



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 10

1200 Sixth Avenue, Suite 900, Seattle, Washington 98101

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2015-0142, NPDES No. IDR12F733 and "Unpermitted"

RECEIVED

15 SEP 17 AM 2:51

HEARING CLERK
EPA--REGION 10

McMaster Construction & Development and Hayden Homes ("Respondents") are "persons," 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.

U.S. EPA, Region 10
Fines and Penalties, Cincinnati Finance Center
In the Matter of: McMaster Const. & Dev. and Hayden Homes
Docket No.: CWA-10-2015-0142
P.O. Box 979077
St. Louis, MO 63197-9000

Attached is an "Expedited Settlement Offer Worksheet Deficiencies Form" ("Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondents are responsible for the deficiencies specified in the Form.

This Agreement settles EPA's civil penalty claims against Respondents for the Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondents 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 deficiencies or violation(s) described in the Form. EPA has determined this Agreement to be appropriate.

Respondents had an unauthorized discharge of storm water in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311, and/or failed to comply with its National Pollutant Discharge Elimination System ("NPDES") storm water permit issued under Section 402 of the Act, 33 U.S.C. § 1342.

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

EPA finds, and Respondents admit, that Respondents are subject to Section 301(a) 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." Respondents neither admit nor deny the deficiencies specified in the Form.

APPROVED BY EPA:

Edward J. Kowalski Date: 8/5/15
Edward J. Kowalski, Director
Office of Compliance and Enforcement

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)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement in order to settle the civil violation(s) alleged in this Agreement for a penalty of \$4,200. Respondents consent to the assessment of this penalty, and waive 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).

McMASTER CONSTRUCTION & DEVELOPMENT
APPROVED BY RESPONDENT:

Name
(print): GERALD O. TAYLOR

Title
(print): PROJECT MANAGER

Signature: *Gerald O. Taylor* Date: 9/1/2015

Additionally, Respondents certify, subject to civil and criminal penalties for making a false statement to the United States Government, that any deficiencies identified in the Form have been corrected. Respondents shall submit a written report with this Agreement detailing the specific actions taken to correct the violations cited herein.

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.

Respondents certify that they have 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:

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

M. Socorro Rodriguez Date: 9/17/15
M. Socorro Rodriguez
Regional Judicial Officer, Region 10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 10

1200 Sixth Avenue, Suite 900, Seattle, Washington 98101
EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2015-0142, NPDES No. IDR12F733 and "Unpermitted"

McMaster Construction & Development and Hayden Homes ("Respondents") are "persons," 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.

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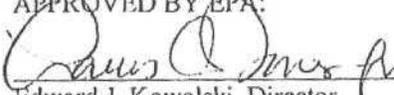
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U.S. EPA, Region 10
Fines and Penalties, Cincinnati Finance Center
In the Matter of: McMaster Const. & Dev. and Hayden Homes
Docket No.: CWA-10-2015-0142
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St. Louis, MO 63197-9000

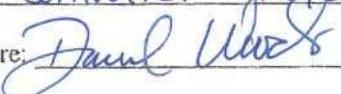
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This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

APPROVED BY EPA:

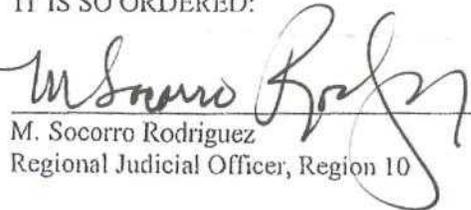
 Date: 8/5/15
Edward J. Kowalski, Director
Office of Compliance and Enforcement

APPROVED BY RESPONDENT:

Name (print): David Woods
Title (print): Controller - Hayden Homes
Signature:  Date: 9/2/15

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:

 Date: 9/17/15
M. Socorro Rodriguez
Regional Judicial Officer, Region 10

Date: Monday, August 31, 2015
 Time: 08:12AM
 User: PWILSON

Hayden Homes, LLC
AP Edit Report - Standard
 Period: 08-15 As of: 8/31/2015

Page: 1 of 1
 Report: 03810.rpt
 Company: HHM01

Company: HHM01

Batch: 022249 Entry Scrn: 03.010 Per Entr: 08-15 Per Post: 08-15 Batch Cpy Id: HHM01 SYSADMIN Debit Total: 390.96
 Status: P Jrnl Type: AP Company: HHM01 Number of Documents Out of Balance: 0 Control: 390.96 Credit Total: 390.96

Ref Nbr	Doc Type	Doc Stat	Vendor Company	Name	Doc Date	PO Nbr	Invoice Number	Invoice Date	Terms	Pay Date	Discount Date	Document Amount	Discount Amount
369482	VO	A	HUECOM	Huesitos Company II, LLC	8/27/15	INV-053515	13761	8/18/2015	11	10/7/2015	10/7/2015	390.96	0.00
water 9 lots canbe 8 18 15													
Description	Company ID	Acct	Subaccount	Project ID:	Activity ID:	Ext Ref	1099 Box	Line #	Amount				
water 9 lots canterbury 8 18 1	HHM01	4950	CANBE00	CANBE00-000-0000	00025				390.96	D			

Batch Net Total 390.96

Certificate of Service

The undersigned certifies that the original of the attached **EXPEDITED SETTLEMENT AGREEMENT AND FINAL ORDER, In the Matter of: McMaster Construction & Development and Hayden Homes, Docket No.: CWA-10-2015-0142**, 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:

Christian F. Gebhardt, NPDES Compliance Officer
1200 Sixth Avenue, OCE-101
Suite 900
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:

Jerald Taylor, Project Manager
McMaster Construction & Development
16166 North 20th Street
Nampa, Idaho 83687

David Woods, Controller
Hayden Homes
2464 SW Glacier Place, Suite 110
Redmond, Oregon 97756

DATED this 17 day of September, 2015



Signature

Teresa Luna
Regional Hearing Clerk
EPA Region 10

