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HEARINGS CLERK
EPA - REGION 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

CITY OF ST. MARIES

St. Maries, Idaho

Respondent.

DOCKET NO. CWA-10-2018-0302

CONSENT AGREEMENT

Proceedings Under Section 309(g) of the Clean
Water Act, 33 U.S.C. § 1319(g)

I. STATUTORY AUTHORITY

1.1. This Consent Agreement is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g).

1.2. Pursuant to CWA Section 309(g)(1)(A), 33 U.S.C. § 1319(g)(1)(A), the EPA is authorized to assess a civil penalty against person that has violated CWA Section 301, 33 U.S.C. § 1311, and/or any permit condition or limitation implementing any of such sections in a permit issued under CWA Section 402, 33 U.S.C. § 1342.

1.3. CWA Section 309(g)(2)(B), 33 U.S.C. § 1319(g)(2)(B), authorizes Class II civil penalties in an amount not to exceed \$10,000 per day for each day during which the violation continues, up to a maximum penalty of \$125,000. Pursuant to the 2015 amendments to the Federal Civil Penalty Inflation Adjustment Act, 28 U.S.C. § 2461, and 40 C.F.R. Part 19, the administrative assessment of Class II civil penalties may not exceed \$21,393 per day for each day during which the violation continues, up to a maximum penalty of \$267,415. See also 83 Fed. Reg. 1190 (January 10, 2018) (2018 Civil Monetary Penalty Inflation Adjustment Rule).

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U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 155, ORC-113
Seattle, Washington 98101
(206) 553-1037

1.4. Pursuant to CWA Section 309(g)(1)(A) and (g)(2)(B), 33 U.S.C. § 1319(g)(1)(A) and (g)(2)(B), 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 City of St. Maries (Respondent) agrees 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), issuance 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 CWA Section 309(g), 33 U.S.C. § 1319(g), to the Regional Administrator of EPA Region 10, who has redelegate this authority to the Director of the Office of Compliance and Enforcement, 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 CWA, together with the specific provisions of the CWA and implementing regulations that Respondent is alleged to have violated.

III. ALLEGATIONS

Statutory and Regulatory Framework

3.1. As provided in CWA Section 101(a), 33 U.S.C. § 1251(a), the objective of the CWA is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

3.2. CWA Section 301(a), 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person from any point source into waters of the United States except, *inter alia*, as authorized by a National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342.

3.3. The CWA defines “discharge of a pollutant” to include “any addition of any pollutant to navigable waters from any point source” and defines “navigable waters” to include “waters of the United States.” CWA § 502(7), (12), 33 U.S.C. § 1362(7), (12).

3.4. The CWA defines a “pollutant” to include “industrial, municipal, and agricultural waste discharged into water.” CWA § 502(6), 33 U.S.C. § 1362(6).

3.5. The CWA defines “point source” to include, *inter alia*, “any pipe, ditch, channel, tunnel, conduit, well, discrete fissure [or] container ... from which pollutants are or may be discharged.” CWA § 502(14), 33 U.S.C. § 1362(14).

3.6. The CWA § 502(7) defines ‘navigable waters’ as ‘the waters of the United States, including the territorial seas.’ 33 U.S.C. § 1362(7). In turn, ‘waters of the United States’ has been defined to include, *inter alia*, all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce; and tributaries to such waters.

40 C.F.R. §§ 122.2 & 110.1 (1993).

3.7. 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 any pollutant into the waters of the United States upon such specific terms and conditions as the Administrator may prescribe.

3.8. On October 1, 2007, EPA issued NPDES Permit No. ID-0022799 (“2007 Permit”), authorizing Respondent to discharge municipal wastewater containing pollutants from the Facility. The Permit expired on September 30, 2012, but was administratively extended pursuant to 40 C.F.R. § 122.6. Therefore, NPDES Permit No. ID-0022799 is the controlling NPDES permit for the Facility.

