

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

FILED

Sep 17, 2025

10:22 am

**U.S. EPA REGION 3
HEARING CLERK**

In the Matter of: :
:
Hill MHP, LLC : U.S. EPA Docket No. CWA-03-2025-0074
5805 Staples Mill Road :
Richmond, VA 23228 :
:
:
Respondent. : **CONSENT AGREEMENT AND FINAL ORDER**
: **PROCEEDING UNDER 33 U.S.C. § 1319(g)**
:
Hill Mobile Home Park Sewage Treatment :
Plant :
Intersection of Lakewood Road and A.P. :
Hill Boulevard :
Bowling Green, VA, 22427 :
:
Facility. :
:
:
:

CONSENT AGREEMENT

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 3 ("Complainant") and Hill MHP, LLC ("Respondent") (collectively the "Parties"), pursuant to Section 309(g) of the Clean Water 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) 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 the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the "Consent Agreement and Final Order") resolve Complainant's civil penalty claims against Respondent under Section 309(g) of the Clean Water Act 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.

JURISDICTION

3. The U.S. Environmental Protection Agency (“EPA”) 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. EPA has consulted with the Virginia Department of Environmental Quality (“VADEQ”) regarding this action and, subsequent to the Effective Date, EPA will mail a copy of this fully executed Consent Agreement and Final Order to the appropriate VADEQ representative.

GENERAL PROVISIONS

6. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
7. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
8. Respondent agrees not to contest the jurisdiction of the EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
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. Respondent shall bear its own costs and attorney’s fees in connection with this proceeding.
12. 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.

13. By signing this Consent Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the Final Order accompanying the Consent Agreement.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

14. 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.
15. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the National Pollutant Discharge Elimination System (“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. Section 402(b) of the Act, 33 U.S.C. § 1342(b), provides for the authorization of state programs to issue NPDES permits.
16. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), the EPA authorized the Commonwealth of Virginia NPDES program on March 31, 1975. Pursuant to Section 402(b) of the Act, 33 U.S.C. § 1342(b), VADEQ is authorized to administer the NPDES program in the Commonwealth of Virginia.
17. Pursuant to Section 402(i) of the CWA, 33 U.S.C. §1342(i), the EPA retains its authority to take enforcement action within Virginia for NPDES permit violations.
18. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person into waters of the U.S. except in compliance with sections 301, 302, 306, 307, 318, 402, and 404 of the Act, 33 U.S.C. §§ 1311, 1312, 1316, 1317, 1328, 1342, and 1344.
19. “Discharge of a pollutant” means “[a]ny addition of any ‘pollutant’ or combination of pollutants to ‘waters of the United States’ from any ‘point source’.” 40 C.F.R. § 122.2; *see also* 33 U.S.C. § 1362(12).
20. Respondent is a “person” within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5).
21. Respondent owns and operates the Hill Mobile Home Park Sewage Treatment Plant (“STP” or “Facility”), a privately owned wastewater treatment plant located at the intersection of Lakewood Road and A.P. Hill Boulevard, Bowling Green, Virginia. The STP discharges treated domestic wastewater at Outfall 001 to an unnamed tributary

connected to Maracossic Creek which is connected to the York River which is connected to the Chesapeake Bay.

22. The unnamed tributary to Maracossic Creek, Maracossic Creek, the York River, and the Chesapeake Bay are “waters of the United States” within the meaning of Section 502(7) of the Act, 33 U.S.C. § 1362(7).
23. At all times relevant to this Consent Agreement, the operation of the STP has been subject to NPDES Discharge Permit No. VA0090689 (“Permit”), issued by VADEQ, effective August 1, 2022, with an expiration date of July 31, 2027.
24. Respondent is authorized to discharge pollutants, in the form of wastewater from the STP, to waters of the United States only in accordance with the terms and conditions of the Permit.
25. At all times relevant to this Consent Agreement, the STP discharged wastewater through a “point source,” as that term is defined at Section 502(14) of the Act, 33 U.S.C. § 1362(14), into the unnamed tributary to Maracossic Creek, which is connected to Maracossic Creek, which is connected to the York River which is connected to the Chesapeake Bay.
26. On October 29, 2020, representatives of the EPA inspected the STP for purposes of determining compliance with Commonwealth of Virginia Permit No. VA0090689 (“Site Inspection”).
27. Commonwealth of Virginia Permit No. VA0090689 was reissued on August 1, 2022, and will expire on July 31, 2027.
28. On December 23, 2020, the EPA sent the previous owner of the Facility a copy of its Site Inspection report (“EPA Inspection Report”) identifying the following violations of the Permit and the CWA as described below.
29. On or about August 31, 2021, Respondent purchased and took over operational control of the Facility. On May 31, 2022, the EPA sent Respondent a Notice of Potential Violations and Opportunity to Confer (“NOPVOC”) with the list of violations. On August 1, 2022, the Permit was reissued to Respondent, and Respondent became the Permittee.

