

BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

EAST WEST SEAFOODS, LLC, PACIFIC  
PRODUCER

Seattle, Washington

Respondent.

DOCKET NO. CWA-10-2021-0195  
**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 entered into 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), EPA is authorized to assess a civil penalty against any person that has violated Section 301, 33 U.S.C. § 1311, and/or any permit condition or limitation 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 the administrative assessment of 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 40 C.F.R. Part 19, the administrative assessment of Class II civil penalties may not exceed \$22,584 per day for each day during which the violation continues, up to a maximum penalty of \$282,293. *See also* 85 Fed. Reg. 83820 (December 23, 2020) (2021 Civil Monetary Penalty Inflation Adjustment Rule).

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 East West Seafoods, LLC, (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), execution 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 redelegated this authority to the Director of the Enforcement and Compliance Assurance Division, 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. CWA Section 502(12), 33 U.S.C. § 1362(12), defines “discharge of a pollutant” to include “any addition of any pollutant to navigable waters from any point source.”

3.4. CWA Section 502(6), 33 U.S.C. § 1362(6), defines a “pollutant” to include, *inter alia*, solid waste, sewage, chemical wastes, biological materials, heat, and industrial and agricultural waste discharged into water.

3.5. CWA Section 502(14), 33 U.S.C. § 1362(14), defines “point source” to include, *inter alia*, any discernible, confined and discrete conveyance, including but not limited to, any pipe, conduit, vessel or other floating craft, from which pollutants are or may be discharged.

3.6. Section 502(5) of the CWA, 33 U.S.C. § 1362(5), defines “person” to include, *inter alia*, an individual, corporation, partnership or association.

3.7. CWA Section 502(7) defines “navigable waters” as “waters of the United States, including the territorial seas.” 33 U.S.C § 1362(7). At the time of the alleged violations, “waters of the United States” was 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, including all waters which are subject to the ebb and flow of the tide; all interstate waters, including interstate wetlands; and all tributaries to such waters. 40 C.F.R. §§ 122.2 (1993).

3.8. CWA Section 402(a), 33 U.S.C. § 1342(a), authorizes the Administrator of the EPA to 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.

3.9. CWA Section 402(b), 33 U.S.C. § 1342(b), authorizes EPA to delegate NPDES permitting authority to authorized states. *See also* 40 C.F.R. Part 123.

3.10. On October 31, 2008, EPA approved Alaska’s application to administer the

NPDES program.

3.11. As an authorized state, the State of Alaska, through the Department of Environmental Conservation (ADEC) issued Alaska Pollutant Discharge Elimination System (APDES) permit AKG523000 Offshore Seafood Processors General Permit (General Permit) on May 23, 2011. The General Permit was modified on August 21, 2012 and expired on June 30, 2016. ADEC administratively extended the General Permit on July 1, 2016, and subsequently modified the General Permit on October 1, 2018.

3.12. The General Permit authorizes and sets conditions for the discharge of pollutants from seafood processing vessels in Alaska that discharge between shore (0.0 nautical miles (nm) at mean lower low water (MLLW)) to 3.0 nm from shore as delineated by MLLW or baseline, whichever is greater.

3.13. EPA retains continuing enforcement authority over NPDES permits under Section 309 of the CWA. 73 Fed. Reg. 66,243, 62,244 (Nov. 7, 2008).

### **General Allegations**

3.14. Respondent is a limited liability company registered to do business in Washington and is therefore a “person” under CWA Section 502(5), 33 U.S.C. § 1362(5).

3.15. Respondent owns and operates a seafood processing vessel known as the Pacific Producer (Vessel).

3.16. The Vessel is a stationary offshore processor of seafood, including pollock, salmon, cod, and flat fish, and discharges seafood processing waste in waters between 0.5 nm and 3.0 nm from shore at MLLW.

3.17. The Pacific Producer is a vessel and therefore a “point source” as defined in Section 502(14) of the CWA, 33 U.S.C. § 1362(14).

3.18. Seafood processing waste is a “pollutant” within the meaning of Section 502(6) of the CWA, 33 U.S.C. § 1362(6).

3.19. Respondent discharged seafood processing waste into coastal waters off Alaska, including Moser Bay, Kuluk Bay, and Sand Bay. Moser Bay, Kuluk Bay, and Sand Bay are inlets of the Gulf of Alaska and Bering Sea and the Pacific Ocean and therefore “navigable waters” as defined under CWA Section 502(7) 33 U.S.C. § 1362(7).

