

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103**

In the Matter of:	:	
	:	
Superior Concrete Materials, Inc.	:	U.S. EPA Docket No. CWA-03-2022-0032
1220 12th Street, SE	:	
Washington, D.C. 20003	:	Proceeding under Section 309(g)
Respondent.	:	of the Clean Water Act
	:	
1721 South Capitol Street SW and	:	
1601 South Capitol Street SW	:	
Washington, D.C. 20003	:	
	:	
Facilities.	:	
	:	
	:	

CONSENT AGREEMENT

I. PRELIMINARY STATEMENT

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III (“Complainant”) and Superior Concrete Materials, Inc. (“Respondent”) (collectively the “Parties”), pursuant to Section 309(g) of the Clean Water Act (“CWA” or “Act”), 33 U.S.C. § 1319(g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22. Section 309(g) of the Clean Water Act (“CWA” or “Act”), 33 U.S.C. § 1319(g), authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated it to the Complainant. This Consent Agreement and the attached Final Order resolve Complainant’s civil penalty claims against Respondent under Section 301(a) of the Act, *id.* § 1311(a) for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

II. JURISDICTION

3. The U.S. Environmental Protection Agency has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(6) in assessing Class II penalties under Sections 309(g).
5. Pursuant to Section 309(g)(1)(B), EPA has consulted with the Department of Energy and Environment, Government of the District of Columbia (“DOEE”) regarding this action and will mail a copy of this document to the appropriate DOEE official.

III. GENERAL PROVISIONS

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order (“CAFO”).
7. Except as provided in Paragraphs 6, above, Respondent neither admits nor denies the factual allegations set forth in this CAFO.
8. Respondent agrees not to contest the jurisdiction of EPA with respect to the execution of this CONSENT AGREEMENT, the issuance of the attached FINAL ORDER, or the enforcement of this CAFO.
9. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
10. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
11. The Parties shall bear their own costs and attorney’s fees in connection with this proceeding.
12. Section 309(g)(2)(B) of the Clean Water Act, 33 U.S.C. § 1319(g)(2)(B), authorizes the assessment of administrative penalties against any person who violates any permit condition or limitation in an amount not to exceed \$10,000 per day for each day of violation, up to a total penalty amount of \$125,000.
13. Pursuant to the Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, and Section 309(g)(2)(B) of the Act, 33 U.S.C. § 1319(g)(2)(B), any person who has violated Section 301 of the CWA, 33 U.S.C. § 1311, is liable for an administrative penalty not to exceed \$22,584 per day for each day of violation up to a total penalty

amount of \$282,293 for violations that occurred after November 2, 2015 and where penalties are assessed on or after December 23, 2020. 40 C.F.R. § 19.4 Table 1.

14. Pursuant to Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45(b), EPA is providing public notice and an opportunity to comment on the Consent Agreement prior to issuing the Final Order.

IV. FINDINGS OF FACT AND CONCLUSIONS OF LAW

15. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
16. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant (other than dredged or fill material) from a point source into waters of the United States except in compliance with a permit issued pursuant to the National Pollutant Discharge Elimination System (“NPDES”) program under Section 402 of the Act, 33 U.S.C. § 1342.
17. “Discharge of a pollutant” includes “any addition of any pollutant or combination of pollutants to waters of the United States from any point source.” 40 C.F.R. § 122.2.
18. Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and 40 C.F.R. §§ 122.2 and 122.26 provide that storm water discharges are “point sources” subject to NPDES permitting requirements under section 402(a) of the CWA, 33 U.S.C. § 1342(a).
19. “Stormwater” is defined as “storm water runoff, snow melt runoff and surface water runoff and drainage.” 40 C.F.R. § 122.26(b)(13).
20. “Stormwater discharge associated with industrial activity” is defined as “the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant” 40 C.F.R. § 122.26(b)(14). The term includes storm water discharges from facilities classified as Standard Industrial Classification (“SIC”) 3273. 40 C.F.R. § 122.26(b)(14)(ii).
21. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the NPDES program for the discharge of pollutants from point sources to waters of the United States. The discharges are subject to specific terms and conditions as prescribed in the permit.
22. In accordance with Section 402(a) of the Act, 33 U.S.C. § 1342(a), EPA issued the 2015 NPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (“MSGP”), effective June 4, 2015.