Count 1
Effluent Limit Exceedances at Outfall #1

30. Permit Part 1. Section A. “Effluent Limitations and Monitoring Requirements” states there shall be no discharge of floating solids or visible foam in other than trace amounts. In addition, all discharges at Outfall 001 shall be limited and monitored by the Respondent at the levels set forth in the Permit.

Table 1. Effluent Limits and Exceedances Permit #: VA0090689 – Hill MHP LLC
Monitoring Period Date Range: 8/01/2022 to 03/31/2023

Monitoring Period End Date	Outfall	Parameter Description	Limit Type	DMR Value	Limit Value	DMR Value and Limit Value Units	% Exceedance
8/31/2022	1	Solids, total suspended	WKLY MAX	1.91	0.28	kg/d	582
8/31/2022	1	Solids, total suspended	WKLY MAX	102	15	mg/L	580
8/31/2022	1	Solids, total suspended	MO AVG	70.5	10	mg/L	605
8/31/2022	1	Solids, total suspended	MO AVG	1.27	0.19	kg/d	568
8/31/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	14.26	4.5	mg/L	217
8/31/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	9.13	3	mg/L	204
8/31/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	0.17	0.06	kg/d	183
8/31/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	0.27	0.09	kg/d	200
8/31/2022	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	1.32	0.28	kg/d	371
8/31/2022	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	83	15	mg/L	453

8/31/2022	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	73	10	mg/L	630
8/31/2022	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	1.24	0.19	kg/d	553
9/30/2022	1	Solids, total suspended	MO AVG	0.31	0.19	kg/d	63
9/30/2022	1	Solids, total suspended	WKLY MAX	0.42	0.28	kg/d	50
9/30/2022	1	Solids, total suspended	WKLY MAX	290	15	mg/L	1833
9/30/2022	1	Solids, total suspended	MO AVG	162.8	10	mg/L	1528
9/30/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	6.81	4.5	mg/L	51
9/30/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	6.61	3	mg/L	120
9/30/2022	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	19	15	mg/L	27
9/30/2022	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	12	10	mg/L	20
10/31/2022	1	Solids, total suspended	MO AVG	682.2	10	mg/L	6722
10/31/2022	1	Solids, total suspended	MO AVG	1.97	0.19	kg/d	937
10/31/2022	1	Solids, total suspended	WKLY MAX	3.56	0.28	kg/d	1171
10/31/2022	1	Solids, total suspended	WKLY MAX	1233.3	15	mg/L	8122
10/31/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	11.03	4.5	mg/L	145
10/31/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	7.92	3	mg/L	164
10/31/2022	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	21	10	mg/L	110

10/31/2022	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	33	15	mg/L	120
11/30/2022	1	Solids, total suspended	MO AVG	281.5	10	mg/L	2715
11/30/2022	1	Solids, total suspended	MO AVG	2.78	0.19	kg/d	1363
11/30/2022	1	Solids, total suspended	WKLY MAX	5.25	0.28	kg/d	1775
11/30/2022	1	Solids, total suspended	WKLY MAX	520	15	mg/L	3367
11/30/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	0.12	0.09	kg/d	33
11/30/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	0.07	0.06	kg/d	17
11/30/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	12.12	4.5	mg/L	169
11/30/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	6.89	3	mg/L	130
11/30/2022	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	0.26	0.19	kg/d	37
11/30/2022	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	28	10	mg/L	180
11/30/2022	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	0.42	0.28	kg/d	50
11/30/2022	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	42	15	mg/L	180
12/31/2022	1	Solids, total suspended	MO AVG	0.84	0.19	kg/d	342
12/31/2022	1	Solids, total suspended	MO AVG	107	10	mg/L	970
12/31/2022	1	Solids, total suspended	WKLY MAX	1.32	0.28	kg/d	371
12/31/2022	1	Solids, total suspended	WKLY MAX	152.9	15	mg/L	919