3.20. By discharging pollutants from the Vessel 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).

3.21. At all times relevant to this action, Respondent was authorized to discharge seafood processing waste into waters of the United States pursuant to APDES Permit No. AKG523040. On June 23, 2016, Respondent submitted to ADEC an application seeking coverage under the General Permit. On June 30, 2016, ADEC issued to Respondent Notice of Coverage and Authorization to Discharge pursuant to the General Permit, Permit No. AKG523040.

3.22. On 13 days between October 27 and December 4, 2016, Respondent discharged seafood processing waste from the Vessel into Moser Bay.

3.23. On 65 days between March 11 and June 3, 2017, Respondent discharged seafood processing waste from the Vessel into Kuluk Bay and Sand Bay.

3.24. On March 22, 2019, ADEC issued to Respondent a Notice of Violation for failure to comply with certain conditions of the General Permit.

3.25. On May 23, 2019, two authorized EPA inspectors conducted an unannounced inspection of the Vessel as it was located at the pier behind 419 Shelikof Street in Kodiak, Alaska, to determine compliance with the General Permit and the CWA.

3.26. The allegations set forth herein are based on the May 23, 2019 inspection and a review of records that Respondent submitted to ADEC pursuant to the General Permit.

3.27. As described below, from at least October 24th through December 4th, 2016

through March 11th through June 3rd, 2017, Respondent violated the conditions and/or limitations of the General Permit and Section 301(a) of the CWA, 33 U.S.C. § 1311(a). Violations of CWA Section 301 and the General Permit are enforceable under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

### **Alleged Violations**

#### Violation 1 – Failure to Conduct and/or Record Sea Surface Monitoring

3.28. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.29. Part 6.4.1 of the General Permit requires the operator to conduct a daily sea surface monitoring program. Part 6.4.2 of the General Permit provides that the operator “shall conduct daily sea surface monitoring while discharging to determine compliance with [water quality standards], the permit conditions, and to document observations of, or incidents involving, threatened or endangered species.” Part 6.4.3.1 lists the required components of the sea surface monitoring program requirements, including recording pictures and observations of the sea surface.

3.30. Part 6.4.4 of the General Permit requires the operator to submit copies of the monitoring logs to ADEC with its Annual Report.

3.31. Respondent’s 2016 and 2017 Annual Reports did not include sea surface monitoring logs.

3.32. For 13 days in 2016 and 65 days in 2017, Respondent failed to conduct and record information from daily sea surface monitoring, in violation of Parts 6.4.1, 6.4.3.1, and 6.4.4 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

#### Violation 2 – Failure to Conduct Effluent Monitoring

3.33. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.34. Part 5.1.3.1 of the General Permit provides that the operator shall conduct effluent monitoring in accordance with the frequencies established in the General Permit. Monitoring is

only required in those months that seafood processing actually occurs for at least 24 hours during the calendar month.

3.35. Part 5.1.3.1.1 defines the seafood processing waste outfall or discharge pipe(s) as “Outfall 001.”

3.36. Table 2 in Part 5.1.3.2 specifies the parameters and frequencies for required monitoring of Outfall 001.

3.37. Part 5.1.3.5 of the General Permit requires the operator to submit all monitoring data to ADEC in conjunction with the Annual Report.

3.38. As part of its 2016 Annual Report, Respondent submitted to ADEC Waste Monitoring Reports admitting that Respondent failed to collect effluent samples in 2016.

3.39. As a part of its 2017 Annual Report, Respondent submitted to ADEC Waste Monitoring Reports admitting that Respondent failed to collect effluent samples in 2017.

3.40. Accordingly, Respondent failed to perform effluent monitoring and analysis for Outfall 001 as prescribed in Table 2 of the General Permit, in violation of Part 5.1.3.1 and 5.1.3.2 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

#### Violation 3 – Failure to Conduct Receiving Water Monitoring

3.41. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.42. Part 5.1.4.1 of the General Permit provides that the operator shall conduct monitoring of the receiving water in accordance with the frequencies established in the General Permit. Monitoring is only required in those months that seafood processing actually occurs for at least 24 hours during the calendar quarter.

3.43. Table 6 in 5.1.4.4 specifies the parameters and frequencies for required monitoring of the receiving water where a seafood processing waste discharge is occurring.

3.44. Part 5.1.4.7 of the General Permit provides that the operator shall submit all monitoring data to ADEC in conjunction with the Annual Report.

3.45. As a part of its 2016 Annual Report, Respondent submitted to ADEC a Receiving Water Monitoring Report admitting that Respondent failed to collect receiving water samples in 2016.

