables cabinet; and chemicals in a chemical storage room were stored alphabetically rather than segregated by function and compatibility.

28. During the Inspection, EPA also observed some potential violations of the federal chemical accident prevention regulations pertaining to Respondent's storage of chlorine. The alleged violations relating to chlorine were resolved in a previous enforcement action and are not the subject of this case.

29. After the Inspection, Respondent submitted documentation that it had corrected all potential violations observed during the Inspection.

30. As a result of EPA's Inspection and review of information provided by Respondent, EPA alleges the following violations:

IV. ALLEGED VIOLATIONS

COUNT I: FAILURE TO DESIGN AND MAINTAIN A SAFE FACILITY IN VIOLATION OF THE CAA'S GENERAL DUTY CLAUSE

31. The allegations in paragraphs 1 through 30 are hereby realleged and incorporated by reference herein by reference.

32. Pursuant to the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1), owners and operators of stationary sources producing, processing, handling, or storing extremely hazardous substances have a general duty, in the same manner and to the same extent as Section 654 of Title 29, to, among other things, design and maintain a safe facility, taking such steps as are necessary to prevent releases.

33. As alleged above, Respondent operates a stationary source that handled and stored extremely hazardous substances. Accordingly, at the time of the violations alleged herein, Respondent was subject to the General Duty Clause.

34. As alleged in paragraph 27, at the time of the Inspection, Respondent was storing incompatible chemicals and materials together in its laboratory, chemical storage room, and oxidizer room.

35. Industry Standards of Care, such as those cited in paragraph 15, above, caution against or prohibit the co-located storage of incompatible chemicals. See e.g., NFPA 1 *Fire Code*, Section 66.9.17 Separation from Incompatible Materials, (2012 ed.); NFPA 400 *Hazardous Materials Code*, Section 6.1.12 Separation of Incompatible Materials (2010 ed.); the Safety Data Sheet for potassium permanganate, which recommends keeping the chemical away from heat sources and combustible materials and warns that the chemical may ignite wood or cloth; the Center for Chemical Process Safety's *Guidelines for Safe Warehousing of Chemicals*, Chapter 2.6; and the Center for Chemical Process Safety's *Safe Storage and Handling of Reactive Materials*, Chapter 5.2.

36. Accordingly, Respondent allegedly failed to design and maintain a safe facility, which would be in violation of the General Duty Clause, Section 112(r)(1) of the CAA, 42 U.S.C. § 7412(r)(1).

V. TERMS OF SETTLEMENT

37. The provisions of this CAFO shall apply to and be binding on EPA and on Respondent, its officers, directors, employees, agents, trustees, servants, authorized representatives, successors, and assigns.

38. Respondent stipulates that EPA has jurisdiction over the subject matter alleged in this CAFO and that the CAFO states a claim upon which relief can be granted against Respondent. Respondent waives any defenses it might have as to jurisdiction and venue and, without admitting or denying the factual and legal allegations contained herein, consents to the terms of this CAFO.

39. Respondent hereby waives its right to a judicial or administrative hearing on any issue of law or fact set forth in this CAFO and waives its right to appeal the Final Order.

40. Respondent certifies that it has corrected the violations alleged in this CAFO and will continue to operate the Facility in compliance with Section 112(r) of the CAA, 42 U.S.C. § 7412(r).

41. Pursuant to Section 113(e) of the CAA, 42 U.S.C. § 7413(e), and taking into account the relevant statutory penalty criteria, the facts alleged in this CAFO, and such other circumstances as justice may require, EPA has determined that it is fair and proper to assess a civil penalty of **\$20,900** for the violations alleged in this matter.

42. Respondent consents to the issuance of this CAFO and consents for purposes of settlement to the payment of the civil penalty cited in paragraph 41.

43. Within thirty (30) days of the effective date of this CAFO, Respondent shall submit a company, bank, cashier's, or certified check in the amount of \$20,900 payable to the order of the "Treasurer, United States of America." The check should be sent as follows:

If remitted by regular U.S. mail:
U.S. EPA
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

If remitted by any overnight commercial carrier:

U.S. Bank
1005 Convention Plaza
Mail Station SL-MO-C2GL
St. Louis, Missouri 63101

If remitted by wire transfer: Any wire transfer must be sent directly to the Federal Reserve Bank in New York City using the following information:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, New York 10045
Field Tag 4200 of the Fedwire message should read:
"D 68010727 Environmental Protection Agency

Respondent shall include the case name and docket number ("*In re SUEZ Water Environmental Services Inc.*, Docket No. CAA-01-2019-0005") on the face of the check or wire transfer confirmation. In addition, at the time of payment, Respondent shall simultaneously send notice of the payment and a copy of the check or electronic wire transfer confirmation to:

Wanda I. Santiago
Regional Hearing Clerk (Mail Code ORA 04-6)
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

and

Catherine Smith
Senior Enforcement Counsel (Mail Code 04-4)
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

44. In the event that any portion of the civil penalty amount described in paragraph 41 is not paid when due without demand, pursuant to Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5), Respondent will be subject to an action to compel payment, plus interest, enforcement expenses, and a nonpayment penalty. Interest will be assessed on the civil penalty

if it is not paid when due. In that event, interest will accrue from the effective date of this CAFO at the “underpayment rate” established pursuant to 26 U.S.C § 6621(a)(2). In the event that the penalty is not paid when due, an additional charge will be assessed to cover the United States’ enforcement expenses, including attorneys’ fees and collection costs. In addition, a quarterly nonpayment penalty will be assessed for each quarter during which the failure to pay the penalty persists. Such nonpayment penalty shall be 10 percent of the aggregate amount of Respondent’s outstanding civil penalties and nonpayment penalties hereunder accrued as of the beginning of such quarter. In any such collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.

