



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 1
5 Post Office Square, Suite 100, Boston, Massachusetts 02109-3912

EXPEDITED SETTLEMENT AGREEMENT
Issued under Section 309(g)(2)(A) of the Clean Water Act, 33 U.S.C. § 1319(g)(2)(A)
and 40 C.F.R. § 22.13(b).

Office of Regional Hearing Clerk

NOV 30 2011

Docket Number: CWA-01-2011-0090

RECEIVED

The Town of Sturbridge, Massachusetts ("Respondent") is a "municipality" and a "person" discharging "pollutants" from "point sources" to "navigable waters," as those terms are defined in Section 502 of the Clean Water Act ("Act"), 33 U.S.C. § 1362.

If Respondent does not sign and return this Agreement within 21 days of the date of receipt of this Letter, the proposed Expedited Settlement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the violations identified herein.

This Agreement is binding on the parties signing below and final 30 days from the date it is signed by the Regional Judicial Officer unless a petition to set aside the Order is filed by a commenter pursuant to Section 309(g)(4)(C) of the Act, 33 U.S.C. § 1319(g)(4)(C), and 40 C.F.R. Part 22, following public noticing of this settlement.

EPA finds, and Respondent admits, that pursuant to Part II, F.I. of the Permit, Respondent was required to submit an Annual Report on May 1, 2011 and Respondent failed to submit this Annual Report in violation of the Permit. Respondent also failed to file two other annual reports on its MS4 program, due May 1, 2009 and May 1, 2010, in a timely manner.

APPROVED BY THE TOWN OF STURBRIDGE, MASSACHUSETTS:

Name(print): SHAWN A. SCHOSKI

Title(print): TOWN ADMINISTRATOR

Signature: [Signature] Date: 9/26/11

The parties enter into this Expedited Settlement Agreement ("Agreement") in order to settle the civil violation alleged above for a penalty of \$1,000.

APPROVED BY EPA:

[Signature] Date: 9/27/11

Joanna Jerison, Legal Enforcement Manager
Office of Environmental Stewardship

Respondent agrees that, within 10 days of the final date of this Agreement, Respondent shall submit a 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: U.S. EPA, Fines and Penalties, In the Matter of the Town of Sturbridge, Massachusetts, Docket No. CWA-01-2011-0090, Cincinnati Finance Center, P.O. Box 979077, St. Louis, MO 63197-9000.

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.

Respondent consents to the assessment of this penalty, and waives the right to: (1) contest the findings of violation specified in this Agreement; (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).

IT IS SO ORDERED:

[Signature] Date: NOV. 29, 2011

Jill Metcalf
Acting Regional Judicial Officer

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that all required Annual Reports have been submitted to EPA, or will be submitted to EPA within 10 days of the final date of this Agreement (or an alternative time frame agreed to by EPA in writing).

This Agreement settles EPA's civil penalty claims against Respondent for the violation(s) specified above. EPA does not waive its rights to take enforcement action against Respondent for any other past, present, or future 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 violation(s).