12/31/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	0.09	0.06	kg/d	50
12/31/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	18.8	4.5	mg/L	318
12/31/2022	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	0.11	0.09	kg/d	22
12/31/2022	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	13.5	3	mg/L	350
12/31/2022	1	E. coli	GEO MEAN	178	126	#/100mL	41
1/31/2023	1	Solids, total suspended	WKLY MAX	122.5	15	mg/L	717
1/31/2023	1	Solids, total suspended	WKLY MAX	0.88	0.28	kg/d	214
1/31/2023	1	Solids, total suspended	MO AVG	0.47	0.19	kg/d	147
1/31/2023	1	Solids, total suspended	MO AVG	83.6	10	mg/L	736
1/31/2023	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	3.06	3	mg/L	2
1/31/2023	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	0.68	0.28	kg/d	143
1/31/2023	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	95	15	mg/L	533
1/31/2023	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	54	10	mg/L	440
1/31/2023	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	0.35	0.19	kg/d	84
2/28/2023	1	Solids, total suspended	MO AVG	92.3	10	mg/L	823
2/28/2023	1	Solids, total suspended	WKLY MAX	0.53	0.28	kg/d	89
2/28/2023	1	Solids, total suspended	WKLY MAX	92.5	15	mg/L	517

2/28/2023	1	Solids, total suspended	MO AVG	0.33	0.19	kg/d	74
2/28/2023	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	19.6	4.5	mg/L	336
2/28/2023	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	17.8	3	mg/L	493
2/28/2023	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	58	15	mg/L	287
2/28/2023	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	37	10	mg/L	270
3/31/2023	1	Solids, total suspended	MO AVG	41.8	10	mg/L	318
3/31/2023	1	Solids, total suspended	WKLY MAX	66	15	mg/L	340
3/31/2023	1	Nitrogen, Kjeldahl, total (as N)	WKLY MAX	9.22	4.5	mg/L	105
3/31/2023	1	Nitrogen, Kjeldahl, total (as N)	MO AVG	5.56	3	mg/L	85
3/31/2023	1	BOD, carbonaceous, 05 day, 20 C	MO AVG	49	10	mg/L	390
3/31/2023	1	BOD, carbonaceous, 05 day, 20 C	WKLY MAX	53	15	mg/L	253

31. Per Table 1 information, which is from Discharge Monitoring Reports submitted by Respondent, the Facility had 72 effluent limit exceedances for the period of 8/1/2022 to 03/31/2023. These exceedances all occurred at the Facility's only outfall, Outfall 001, and included reoccurring exceedances of total suspended solids ("TSS"), biochemical oxygen demand ("BOD"), Phosphorus, and Nitrogen.
32. In addition to exceeding effluent limits observed through analytical testing, at the time of the Site Inspection, the inspector observed light brown solids discharged directly under Outfall 001 and 40-50 ft downstream in the receiving water. The solids observed appeared different than the natural material in the creek bed. Turbidity was also observed in the post-aeration chamber and effluent holding tank.

33. Based on the above assertions and allegations, the EPA concludes that by discharging reoccurring exceedances of TSS, BOD, Phosphorus, and Nitrogen from Outfall 001 at levels above what the Permit allowed, as well as the discharge of floating solids at Outfall 001 during the Site Inspection, Respondent has violated the Permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.
34. In failing to comply with the effluent limitations contained in the Permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, Respondent is subject to the assessment of penalties under Section 309 of the CWA, 33 U.S.C. §1319.

CIVIL PENALTY

35. In settlement of the 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 **TWENTY-FOUR THOUSAND ONE HUNDRED AND TWENTY-SEVEN DOLLARS (\$24,127.00)**, which Respondent shall be liable to pay in accordance with the terms set forth below.
36. The civil penalty is based upon the EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in the CWA, Section 309(g)(3), including, the following: 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. These factors were applied to the particular facts and circumstances of this case with specific reference to the EPA's *Interim Clean Water Act Settlement Penalty Policy* dated March 1, 1995 which reflects the statutory penalty criteria and factors set forth at Section 309(g)(3) of the CWA, 33 U.S.C. § 1319(g)(3) and the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing EPA's civil penalty policies to account for inflation.
37. The civil penalty is also based upon an analysis of Respondent's ability to pay a civil penalty. This analysis was based upon information submitted to the EPA by Respondent including documentation showing operating losses and minimal available assets.
38. Respondent agrees to pay a civil penalty in the amount of \$24,127.00 ("Assessed Penalty") within thirty (30) days of the Effective Date of this Consent Agreement and Final Order.
39. Respondent shall pay the assessed penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA

website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. Any checks should be made payable to, "Treasurer, United States of America." However, for any payments made after September 30, 2025, and in accordance with the March 25, 2025 Executive Order on [Modernizing Payments To and From America's Bank Account](#), Respondent shall pay using one of the electronic payments methods listed on [EPA's How to Make a Payment website](#) and will not pay with a paper check.

40. When making a payment, Respondent shall:

- a. Identify every payment with Respondent's name and the docket number of this Consent Agreement and Final Order, CWA-03-2025-0074,
- b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve Proof of Payment simultaneously **by email** to the following person(s):

Lauren J. Zarrillo
Assistant Regional Counsel
R3_ORC_mailbox@epa.gov

and

U.S. EPA Region 3 Regional Hearing Clerk
R3_Hearing_Clerk@epa.gov.