3.46. As a part of its 2017 Annual Report, Respondent submitted to ADEC a Receiving Water Monitoring Report admitting that Respondent failed to monitor receiving waters in 2017.

3.47. Accordingly, Respondent failed to conduct receiving water monitoring, in violation of Part 5.1.4.1 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

#### Violation 4 – Failure to Conduct a Seafloor Survey

3.48. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.49. Part 6.3.1 of the General Permit states, “An operator processing seafood between 0.5 and 1.0 nm from shore shall conduct a seafloor survey whenever a seafood processing waste discharge occurs at a single location (within 0.5 nm radius) for seven or more days (168 hours) in a calendar year while the vessel is stationary.”

3.50. During 2016, Respondent processed seafood between 0.5 and 1.0 nm from shore.

3.51. Respondent’s 2016 Annual Report states that it discharged to Moser Bay on 13 days.

3.52. Respondent failed to conduct a seafloor survey after processing at a single location between 0.5 and 1.0 nm from shore for more than seven days in 2016, in violation of Part 6.3.1 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

#### Violation 5 – Failure to Conduct and/or Log Daily Waste Conveyance System Inspections

3.53. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.54. Part 5.1.8.1 of the General Permit provides that the operator shall conduct a daily visual inspection of the waste conveyance system, including a close observation of the sump or other places of effluent collection for the removal of gloves, earplugs, rubber bands, or other equipment used during the processing of seafood that may inadvertently be entrained in the

wastewater. Logs of daily waste conveyance system inspections shall be kept at the facility.

3.55. At the time of the May 2019 inspection of the Vessel, Respondent told the EPA inspector that no record of daily waste conveyance inspections was on the Vessel.

3.56. For 13 processing days in 2016 and 65 processing days in 2017, Respondent failed to conduct and log the daily visual inspection of the waste conveyance system, in violation of Part 5.1.8.1 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

Violation 6 – Failure to Conduct and/or Log a Daily Inspection of the Grinder System

3.57. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.58. Part 5.1.9.1 of the General Permit provides that the operator shall conduct a daily inspection of the grinder system during the processing season to confirm that the grinder(s) is (are) (1) operating and (2) reducing the size of the seafood residues to 0.5 inch or smaller in any dimension. The inspection shall be performed by taking a representative sample of the ground discharge from a sample port and measuring to ensure the pieces are less than 0.5 inches in any dimension. A log of daily inspections shall be kept at the facility.

3.59. At the time of the May 2019 inspection of the Vessel, Respondent told the EPA inspector that the Vessel did not have grinder sample port to allow for inspection of the grinder system, and no inspection records were on the Vessel.

3.60. For 13 processing days in 2016 and 65 processing days in 2017, Respondent failed to conduct and log daily inspections of the grinder system, in violation of Part 5.1.9.1 and CWA Section 301(a), 33 U.S.C. § 1311(a).

Violation 7 – Failure to Capture Digital Pictures of the Grinder System.

3.61. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.62. Part 5.1.9.2 of the General Permit provides that the operator shall capture digital pictures of the grinder system in operation while processing is occurring. At a minimum, pictures shall be captured at least once per month while processing is occurring. Pictures shall

include the sampling port while taking a daily sample and a representative discharge sample from the grinder showing grind size. A measuring device, such as a ruler, will be included in the picture for scaling purposes. Pictures shall be of sufficient clarity and detail to support the observations and shall represent what was observed. Pictures shall include a digital date and time stamp. A picture log with the name of the person taking the picture and picture description shall also be made. Part 5.1.9.1 further provides that the operator shall submit a picture log with the Annual Report.

3.63. Respondent's 2016 and 2017 Annual Reports did not include a picture log.

3.64. Respondent failed to capture grinder photographs at least once per month in the months of October, November, and December of 2016 and March, April, May, and June of 2017, in violation of Part 5.1.9.2 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

Violation 8 – Failure to Capture Digital Pictures of the Receiving Water

3.65. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.66. Part 6.4.3.2 of the General Permit provides that the operator shall capture digital pictures of the sea surface while processing is occurring. At a minimum, pictures shall be captured at least once per month while processing is occurring. Pictures shall be of sufficient clarity and detail to support the observations and shall represent what was observed. Pictures shall include a digital date and time stamp. A picture log with the name of the person taking the picture and picture description shall also be made. Part 6.4.3.2 further provides that the operator shall submit a picture log with the Annual Report.