General Allegations

3.9. Respondent is a “municipality,” organized under the laws of the State of Idaho, with jurisdiction over the disposal of sewage, industrial wastes, or other wastes, and is a “person” within the meaning of the CWA. CWA Section 502(4)-(5), 33 U.S.C. § 1362(4)-(5).

3.10. Respondent owns and/or operates the City of St. Maries Wastewater Treatment Plant (“Facility”) located in St. Maries, Idaho, at the end of Shepherds Road and East of 1790 Shepherds Road, St. Maries, Idaho 83861.

3.11. At all times relevant to this action, Respondent was authorized to discharge municipal wastewater containing pollutants from the Facility pursuant to NPDES Permit No. ID-0022799 (effective date October 1, 2007) (“2007 Permit”).

3.12. The Facility discharges pollutants from Outfall 001, which discharges into the St. Joe River. Outfall 001 is a “point source.” 40 C.F.R. § 122.2.

3.13. The St. Joe River flows into Chatcolet Lake, which flows into Lake Coeur d’Alene, which flows into the Spokane River, which flows into the Pacific Ocean. The St. Joe

River is a tributary to an interstate water body that is subject to interstate commerce. As such, the St. Joe River is a “navigable water.” CWA § 502(7), 33 U.S.C. § 1362(7).

Violations

3.14. As described below, by discharging domestic wastewater containing pollutants from the Facility into navigable waters, Respondent engaged in the “discharge of pollutants” from a point source within the meaning of CWA Sections 301(a) and 502(12), 33 U.S.C. § 1311(a) and 1362(12). Respondent violated CWA Section 301, 33 U.S.C. § 1311, and the conditions and/or limitations of its Permit.

3.15. Section I.B and Table 1 of the Permit establish effluent limitations for the discharge from Outfall 001 at the City of St. Maries Wastewater Treatment Plant. These effluent limits include biochemical oxygen demand (“BOD₅”), total residual chlorine (“TRC”), and pH.

3.16. Section I.B.6 of the Permit states that the permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters.

3.17. Section III.A of the Permit includes language that states that samples and measurements must be representative of the volume and nature of the monitored discharge. The intent of the Permit requirement is that the monitoring conducted at the Facility must be representative of the wastewater influent entering the Facility and the effluent leaving the Facility.

3.18. Section III.C of the Permit states that monitoring must be conducted according to test procedures approved under 40 CFR 136, which specifies, among other things, the holding times for various parameters.

3.19. Section III.E of the Permit states that records of monitoring information must include, among other things, the date, exact place, and time of any sampling or measurements. This requirement is interpreted to mean that the sample collection date and time as well as the sample analysis date and time must be recorded.

3.20. Part III.B of the Permit requires Respondent to summarize monitoring results for the Facility each month in a Discharge Monitoring Report (“DMR”).

3.21. Each failure to comply with the effluent limitations and monitoring requirements specified in the Permit, issued pursuant to Section 402 of the CWA, is a violation of the terms and conditions of the Permit, and is a violation of Section 301(a) of the CWA. CWA § 301(a), 33 U.S.C. § 1311(a); CWA § 402, 33 U.S.C. § 1342.

3.22. Section II.B. of the Permit states that the permittee must develop a Quality Assurance Plan (QAP) for all monitoring required by this permit, the QAP must include map(s) indicating the location of each sampling point, and, the QAP must include the qualification and training of personnel.

3.23. Section IV.E of the Permit states that the permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This requirement is interpreted to mean that proper operation and maintenance also requires that sample analysis equipment be properly calibrated.

3.24. Section I.D of the Permit identifies the surface water monitoring requirements for this Facility. This permit condition requires that the surface water is monitored three times per year. This permit condition also specifically requires that surface water monitoring occur during February, May and December of each year.