23. Superior Concrete Materials, Inc. (“Respondent”) is a corporation doing business in the District of Columbia and therefore, is a “person” within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.
24. At all times relevant to this CAFO, Respondent was the owner and operator of the 1601 South Capitol St. Facility, and was and is the owner and operator of the 1721 South Capitol St. Facility.
25. Respondent’s facility, located at 1721 South Capitol Street SW (“1721 South Capitol St. Facility”), Washington, DC. was granted authorization to discharge stormwater associated with industrial activity under MSGP No. DCR053056, on January 3, 2018.
26. Respondent’s facility, located at 1601 South Capitol Street SW (“1601 South Capitol St. Facility”), Washington, DC was granted authorization to discharge stormwater associated with industrial activity under MSGP No. DCR053024, on October 1, 2015.
27. On February 16, 2017, EPA issued the 2017 NPDES General Construction Permit (“2017 CGP”). The 2017 CGP requires permit coverage prior to commencement of construction activities.
28. On February 8, 2018, Respondent submitted a Notice of Intent (“NOI”) for authorization to discharge storm water under the 2017 CGP, at the 1721 South Capitol St. Facility. The NOI documented a project start date of December 11, 2017. Authorization to discharge was granted under CGP No. DCR10003Y, on February 19, 2018. Respondent submitted a Notice of Termination (“NOT”) on September 7, 2018.
29. Stormwater discharges from the 1601 South Capitol St. Facility and 1721 South Capitol St. Facility drain into the municipal separate storm sewer system (“DC MS4”) to the Anacostia River. The Anacostia River is a “waters of the United States” (“WOTUS”) as that term is defined in Section 502(7) of the Act, 33 U.S.C. § 1362(7).
30. On March 12, 2018, EPA and representatives from the D.C. Department of Energy and the Environment (“DOEE”) conducted a compliance evaluation inspection (“CEI”) at the 1601 South Capitol St. Facility.

Count 1
Discharging Stormwater Associated with Construction Activity Without NPDES Permit Coverage

31. The information and allegations in the preceding Paragraphs of this Consent Agreement are incorporated herein by reference.
32. From December 11, 2017 to February 19, 2018, for a total of seventy (70) days, the 1721 South Capitol St. Facility engaged in construction that included land clearing and grading activities.

33. During that time period construction activity associated stormwater discharges traveled through the municipal separate storm sewer to the Anacostia River, a WOTUS.
34. The construction activity at the 1721 South Capitol Street Facility required coverage under CGP No. DCR10003Y because they disturbed approximately 6 acres of land or greater.
35. From December 11, 2017, until February 19, 2018, Respondent did not obtain authorization to discharge stormwater from its facility, under the 2017 CGP. Authorization to discharge under the 2017 CGP was granted on February 19, 2018.
36. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant from a point source into waters of the U.S. except in compliance with a permit issued pursuant to an NPDES program under Section 402 of the Act, 33 U.S.C. § 1342.
37. From the period between December 11, 2017 and February 19, 2018, Respondent violated Section 301(a) of the CWA, 33 U.S.C. § 1311(a) by discharging pollutants without a permit.
38. In failing to comply with 301(a) of the CWA, 33 U.S.C. § 1311(a), Respondent is subject to the assessment of penalties under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

Count 2

Discharging Stormwater Associated with Industrial Activity Without NPDES Permit Coverage

39. The information and allegations in the preceding Paragraphs of this Consent Agreement are incorporated herein by reference.
40. From September 2, 2015 to October 1, 2015, for a total of thirty (30) days, the 1601 South Capitol St. Facility engaged in industrial activity that required NPDES permit coverage.
41. During that time period industrial activity at the 1601 Capital Street Facility resulted in stormwater discharges that traveled through the municipal separate sewer to the Anacostia River, a WOTUS.
42. Based on the industrial activity conducted and EPA's CEI, EPA determined that the industrial activity at the 1601 Capital Street Facility required coverage under the 2015 MSGP.
43. From September 2, 2015 to October 1, 2015, Respondent engaged in industrial activity without first obtaining authorization to discharge stormwater from its facility under the

2015 MSGP. Authorization to discharge under the 2015 MSGP was granted on October 1, 2015.

44. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant from a point source into waters of the U.S. except in compliance with a permit issued pursuant to an NPDES program under Section 402 of the Act, 33 U.S.C. § 1342.
45. From the period between September 2, 2015 to October 1, 2015, Respondent violated Section 301(a) of the CWA, 33 U.S.C. § 1311(a) by discharging pollutants without a permit.
46. In failing to comply with 301(a) of the CWA, 33 U.S.C. § 1311(a), Respondent is subject to the assessment of penalties under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

