

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 4

FILED

Jul 25, 2024

5:05 pm

**U.S. EPA REGION 4
HEARING CLERK**

In the Matter of:

SHAROLYN SNYDER,

Respondent.

Docket No. CWA-04-2024-1202(b)

CONSENT AGREEMENT

I. NATURE OF ACTION

1. This is an administrative penalty assessment proceeding brought under Section 309(g)(2)(A) of the Clean Water Act, 33 U.S.C. § 1319(g)(2)(A), (CWA or the Act) and Sections 22.13(b) and 22.18 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), as codified at Title 40 of the Code of Federal Regulations (C.F.R.), Part 22.
2. This Consent Agreement and the attached Final Order shall collectively be referred to as the CAFO.
3. Having found that settlement is consistent with the provisions and objectives of the Act and applicable regulations, the Parties have agreed to settle this action pursuant to 40 C.F.R. § 22.18 and consent to the entry of this CAFO without adjudication of any issues of law or fact herein.

II. PARTIES

4. Complainant is the Chief of the Water Enforcement Branch of the Environmental Protection Agency, Region 4, who has been delegated the authority on behalf of the Administrator of the EPA to enter into this CAFO pursuant to 40 C.F.R. Part 22 and Section 309(g)(2)(A) of the CWA.
5. Respondent is Sharolyn Snyder (Respondent), a person. This proceeding pertains to Respondent's property located 2822 Paradise Lane, Springfield, Robertson County, Tennessee 37172.

III. GOVERNING LAW

6. To accomplish the objective of the CWA, defined in Section 101(a) of the CWA, 33 U.S.C. § 1251(a), to restore and maintain the chemical, physical and biological integrity of the nation's waters, Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person into waters of the United States except as in compliance with Section 404 of the CWA, 33 U.S.C. § 1344. Section 404 of the CWA authorizes the Secretary of the Army, acting through the Chief of Engineers, U.S. Army Corps of Engineers (USACE), to issue permits for the discharge of dredged or fill material into navigable waters.
7. Section 502(12) of the CWA, 33 U.S.C. § 1362(12), defines a "discharge of pollutants" as "[a]ny addition of any pollutant to navigable waters from any point source . . ."
8. Section 502(14) of the CWA, 33 U.S.C. § 1362(14), defines "point source" as "[a]ny discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit [or] discrete fissure . . . from which pollutants are or may be discharged."
9. Section 502(7) of the CWA, 33 U.S.C. § 1362(7), defines "navigable waters" as "[t]he waters of the United States, including the territorial seas."
10. Federal regulations under 40 C.F.R. § 232.2 (1988) and 33 C.F.R. § 328.3(a) (1986) define the term "waters of the United States" to include "wetlands."
11. Federal regulations under 40 C.F.R. § 232.2 (1988) and 33 C.F.R. § 328.3(b) (1986) define "wetlands" as "[t]hose areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions."
12. Pursuant to Section 309(g)(1) of the CWA, 33 U.S.C. § 1319(g)(1), and 40 C.F.R. § 22.38(b), the Complainant represents that the State of Tennessee was provided a prior opportunity to consult with the Complainant regarding this matter.
13. Pursuant to Section 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45, Complainant will provide public notice of and reasonable opportunity to comment on the proposed issuance of this CAFO prior to issuance of the Final Order.

IV. FINDINGS OF FACTS

14. Respondent impacted approximately 1.5 acres of jurisdictional waters of the United States located at latitude 36.44645 and longitude -86.85499 (Area 1), and latitude 36.44997 and longitude -86.85963 (Area 2) through the discharge of dredged and/or fill material as a result of unauthorized gravel mining activities (Exhibit A). Area 1 and Area 2 are collectively referred to as the "Discharge Area," and/or "Site," which is the parcel of land on which Area 1 and Area 2 are located (See Exhibit B). The Discharge Area and/or Site is located within Carr Creek south of Springfield, Robertson County, Tennessee, where Respondent conducted gravel mining activities. Respondent's dredging and/or filling activities within the Discharge Area include

channel relocations (Area 1), construction of a linear crossing (Area 1), and stock-piling dredged material in the streambed (Area 2).