3.25. Part I.B.1 of the Permit states that maximum daily temperature must be reported on the DMRs.

3.26. The Inspection Report from the EPA's September 26, 2016 inspection of the Facility and Respondent's DMRs from October 2013 through November 2017 indicate the Facility had a total of 1,872 violations: 35 violations of the effluent limits set forth in the 2007 Permit, 866 violations for failure to collect representative samples (622 effluent sample location incorrect, 244 influent sample not representative), 866 violations for failure to record sample collection time, and 5 other monitoring and documentation related violations [1 violation for failure to develop and implement a complete quality assurance plan ("QAP"); 1 violation for failure to meet proper Operation and Maintenance ("O&M") requirements; 2 violations for failure to conduct surface water monitoring according to the proper time frame; and 1 violation for failure to report maximum daily temperature on the March 2014 DMR].

Count 1: 35 Effluent Limit Violations

3.27. The statements in Paragraphs 1 – 3.26 are hereby incorporated by reference as if set forth in full.

3.28. The Inspection Report from the EPA's September 26, 2016 inspection of the Facility and Respondent's DMRs from October 2013 through November 2017 indicate that the Facility had 35 effluent limit violations.

3.29. The specific pollutants for which the effluent limit violations were assessed are BOD, pH, *E. coli*, and total residual chlorine.

3.30. Part I.B.1 of the Permit prohibits the Facility from discharges in which the daily maximum loadings of TRC in the effluent exceed 5.09 lbs/day. Respondent violated this permit condition one time between October 2013 and December 2017, constituting one violation, as follows:

Month of Violation	Pollutant	Permit Limit	Value Reported	Units
Nov-16	TRC	5.09	6.802	lb/d

3.31 Part I.B.1 of the Permit prohibits the Facility from discharges in which the instantaneous maximum pH exceeds 8.5 standard units (SU). Respondent violated this permit condition one time between October 2013 and December 2017, constituting one violation, as follows:

Month of Violation	Pollutant	Permit Limit	Value Reported	Units
Apr-17	pH	8.5	9.75	SU

3.31 Part I.B.1 of the Permit prohibits the Facility from discharges in which the instantaneous minimum pH is lower than 6.5 SU. Respondent violated this permit condition two times between October 2013 and December 2017, constituting two violations, as follows:

Month of Violation	Pollutant	Permit Limit	Value Reported	Units
Dec-13	pH	6.5	6.16	SU
Feb-14	pH	6.5	6.18	SU

3.32 Part I.B.1 of the Permit prohibits the Facility from discharges in which the minimum average monthly BOD removal is lower than 85%. Respondent violated this permit condition one time between October 2013 and December 2017, constituting 31 violations, as follows:

Month of Violation	Pollutant	Permit Limit	Value Reported	Units
Dec-17	BOD ₅	85	80	%

Count 2: 866 Failure to Sample Violations

3.33 The statements in Paragraphs 1 – 3.32 are hereby incorporated by reference as if set forth in full.

3.34 Part I.B.6 of the Permit states that the permittee must collect effluent samples from the effluent stream after the last treatment unit prior to discharge into the receiving waters. According to the report from EPA’s inspection on September 26, 2016, the Facility said that effluent composite samples and *E. coli* samples are collected in the waste stream after the chlorine contact chamber and before de-chlorination. From October 2013 through November 2017, Respondent did not collect effluent samples after the last treatment unit, violating this permit condition, constituting 622 violations, as follows:

Parameter	Sample Frequency	Sample Type	Number of Violations
BOD, 5-day	1/week	24-hr Composite	122
Solids, suspended	1/week	24-hr Composite	122
<i>E. coli</i> MTEC-MF	5/month	Grab	140
Hardness, total [as CaCO ₃]	1/bi-monthly	24-hr Composite	14

Alkalinity, total [as CaCO ₃]	1/bi-monthly	24-hr Composite	15
Phosphorus, total [as P]	1/month	24-hr Composite	28
Phosphorus, ortho [as P]	2/year	24-hr Composite	3
Nitrogen, Kjeldahl, total [as N]	1/month	24-hr Composite	28
Nitrite plus nitrate dissolved	1/month	24-hr Composite	28
Nitrogen, ammonia total [as N]	1/week	24-hr Composite	122