Count 3
Failure to Comply with NPDES Permit Provisions

47. The information and allegations in the preceding Paragraphs of this Consent Agreement are incorporated herein by reference.
48. During the March 12, 2018 CEI, EPA identified violations of NPDES Permit conditions related to sampling, self-inspection, pollution prevention and good housekeeping requirements at the 1601 South Capitol St. Facility, as detailed in Appendix 1.
49. During the periods of time specified in Appendix 1, Respondent failed to adequately comply with provisions of the NPDES Permit, in violation of Section 301 of the CWA, 42 U.S.C. § 1311, for violating conditions of the applicable NPDES permits issued under Section 402 of the CWA, 42 U.S.C. § 1342, and is therefore subject to the assessment of penalties under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

V. CIVIL PENALTY

50. In settlement of EPA's claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of sixty-four thousand dollars (\$64,000), which Respondent shall be liable to pay in accordance with the terms set forth below.
51. The civil penalty is based upon EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in Section 309(g), 33 U.S.C. § 1319(g), including, the following: the seriousness of the violation or violations; the economic benefit (if any) resulting from the violation; any history of such violations; any good-faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator, and such other matters as justice may require. These

factors were applied to the particular facts and circumstances of this case with specific reference to the statutory penalty criteria and factors set forth at Section 309(g), 33 U.S.C. § 1319(g), and the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19.

52. Payment of the civil penalty amount, and any associated interest, administrative fees, and late payment penalties owed, shall be made by either cashier's check, certified check, or electronic wire transfer, in the following manner:

- a. All payments by Respondent shall include reference to Respondent's name and address, and the Docket Number of this action, i.e., EPA Docket No. CWA-03-2021-0097.
- a. All checks shall be made payable to the "United States Treasury".
- b. All payments made by check and sent by regular mail shall be addressed and mailed to:

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

- c. For additional information concerning other acceptable methods of payment of the civil penalty amount see:

<https://www.epa.gov/financial/makepayment>

- d. A copy of Respondent's check or other documentation of payment of the penalty using the method selected by Respondent for payment shall be sent simultaneously to:

Douglas Frankenthaler
Assistant Regional Counsel
U.S. EPA, Region III (3RC40)
frankenthaler.douglas@epa.gov

and

U.S. EPA Region III Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov.

53. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment of the

penalty as specified herein shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.

54. Payment of the civil penalty is due and payable immediately upon the effective date of this CAFO. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed CAFO, with a date stamp indicating the date on which the CAFO was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed as of the effective date of this CAFO in accordance with 40 C.F.R. § 13.9(a).
55. INTEREST: Interest on the civil penalty assessed in this CAFO will begin to accrue on the effective date of this CAFO. However, EPA will not seek to recover interest on any amount of the civil penalties that is paid within thirty (30) calendar days after the effective date of this CAFO. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).
56. ADMINISTRATIVE COSTS: The costs of the EPA's administrative handling of overdue debts will be charged and assessed monthly throughout the period a debt is overdue. 40 C.F.R. § 13.11(b). Pursuant to Appendix 2 of EPA's Resources Management Directives - Case Management, Chapter 9, EPA will assess a \$15.00 administrative handling charge for administrative costs on unpaid penalties for the first thirty (30) day period after the payment is due and an additional \$15.00 for each subsequent thirty (30) days the penalty remains unpaid.
57. LATE PAYMENT PENALTY: A late payment penalty of six percent per year will be assessed monthly on any portion of the civil penalty that remains delinquent more than ninety (90) calendar days. 40 C.F.R. § 13.11(c). Should assessment of the penalty charge on the debt be required, it shall accrue from the first day payment is delinquent. 31 C.F.R. § 901.9(d).
58. Respondent agrees not to deduct for federal tax purposes the civil penalty assessed in this CAFO.

VI. GENERAL SETTLEMENT CONDITIONS

59. By signing this Consent Agreement, Respondent acknowledges that this CAFO will be available to the public and represents that, to the best of Respondent's knowledge and belief, this CAFO does not contain any confidential business information or personally identifiable information from Respondent.
60. Respondent certifies that, to its knowledge, any information or representation it has supplied or made to EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy, or completeness of such information or representation. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by

Respondent to the EPA regarding matters relevant to this CAFO, including information about Respondent's ability to pay a penalty, are in any material respect, false or inaccurate. This right shall be in addition to all other rights and causes of action that EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

VII. CERTIFICATION OF COMPLIANCE

61. Respondent certifies to EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

VIII. OTHER APPLICABLE LAWS

62. Nothing in this CAFO shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state or local permit. This CAFO does not constitute a waiver, suspension, or modification of the requirements of the Clean Water Act, or any regulations promulgated thereunder.

IX. RESERVATION OF RIGHTS

63. This CAFO resolves only EPA's claim for civil penalties for the specific violations, alleged against Respondent in this CAFO. EPA reserves the right to commence action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. This settlement is subject to all limitations on the scope of resolution and to the reservation of rights set forth in Section 22.18(c) of the Consolidated Rules of Practice, 40 C.F.R. § 22.18(c). EPA reserves any rights and remedies available to it under the Clean Water Act, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this CAFO after its effective date.