3.67. Respondent's 2016 and 2017 Annual Reports did not include a picture log.

3.68. Respondent failed to take photographs of the receiving water at least once per month in the months of October, November, and December of 2016 and March, April, May, and June of 2017, in violation of Part 6.4.3.2 and CWA Section 301(a), 33 U.S.C. § 1311(a).

### Violation 9 – Failure to Submit Complete Annual Reports

3.69. Paragraphs 3.1 to 3.27 are realleged and incorporated by reference.

3.70. Part 6.2.1 of the General Permit provides that the operator shall prepare and submit a complete, accurate, and timely annual report of incidents of noncompliance, production, discharges, and process changes to ADEC.

3.71. Part 6.2.2.11 of the General Permit lists documents that the operator shall submit to ADEC with the Annual Report, including outfall monitoring reports, receiving water monitoring reports, sea surface monitoring logs, report of inspections of the conveyance waste system and grinder system, and picture logs.

3.72. With its 2016 and 2017 Annual Reports, Respondent failed to submit any of the additional submittals listed in Parts 6.2.2.11.2 through 6.2.2.11.8.

3.73. Part 6.2.2 of the General Permit requires that the operator provide certain information in the Annual Report, including a summary of non-compliance as required by Part 6.2.2.7, a report of volume of water lost through water vapor and the calculation used to determine as required by Part 6.2.2.8, and a report of total pounds of ammonia or Freon used and a summary of the occurrence of leaks or breaks in the refrigerator condenser system as required by Part 6.2.2.10.

3.74. Respondent's 2016 and 2017 Annual Reports did not include a summary of noncompliance, a report of the volume of water lost through water vapor, and a report of the total pounds of ammonia or Freon used.

3.75. Parts 6.2.2.3 and 6.2.2.4 of the General Permit require that the operator provide the following information in the Annual Report: the amount of finished product produced each day, the type and amount of discharged seafood processing waste discharged each day, and the estimated or measured volume of wastewater discharged for each seafood processing waste outfall.

3.76. The Annual Report submitted February 21, 2017, for the 2016 operating season failed to include daily amounts of waste discharge and the seafood processing waste discharge flow for any discharge location.

3.77. The Annual Report submitted January 23, 2019, for the 2017 operating season, failed to include daily amounts of finished product, daily amounts of waste discharged, and the seafood processing waste discharge flow reported for any discharge locations.

3.78. Accordingly, Respondent failed to prepare and submit complete annual reports in 2016 and 2017, in violation of Part 6.2.1 of the General Permit and CWA Section 301(a), 33 U.S.C. § 1311(a).

#### **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), 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 these factors as they apply to this case, EPA has determined that an appropriate penalty to settle this action is \$1,000.

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:

Regional Hearing Clerk  
U.S. Environmental Protection Agency  
Region 10  
[R10\\_RHC@epa.gov](mailto:R10_RHC@epa.gov)

Chris Gebhardt  
U.S. Environmental Protection Agency  
Region 10  
[Gebhardt.Chris@epa.gov](mailto:Gebhardt.Chris@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. Attorneys 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) attorneys 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. For the purposes of this proceeding, Respondent expressly waives any affirmative defenses and the right to contest the allegations contained in the Consent Agreement and to appeal 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:

8/10/21

FOR RESPONDENT:

 **MANAGER MEMBER**  
CHRIS TSABOURIS  
East West Seafoods, LLC.

DATED:

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FOR COMPLAINANT:

\_\_\_\_\_  
EDWARD J. KOWALSKI  
Director  
Enforcement and Compliance Assurance Division  
EPA Region 10

BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

EAST WEST SEAFOODS, LLC,

Seattle, Washington

Respondent.

DOCKET NO. CWA-10-2021-0195

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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RICHARD MEDNICK  
Regional Judicial Officer  
EPA Region 10

**CERTIFICATE OF SERVICE**

The undersigned certifies that the original of the attached **CONSENT AGREEMENT AND FINAL ORDER** in **In the Matter of: East West Seafoods LLC., DOCKET NO.: CWA-10-2021-0195** was 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 emailed to:

J. Matthew Moore  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
Region 10, Mail Stop ORC-113  
1200 Sixth Avenue, Suite 155  
Seattle, WA 98101  
moore.johnm@epa.gov

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

Chris Tsaouris  
1900 West Nickerson Street, Suite 116-175  
Seattle, Washington 98119  
Eastwestseafoods@aol.com

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Teresa Young  
Regional Hearing Clerk  
EPA Region 10