3.35 Section III.A of the Permit includes language that states that samples and measurements must be representative of the volume and nature of the monitored discharge. The intent of the Permit requirement is that the monitoring conducted at the Facility must be representative of the wastewater influent entering the Facility and the effluent leaving the Facility. According to the report from EPA's inspection on September 26, 2016, the Facility said that influent samples are not collected of the raw wastewater as it enters the Wastewater Treatment Plant. Instead, influent samples are collected at two pump stations that collect the bulk of the wastewater from the City. These pump stations are identified as the 2nd Street pump station, located approximately one mile southeast of the treatment plant, and the 14th Street pump station, located approximately half a mile southeast of the treatment plant. The concentration values measured at these two pump stations are mathematically averaged to come up with influent BOD and TSS concentrations. The Facility said that most of the wastewater is routed through these two pump stations except for the wastewater generated from the St. Maries High School. Wastewater from the high school is piped directly from the school to lagoon 2 and, as a result, bypasses the 2nd and 14th Street pump stations. Because the discharge from the high school is not routed through either the 2nd or 14th Street pump stations, the influent samples

collected at the pump stations do not reflect the impact of the wastewater contributed by the high school. From October 2013 through November 2017, Respondent did not collect influent samples representative of the volume and nature of the monitored discharge, violating this permit condition, constituting 244 violations, as follows:

Parameter	Sample Frequency	Sample Type	Number of Violations
BOD, 5-day	1/week	24-hr Composite	122
Solids, suspended	1/week	24-hr Composite	122

Count 3: 966 Failure to Record Sample Collection Times Violations

3.36 The statements in Paragraphs 1 – 3.35 are hereby incorporated by reference as if set forth in full.

3.37 Part III.C (Monitoring Procedures) of the 2007 Permit states that “Monitoring must be conducted according to test procedures approved under 40 CFR 136 . . .” 40 CFR 136 specifies, among other things, the holding times for various parameters.

3.38 Part III.E of the 2007 Permit states that “records of monitoring information must include . . . the date, exact place, and time of any sampling or measurements . . .” This requirement is interpreted to mean that the sample collection date and time as well as the sample analysis date and time must be recorded.

3.39 According to the report from EPA’s inspection on September 26, 2016, the Facility said that sample measurement times for pH, TRC, dissolved oxygen, and temperature are recorded. However, the sample collection times for these parameters have not been recorded.

3.40 Not recording both sample collection and measurement times is inconsistent with requirements established in Part III.E of the 2007 Permit. Furthermore, without information on

both the sample collection and measurement times, it is not possible to evaluate whether sample holding times (established in 40 CFR 136) are being achieved for pH, TRC, dissolved oxygen, and temperature.

3.41 From October 2013 through September 2016, Respondent did not record all monitoring information required under the 2007 Permit. Failure to record the times of sample collection for pH, TRC, dissolved oxygen, and temperature during this period constitute 966 violations of the CWA.

Count 4: 1 Violation for Failure to Develop and Implement a QAP

3.42 The statements in Paragraphs 1 – 3.41 are hereby incorporated by reference as if set forth in full.

3.43 Part II.B of the Permit states “The permittee must develop a QAP for all monitoring required by this permit”

3.44 Part II.B.3.b of the 2007 Permit states that at a minimum, the QAP must include “Map(s) indicating the location of each sampling point.”

3.45 Part II.B.3.c of the 2007 Permit states that at a minimum, the QAP must include the “Qualification and training of personnel.”

3.46 According to the report from EPA’s inspection on September 26, 2016, the Facility was not able to provide a copy of a QAP during the inspection. However, subsequent to the inspection, the Facility provided the EPA Inspector with a copy of a QAP that was revised on July 21, 2008.

3.47 Review of the QAP indicates several deficient including the following:

- The QAP does not include information on the number of samples that are to be collected.