45. The civil penalty under this CAFO and any interest, nonpayment penalties, and other charges described herein shall represent penalties assessed by EPA within the meaning of 26 U.S.C. § 162(f) and shall not be deductible for purposes of federal, state, or local taxes. Accordingly, Respondent agrees to treat all payments made pursuant to this CAFO as penalties within the meaning of 26 C.F.R. § 1.162-21, and further agrees not to use these payments in any way as, or in furtherance of, a tax deduction under federal, state, or local law.

46. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local law.

47. This CAFO constitutes a settlement by EPA of all claims for civil penalties pursuant to Section 113(d) of the CAA for the specific violations alleged in this CAFO. Compliance with this CAFO shall not be a defense to any other actions subsequently commenced pursuant to federal laws and regulations administered by EPA, and it is the responsibility of Respondent to comply with said laws and regulations.

48. By signing this Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.

49. Nothing in this CAFO shall be construed as prohibiting, altering, or in any way limiting the ability of EPA to seek any other remedies or sanctions available by virtue of Respondent's violation of this CAFO or of the statute upon which this CAFO is based, or for Respondent's violation of any applicable provision of law.

50. This CAFO in no way relieves Respondent or its employees of any criminal liability, and EPA reserves all its other criminal and civil enforcement authorities, including the authority to seek injunctive relief and the authority to undertake any action against Respondent in response to conditions which may present an imminent and substantial endangerment to the public health, welfare, or the environment.

51. Each party shall bear its own costs and fees in this proceeding including attorney's fees, and specifically waive any right to recover such costs from the other party pursuant to the Equal Access to Justice Act, 5 U.S.C § 504, or other applicable laws.

52. The terms, conditions, and requirements of this CAFO may not be modified without the written agreement of all Parties and the approval of the Regional Judicial Officer.

53. In accordance with 40 C.F.R. § 22.31(b), the effective date of this CAFO is the date on which it is filed with the Regional Hearing Clerk.

54. Each undersigned representative of the parties certifies that he is fully authorized by the party responsible to enter into the terms and conditions of this CAFO and to execute and legally bind that party to it.

FOR RESPONDENT SUEZ WATER ENVIRONMENTAL SERVICES INC.

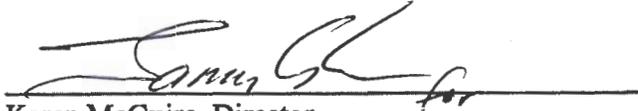


Date: June 25, 2019
XAVIER CASTRO, Vice President North East sales
[NAME, TITLE]

SUEZ Water Environmental Services Inc.

On the EPA's behalf, the Director of the Enforcement and Compliance Assurance Division, EPA Region 1, is delegated the authority to settle civil administrative penalty proceedings under CAA Section 113(d).

FOR U.S. ENVIRONMENTAL PROTECTION AGENCY:



Karen McGuire, Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 1

Date: 6/28/19

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

IN THE MATTER OF:)
)

SUEZ WATER ENVIRONMENTAL SERVICES INC.)
)

190 M Street Extension)
Agawam, Massachusetts 01001)
)

Respondent.)
)

Proceeding under Section 113(d) of)
the Clean Air Act, 42 U.S.C. § 7413(d))
)

Docket No.:
CAA-01-2019-0005

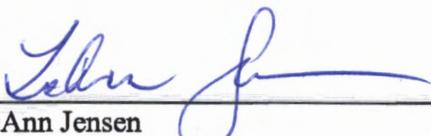
FINAL ORDER

Pursuant to 40 C.F.R. § 22.18(b) and (c) of EPA's Consolidated Rules of Practice, the foregoing Consent Agreement resolving this matter is incorporated by reference into this Final Order and is hereby ratified. Respondent is ordered to pay the civil penalty amount specified in the Consent Agreement, in the manner indicated.

The terms of the Consent Agreement will become effective on the date it is filed with the Regional Hearing Clerk.

Date:

July 2, 2019



LeAnn Jensen
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 1

Re: SUEZ Water Environmental Services Inc.-- Springfield Wastewater Treatment Facility:
Consent Agreement and Final Order, Docket No. CAA-01-2019-0005

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Expedited Settlement Agreement has been sent to the following persons on the date and in the manner noted below:

Original and one copy,
hand-delivered:

Ms. Wanda Santiago, Regional Hearing Clerk
U.S. EPA, Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3812

Copy, by certified mail:

Jonathan M. Prince, Esq.
Corporate Attorney – Environmental Services
SUEZ
461 From Road, Suite 400
Paramus, New Jersey 07652

Date: July 8, 2019



Catherine Smith
Senior Enforcement Counsel
U.S. Environmental Protection Agency,
Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3812
617-918-1777
smith.catherine@epa.gov