UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

In the Matter of Patriot Stevedoring & Logistics, LLC
Docket No. CWA-01-2021-0031

Patriot Stevedoring & Logistics, LLC (Respondent) is the owner and operator of a stevedoring business operating at 1 Brayton Point Road in Somerset, MA that EPA alleges discharged scrap metal during loading operations between Feb. 25, 2020 and Oct. 30, 2020, into Mt. Hope Bay, without authorization of a National Pollutant Discharge Elimination System (NPDES) permit, in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a). While admitting the jurisdictional allegations herein, Respondent neither admits nor denies any specific factual allegations.

EPA is authorized to enter into this Consent Agreement and Final Order (CAFO) under Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and 40 CFR § 22.13(b). In consideration of the statutory penalty factors listed in Section 309(g), and applicable EPA penalty policy, the parties enter into this CAFO to settle the alleged civil violations described above for a penalty of $27,000. Respondent consents to the assessment of this penalty and the terms of this CAFO.

This CAFO is subject to the following terms: Within 10 days of the final date of this CAFO, Respondent shall send a check in the amount of $27,000, payable to "Treasurer, United States of America," to: U.S. Environmental Protection Agency, Fines and Penalties, P.O. Box 979077, St. Louis, MO 63197-9000. The check shall reference the name of this case *("In the Matter of Patriot Stevedoring & Logistics, LLC")* and the docket number (*Docket No. CWA-01-2021-0031).* Respondent agrees to send a copy of the check to: 1) rivers.tahani@epa.gov or to Tahani Rivers, U.S. EPA, Region 1, Five Post Office Square – Suite 100, Mail Code 04-3, Boston, MA 02109-3912; and 2) R1_Hearing_Clerk_Filings@epa.gov or to Wanda I. Santiago, Regional Hearing Clerk, U.S. EPA, Region 1, Five Post Office Square – Suite 100, Mail Code: 04-6, Boston, MA 02109-3912.

Once the CAFO is signed by the Regional Judicial Officer, the original will be filed with the Regional Hearing Clerk and a copy mailed to: U.S. Environmental Protection Agency, Cincinnati Finance Office, 26 W. Martin Luther King Drive (MS-WG32B), Cincinnati, Ohio 45268. A copy of the CAFO will also be mailed or emailed to the Respondent. Upon signing and returning this CAFO to EPA, Respondent waives the opportunity for a hearing or appeal pursuant to Section 309 of the Act, 33 U.S.C. § 1319, and consents to EPA's approval of the CAFO without further notice. This CAFO is binding on the parties signing below and will become final 30 days from the date it is signed by the Regional Judicial Officer unless a petition to set aside this CAFO is filed by a commenter pursuant to Section 309(g)(5) of the Act, 33 U.S.C. § 1319(g)(5) following public notice of this settlement.

Failure to pay the full penalty shall subject Respondent to a civil action to collect the penalty plus interest and other charges from the date the CAFO becomes final.

If Respondent does not sign and return this CAFO within 30 days of the date of its receipt, the proposed agreement is withdrawn without prejudice to EPA's ability to file any other enforcement action for the noncompliance identified in this document.

Respondent agrees to acceptance of the Complainant's: i. digital or an original signature on this Agreement; ii. service of the fully executed Agreement on the Respondent by mail or electronically by e-mail. Respondent understands that the mailing or e-mail address may be made public when the Agreement and Certificate of Service are filed and uploaded to a searchable database. Complainant agrees to acceptance of the Respondent's digital or an original signature on this Agreement.

After this CAFO becomes final, EPA will take no further civil penalty action against Respondent for the alleged violations of the Act described in this CAFO. However, EPA does not waive any rights to take any enforcement action for any other past, present, or future violations by Respondent of the Act or of any other federal statute or regulations.

APPROVED BY EPA:

JAMES CHOW Digitally signed by JAMES CHOW Date: 2021.03.08 18:11:28 -05'00' Date: _____

James Chow, Deputy Director *for* Karen McGuire, Director
Enforcement and Compliance Assurance Division

APPROVED BY RESPONDENT:

Name (print): Neil McLaughlin & Stephen Kelly

Title (print): Co-Directors

Signature Date: March 1, 2021

At least 10 days have elapsed since expiration of the public notice and comment period required by Section 309(g)(4)(A) of the Act, 33 U.S.C. § 1319(g)(4)(A), and EPA did not receive any public comments or petitions to set aside this CAFO.

IT IS SO ORDERED:

_____ Date: _____
LeAnn Jensen
Regional Judicial Officer