- The QAP does not include sample collection and analysis information for orthophosphate, which the 2007 Permit requires be monitored twice per year at the effluent.
- The QAP does not include information on holding times and analytical methods.
- The QAP map for the Facility does not indicate the locations of each sampling point as required by the 2007 Permit.
- The QAP for the Facility does not provide any discussion pertaining to the qualification and training of personnel as required by the 2007 Permit.

3.48 This constitutes one violation of the CWA.

Count 5: 1 Violation for Failure to Meet O&M Requirements

3.49 The statements in Paragraphs 1 – 3.48 are hereby incorporated by reference as if set forth in full.

3.50 Part IV.E of the 2007 Permit requires the permittee to properly operate and maintain all facilities and systems of treatment and control that are used by the permittee to achieve compliance with the conditions of the Permit. Proper operation and maintenance includes adequate laboratory controls and quality assurance procedures, including that sample analysis equipment is properly calibrated.

3.51 According to the report from EPA's inspection on September 26, 2016, the pH calibration solutions at the on-site lab were expired. This constitutes one violation of the CWA.

Count 6: 2 Violations for Failure to Conduct Surface Water Monitoring

3.52 The statements in Paragraphs 1 – 3.51 are hereby incorporated by reference as if set forth in full.

3.53 Part I.D of the Permit requires that the surface water be monitored three times per year, specifically requiring surface water monitoring occur during February, May, and December

of each year. Respondent violated this condition two times in 2014 when it conducted monitoring during March 2014 (instead of February 2014) and in June 2014 (instead of May 2014), constituting two violations.

Count 7: 1 Violation for Failure to Report Maximum Daily Temperature

3.54 The statements in Paragraphs 1 – 3.53 are hereby incorporated by reference as if set forth in full.

3.55 Part I.B.1 of the Permit says that maximum daily temperature must be reported on the DMRs. Respondent violated this permit condition during March 2014 when the maximum daily temperature was not submitted in the March 2014 DMR, constituting one violation.

IV. TERMS OF SETTLEMENT

4.1. Respondent admits the jurisdictional allegations contained in this Consent Agreement.

4.2. Respondent neither admits nor denies the specific factual allegations contained in this Consent Agreement.

4.3. As required by CWA Section 309(g)(3), 33 U.S.C. § 1319(g)(3), the EPA has taken into account “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 (if any) resulting from the violation, and such other matters as justice may require.” After considering all of these factors as they apply to this case, EPA has determined that an appropriate penalty to settle this action is \$12,500.00.

4.4. Respondent consents to the assessment of the civil penalty set forth in Paragraph 4.3 and agrees to pay the total civil penalty within 30 days of the effective date of the

Final Order.

4.5. Payment under this Consent Agreement and the Final Order may be paid by check (mail or overnight delivery), wire transfer, ACH, or online payment. Payment instructions are available at: <http://www2.epa.gov/financial/makepayment>. Payments made by a cashier's check or certified check must be payable to the order of "Treasurer, United States of America" and delivered to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

Respondent must note on the check the title and docket number of this action.

4.6. Respondent must serve photocopies of the check, or proof of other payment method described in Paragraph 4.5, on the Regional Hearing Clerk and EPA Region 10 Compliance Officer at the following addresses:

Teresa Young, Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 10, Mail Stop ORC-113
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
young.teresa@epa.gov

Brian Levo, Compliance Officer
U.S. Environmental Protection Agency
Region 10, Mail Stop OCE-101
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
levo.brian@epa.gov

4.7. If Respondent fails to pay the penalty assessed by this Consent Agreement in full by its due date, the entire unpaid balance of penalty and accrued interest shall become immediately due and owing. Such failure may also subject Respondent to a civil action to collect the assessed penalty under the CWA, together with interest, fees, costs, and additional penalties described below. In any collection action, the validity, amount, and appropriateness of the penalty shall not be subject to review.