"Proof of Payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to the EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent's name.

41. Interest, Charges, and Penalties on Late Payments. Pursuant to 33 U.S.C. § 1319(g)(9), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, the entire unpaid balance of the Assessed Penalty and all accrued interest shall become immediately due and owing, and the EPA is authorized to recover the following amounts.

- a. Interest. Interest begins to accrue from the Effective Date. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until the unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. Interest will be assessed at

prevailing rates, per 33 U.S.C. § 1319(g)(9). The rate of interest is the standard IRS underpayment rate.

- b. Handling Charges. The United States' enforcement expenses including, but not limited to, attorneys' fees and costs of collection proceedings.
- c. Late Payment Penalty. A twenty percent (20%) quarterly non-payment penalty.

42. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, the EPA may take additional actions. Such actions the EPA may take include, but are not limited to, the following.

- a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14;
- b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
- c. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, per 40 C.F.R. § 13.17.
- d. Request that the Attorney General bring a civil action in the appropriate district court to recover the full remaining balance of the Assessed Penalty, in addition to interest and the amounts described above, pursuant to 33 U.S.C. § 1319(g)(9). In any such action, the validity, amount, and appropriateness of the Assessed Penalty shall not be subject to review.

- 43. The parties consent to service of the Final Order by e-mail at the following valid email addresses: zarrillo.lauren@epa.gov for Complainant, and Steven.Blaine@wrvblaw.com for Respondent.

GENERAL SETTLEMENT CONDITIONS

- 44. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.

45. Respondent certifies that any information or representation it has supplied or made to the 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. The EPA shall have the right to institute further actions to recover appropriate relief if the EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, **including information about Respondent's ability to pay a penalty**, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that the 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.

CERTIFICATION OF COMPLIANCE

46. Respondent certifies to the EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with the Administrative Order on Consent between Respondent and the EPA, Docket No. CWA-03-2024-0044DN which addresses the violations alleged herein.

OTHER APPLICABLE LAWS

47. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict the 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 Consent Agreement and Final Order does not constitute a waiver, suspension or modification of the requirements of the CWA, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

48. This Consent Agreement and Final Order resolves only the EPA's claims for civil penalties for the specific violation[s] alleged against Respondent in this Consent Agreement and Final Order. The EPA reserves the right to commence action against any person, including Respondent, in response to any condition which the 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). The EPA reserves any rights and remedies available to it under the CWA, the regulations promulgated thereunder and

any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date.

EXECUTION /PARTIES BOUND

49. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents and assigns of Respondent. By providing the signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that the person is fully authorized by the Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

EFFECTIVE DATE

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

ENTIRE AGREEMENT

51. This Consent Agreement and Final Order 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 Consent Agreement and Final Order.

For Respondent, HILL MHP, LLC:

Date: 06/10/2025

By: *Booker Smith*
NAME:
TITLE:

For the 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 3, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or the Regional Administrator's designee, the Regional Judicial Officer, issue the attached Final Order.

By: _____
[Digital Signature and Date]
Acting Director
Enforcement & Compliance Assurance Division
U.S. EPA – Region 3
Complainant

Attorney for Complainant:

By: _____
[Digital Signature and Date]
Lauren J. Zarrillo
Assistant Regional Counsel
U.S. EPA – Region 3

**U.S. EPA REGION 3
HEARING CLERK**

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 CWA and the regulations promulgated thereunder.

The effective date of the attached Consent Agreement and this Final Order is thirty (30) days after having been signed by the Regional Administrator or her delegate, the Regional Judicial Officer, and filed with the Regional Hearing Clerk.

Date: _____

By: _____

Regional Judicial and Presiding Officer
U.S. EPA Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 3
Philadelphia, Pennsylvania 19103

In the Matter of:	:	
	:	
Hill MHP, LLC	:	U.S. EPA Docket No. CWA-03-2025-0074
5805 Staples Mill Road	:	
Richmond, VA 23228	:	
	:	
	:	
Respondent.	:	CONSENT AGREEMENT AND FINAL ORDER
	:	PROCEEDING UNDER 33 U.S.C. § 1319(g)
	:	
Hill Mobile Home Park Sewage Treatment	:	
Plant	:	
Intersection of Lakewood Road and A.P. Hill	:	
Boulevard	:	
Bowling Green, VA 22427	:	
	:	
Facility.	:	
	:	
	:	
	:	

CERTIFICATE OF SERVICE

I certify that the foregoing ***Consent Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Consent Agreement and Final Order***. 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 to:

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[Digital Signature and Date]
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 3