X. EXECUTION/PARTIES BOUND

64. This CAFO shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this CAFO.

XI. EFFECTIVE DATE

65. Pursuant to 40 C.F.R. § 22.45(b), this CAFO shall be issued only after a 40-day public notice and comment period is concluded. This CAFO will become final and effective thirty (30) days after having been signed by the Regional Administrator or his delegate, the Regional Judicial Officer, filed with the Regional Hearing Clerk.

XII. ENTIRE AGREEMENT

66. This CAFO constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this CAFO.

I/M/O Superior Concrete Materials, Inc.
EPA Docket No. CWA-03-2022-0032

FOR RESPONDENT SUPERIOR CONCRETE MATERIALS, INC.:

Date: 3-8-22

By: Todd Martineau

Todd Martineau
Vice President/General Manager
Superior Concrete Materials, Inc.
1220 12th Street, SE
Washington, D.C. 20003

FOR COMPLAINANT:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region III, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

Date: _____

By: _____

Karen Melvin
Director, Enforcement & Compliance
Assurance Division
U.S. EPA, Region III
Complainant

ATTORNEY FOR COMPLAINANT:

Date: _____

By: _____

Douglas Frankenthaler
Assistant Regional Counsel
U.S. EPA, Region III

Appendix 1
Superior Concrete Materials, Inc.
Table of Violations

Facility/Permit	Date	Violations
DCR050324 1601 South Capitol St. SW Washington, DC MSGP Auth: October 1, 2015	March 2018	MSGP Permit, Part 8.E.2.1 (Failure to implement good housekeeping controls at aggregate stockpile bins based on observations of aggregate stockpiles spills outside of storage bins made during inspection and lack of implementation of required controls)
	September 2015	MSGP Permit, Part 3.1.2 (Failure to conduct quarterly stormwater inspections during dry weather for this quarter)
	February 2015	40 C.F.R. § 122.28 (Failure to timely submit NOI)
	October 2015-March 2018	MSGP Permit, Part 3.2.1 (Failure to collect all quarterly stormwater samples and perform required visual assessments for each of three permitted outfalls)
	March 2018	MSGP Permit, Part 8.G.4.2.10 (Failure to maintain capacity of settling basins based on observations made during inspection showing capacity limited by hardened concrete in the basins)

I/M/O Superior Concrete Materials, Inc.
EPA Docket No. CWA-03-2022-0032

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Respondent.	:	of the Clean Water Act
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1721 South Capitol Street SW and	:	
1601 South Capitol Street SW	:	
Washington, D.C. 20003	:	
	:	
Facilities.	:	
	:	
	:	

FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Superior Concrete Materials, Inc., have executed a document entitled “Consent Agreement,” which I hereby ratify as a Consent Agreement in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22, (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of the statutory factors set forth in Section 309(d) of the Clean Water Act (“CWA”), 33 U.S.C. § 309(d).

NOW, THEREFORE, PURSUANT TO Section 309(g) of the CWA, 33 U.S.C. Section 309(g), and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **SIXTY-FOUR THOUSAND DOLLARS (\$64,000)**, in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of the Clean Water Act and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is thirty (30) days after this Final Order is filed with the Regional Hearing Clerk, pursuant to 33 U.S.C. §1319(g)(5).

Date: _____

By: _____
Joseph J. Lisa
Regional Judicial and Presiding Officer
U.S. EPA Region III

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Respondent.	:	of the Clean Water Act
	:	
1721 South Capitol Street SW and	:	
1601 South Capitol Street SW	:	
Washington, D.C. 20003	:	
	:	
Facilities.	:	
	:	
	:	

CERTIFICATE OF SERVICE

I certify that on _____, the original and one (1) copy of the foregoing *Consent Agreement and Final Order*, were filed with the EPA Region III Regional Hearing Clerk. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email and UPS to:

Todd Martineau
Vice President and
General Manager
Superior Concrete Materials, Inc.
1220 12th Street SE
Washington, DC 20003
tmartineau@us-concrete.com

Paul E. Gutermann
9901 River View CT
Potomac, MD 20854
301.765.8919
pgutermann@gmail.com

Copies served via email to:

Douglas Frankenthaler
Assistant Regional Counsel
ORC – 3RC40
U.S. EPA, Region III
frankenthaler.douglas@epa.gov

Ingrid H. Hopkins
Enforcement Officer
ECAD – 3ED32
U.S. EPA, Region III
Hopkins.ingrid@epa.gov

Dated: _____

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region III