



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1



MEMORANDUM

DATE: July 2, 2025

RE: Consent Agreement and proposed Final Order
In the Matter of: D & F Afonso Builders, Inc.
CWA-01-2025-0039

FROM: Jeff Kopf, Senior Enforcement Counsel, EPA Region 1

TO: Michael J. Knapp, Regional Judicial Officer

In accordance with 40 C.F.R. § 22.13(b), enclosed please find a Consent Agreement and proposed Final Order ("Agreement") that will simultaneously commence and settle the above-captioned action. The proposed Agreement has been signed by the parties and is now being submitted for your approval.

Public notice of this Agreement was provided as required by Section 309(g)(4)(A) of the Clean Water Act (the "Act"), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45. The proposed Agreement is being submitted more than 10 days after the close of the public comment period. The Regional Hearing Clerk has reported that there were not any comments concerning this proposed action during this period.

Under the terms of the Agreement, Respondent will pay a civil penalty of \$32,550. This Agreement is consistent with EPA's Supplemental Guidance to the Interim Clean Water Act Settlement Penalty Policy (March 1, 1995) for Violations of the Construction Storm Water Requirements (Feb. 5, 2008), and the statutory penalty factors described in Section 309(g)(3) of the Act, 33 U.S.C. §§ 1319(g)(3).

Once the proposed Final Order has been signed by you, the fully-executed Agreement will be filed with the Regional Hearing Clerk and will become final 30 days after the date of your signature. Enclosed is a draft certificate of service for use by the Regional Hearing Clerk to serve the parties after you have approved the Agreement.

Enclosures (2) (proposed Agreement; draft Cert. of Service)

cc via email:

Suzette A. Ferreira, Esq., Consigli and Brucato, PC
Jeff Kopf, Senior Enforcement Counsel, EPA Region 1
Andrew Spejewski, Inspector, EPA Region 1