



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

Filed June 8, 2021 @ 11:08 am  
USEPA – Region II  
Regional Hearing Clerk

**VIA E-MAIL**

Mr. Benny Wercberger, Owner  
BeYo Realty, Inc  
2-10 HaMaspik Way  
Kiryas Joel, NY 10950  
[yidi.beyo@gmail.com](mailto:yidi.beyo@gmail.com)  
[hershy.beyorealty@gmail.com](mailto:hershy.beyorealty@gmail.com)  
Wertzberger Yumi [Benny1a1@gmail.com](mailto:Benny1a1@gmail.com)

Re: **Final Expedited Settlement Offer/Consent Agreement and Final Order**  
BeYo Realty, Inc (2-10 HaMaspik Way, Kiryas Joel, NY 10950)  
Docket No. CWA-02-2021-3305  
NPDES/SPDES Tracking No. NYR11D168

Dear Mr. Wercberger:

Enclosed is a copy of the signed Expedited Settlement Offer (“ESO”) Agreement entered into as part of the Consent Agreement and Final Order (“CAFO”).

EPA acknowledges that the COVID-19 pandemic may be impacting your operations. If that is the case, please contact us and we will consider your specific circumstances in determining an appropriate timeline for payment of the penalty.

As you agreed to in this Expedited Storm Water Settlement Agreement, payment of the settlement penalty amount (**\$2,700**) must be made within ten (10) days from the date of receipt of this letter which contains the agreement which has been “So Ordered” and is effective. The payment and a copy of the Agreement must be sent via certified mail to:

U.S. Environmental Protection Agency  
Fines and Penalties – Cincinnati Finance Center  
**In the Matter of: BeYo Realty, Inc (2-10 HaMaspik Way, Kiryas Joel, NY 10950)**  
**Docket No. CWA-02-2021-3305**  
PO Box 979077  
St. Louis, MO 63197-9000

The payment for the penalty amount must be in the form of a bank, cashiers or certified check payable to the “Treasurer, United States of America” with EPA and the Docket Number of the Expedited Settlement Agreement written on the check.

A copy of the check payment of the penalty amount must also be sent via certified mail, express mail or equivalent to the following addresses for our records:

Internet Address (URL) <http://www.epa.gov>  
Recycled/Recyclable Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 30% Postconsumer)

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

**And by Mail and Email to**

Justine Modigliani, P.E., Chief  
Clean Water Act Compliance Section, Water Compliance Branch  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 21<sup>st</sup> Floor  
New York, NY 10007-1866  
[Modigliani.Justine@epa.gov](mailto:Modigliani.Justine@epa.gov)

Please note, that once full payment is made, this settles all civil penalties claims against **BeYo Realty, Inc (2-10 HaMaspik Way, Kiryas Joel, NY 10950)** only for the Clean Water Act violations described in the ESO and/or CAFO. If you have any questions concerning the above, please contact Ms. Justine Modigliani, P.E., Chief, Compliance Section at (212) 637-4268.

Sincerely,

Dore LaPosta, Division Director  
Enforcement and Compliance Assurance Division

Enclosure

cc: Ed Hampston, Director, Bureau of Water Compliance, NYSDEC  
Natalie Browne, NYSDEC Region 3, [natalie.browne@dec.ny.gov](mailto:natalie.browne@dec.ny.gov)  
Lipa Klein, KJ MS4, [kleinlipa@gmail.com](mailto:kleinlipa@gmail.com)  
Alfred A Fusco Jr PE, Village of KJ MS4 Engineer [aafjr@fuscoengineering.com](mailto:aafjr@fuscoengineering.com)  
Joel Mann, Consultant, [joel@bmassoc.com](mailto:joel@bmassoc.com)