a. Interest. Pursuant to CWA Section 309(g)(9), 33 U.S.C. § 1319(g)(9), any unpaid portion of the assessed penalty shall bear interest at a rate established by the Secretary of Treasury pursuant to 31 U.S.C. § 3717(a)(1) from the effective date of the Final Order set forth in Part V, provided however, that no interest shall be payable on any portion of the assessed penalty that is paid within 30 days of the effective date of the Final Order.

b. Attorney's Fees, Collection Costs, Nonpayment Penalty. Pursuant to CWA Section 309(g)(9), 33 U.S.C. § 1319(g)(9), if Respondent fails to pay on a timely basis the penalty set forth in Paragraph 4.3, Respondent shall pay (in addition to any assessed penalty and interest) attorney's fees and costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to 20% of the aggregate amount of Respondent's penalties and nonpayment penalties which are unpaid as of the beginning of such quarter.

4.8. The penalty described in Paragraph 4.3, including any additional costs incurred under Paragraph 4.7, above, represents an administrative civil penalty assessed by EPA and shall not be deductible for purposes of federal taxes.

4.9. The undersigned representative of Respondent certifies that he or she is authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondent to this document.

4.10. Except as described in Subparagraph 4.7.b., above, each party shall bear its own costs in bringing or defending this action.

4.11. Respondent expressly waives any right to contest the allegations and waives any right to appeal this Consent Agreement and the Final Order.

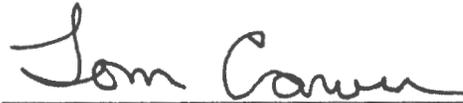
4.12. The provisions of this Consent Agreement and the Final Order shall bind Respondent and its agents, servants, employees, successors, and assigns.

4.13. The above provisions are STIPULATED AND AGREED upon by Respondent and EPA Region 10.

DATED:

10-25-2018

FOR RESPONDENT:

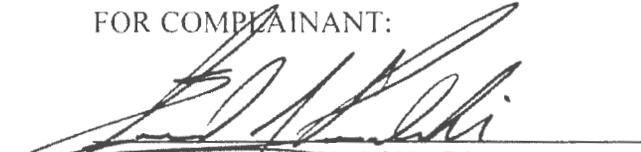


The Honorable TOM CARVER, Mayor
City of St. Maries

DATED:

7/26/2018

FOR COMPLAINANT:


EDWARD J. KOWALSKI, Director
Office of Compliance and Enforcement
EPA Region 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

CITY OF ST. MARIES

St. Maries, Idaho

Respondent.

DOCKET NO. CWA-10-2018-0302

FINAL ORDER

Proceedings Under Section 309(g) of the Clean
Water Act, 33 U.S.C. § 1319(g)

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. Respondent is 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 Clean Water Act (CWA) 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 Respondent's obligations to comply with all applicable provisions of the CWA and regulations promulgated or permits issued thereunder.

4. This Final Order shall become effective upon filing.

SO ORDERED this 15th day of August, 2018.


RICHARD MEDNICK
Regional Judicial Officer
U.S. Environmental Protection Agency
Region 10

Certificate of Service

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER, In the Matter of: City of St. Maries, Idaho, Docket No.: CWA-10-2018-0302** was filed with the Regional Hearing Clerk and served on the addressees in the following manner on the date specified below:

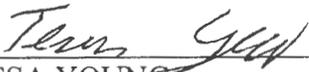
The undersigned certifies that a true and correct copy of the document was delivered to:

Clarke Thurmon
U.S. Environmental Protection Agency
Region 10, Mail Stop ORC-113
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101

Further, the undersigned certifies that a true and correct copy of the aforementioned document was placed in the United States mail certified/return receipt to:

The Honorable Tom Carver
Mayor of the City of St. Maries
City of St. Maries
602 College Avenue
St. Maries, ID 83861

DATED this 17 day of August, 2018.



TERESA YOUNG
Regional Hearing Clerk
EPA Region 10