15. Commencing on December 5, 2020, to May 20, 2021, Respondent, and/or those acting on behalf of the Respondent, discharged dredged and/or fill material into jurisdictional waters within the Discharge Area using earth moving machinery. The earth moving machinery included, but was not limited to, excavators and bulldozers. The discharges occurred during unauthorized activities associated with gravel mining.
16. Respondent's unauthorized activities in the Discharge Area impacted approximately 1.5 acres of Carr Creek, which is a relatively permanent perennial tributary to Sulphur Fork, a traditional navigable water.
17. On October 15, 2009, the USACE finalized a Nationwide Permit 13 for Bank Stabilization (NWP 13) for Respondent to conduct 403 linear feet of bank stabilization at the Site. At a compliance inspection of the Site on June 25, 2013, the USACE observed tire tracks in Carr Creek near the gravel bar area where it appeared work was being carried out to try to reroute the creek channel. This additional activity was not within the scope of or covered by Respondent's NWP 13 authorization.
18. The USACE followed up its June 25, 2013, compliance inspection of the Site with a letter to Respondent dated August 20, 2013, explaining the proper method to remove material from the streambed. Respondent acknowledged receipt of this letter in correspondence dated August 24, 2013, and indicated that her future gravel removal activities would be by a method compliant with Section 404 of the CWA, 33 U.S.C. § 1344.
19. In response to new complaints of gravel being dredged and discharged into Carr Creek at the Site, the USACE sent a letter dated July 21, 2015, to Respondent reiterating that such activity was regulated under the CWA, as a "discharge of dredged material" (33 C.F.R. § 323.2(d)(1)) and listed how activities specific to Respondent's proposal to remove additional accumulated gravel would be considered a discharge of dredged material. In an August 12, 2015, response letter to the USACE, Respondent informed the USACE that she would apply for a permit the next time she intended to remove gravel.
20. A new complaint received by the USACE on June 29, 2021, prompted the USACE to meet with Respondent and her contractor at the Site on July 13, 2021. At this site visit, the USACE documented evidence that dredged creek gravel had been discharged below the ordinary high-water mark (OHWM) at Areas 1 and 2 of the Site totaling approximately 1.5 acres. At Area 1, the USACE observed and documented that dredged creek gravel and sections of concrete and plastic culverts had been placed within the main channel of Carr Creek to facilitate mechanized equipment access to gravel deposits. At Area 2, the USACE observed and documented that a large pile of dredged gravel was stockpiled below the OHWM.
21. Following its July 13, 2021, visit to the Site, the USACE issued a Notice of Violation (NOV) to Respondent dated August 4, 2021, for the unauthorized discharge of dredged and/or fill material into waters of the United States. In an August 14, 2021, letter, Respondent acknowledged receipt of the USACE's NOV and responded to the USACE's request for information. Respondent also

- affirmed that no work had been undertaken within Carr Creek since the USACE's July 13, 2021, site visit.
22. The USACE referred this case as a "flagrant violation of the [CWA]" to EPA for enforcement on September 3, 2021, after eight years of Respondent's failed compliance with Section 404 of the CWA, 33 U.S.C. § 1344, for work carried out in the streambed at the Site.
 23. In a December 1, 2021, Information Request Letter (Information Request) issued to Respondent, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA requested information related to Respondent's discharge of dredged and/or fill material at the Site to assess compliance with the CWA and the regulations promulgated thereunder at 40 C.F.R. Part 232.
 24. Respondent stated in her December 17, 2021, response to the Information Request that between December 5, 2020 and May 20, 2021, her contractor operated earth moving machinery, such as track hoes and dump trucks, to obtain gravel from the gravel bar at Area 1, and built a temporary 3-foot culvert in the creek at the bank where the creek channel was located to pull the gravel into a pile near the access road. Respondent also stated that her contractor pulled gravel into a pile near the access road at Area 2.
 25. On July 6, 2022, the EPA emailed to Respondent a Notice of Violation and Opportunity to Show Cause (Notice) pursuant to Section 309(a) of the CWA, 33 U.S.C. § 1319(a). The same day, Respondent acknowledged her receipt of the Notice in an email to EPA.
 26. In an August 19, 2022, letter emailed to the EPA, Respondent's counsel responded to the EPA's Notice by claiming Respondent's gravel mining activities at Areas 1 and 2 (Site) were covered by a general permit issued by the Tennessee Department of Environmental Conservation (TDEC) and a Nationwide Permit issued by the USACE, and that all the Respondent's activities for mining were in accordance with the permits. Respondent's counsel closed his letter by requesting that the EPA refrain from further enforcement action.
 27. The EPA responded in an October 24, 2022, letter to Respondent's counsel that the work was not covered by a USACE permit, and that Respondent did not comply with General Condition 11 of the state permit which requires compliance with Section 404 of the CWA, 33 U.S.C. § 1344.
 28. From January 10, 2023, to May 19, 2023, counsel for the EPA and Respondent's counsel corresponded by email regarding the need for restoration at the Site. In his May 19, 2023, email, however, Respondent's counsel stated that the culvert was removed and the rains from the past year had essentially "repaired" the creek channel and provided photographs to demonstrate this point.
 29. In a September 5, 2023, email to the EPA, Respondent's counsel reaffirmed that restoration was not possible or necessary because removal of the culvert had caused the creek to now "run[] naturally." The EPA then queried the USACE as to whether it could conduct an inspection of the Site to verify Respondent's claim that no restoration work was needed at the Site. After confirming with the USACE that it would inspect the Site, the EPA emailed Respondent's attorney on September 11, 2023, requesting that he coordinate with the USACE on setting up an inspection of the Site.

30. On September 22, 2023, the USACE conducted an inspection of the Site and verified that there was no fill remaining in place at the Site at that time.

V. ALLEGED VIOLATIONS

31. At all times relevant to this action, Respondent is a “person” within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5).
32. At all times relevant to this action, the Respondent owned and/or operated the Site.
33. The discharged dredged and/or fill material, including earthen material deposited at the Discharge Area, are “pollutants” as defined under the CWA § 502(6), 33 U.S.C. § 1362(6).
34. The earth moving machinery employed by the Respondent, and/or those acting on behalf of the Respondent, to deposit the dredged and/or fill material at the Discharge Area are “point sources” as defined under the CWA § 502(14), 33 U.S.C. § 1362(14).
35. Respondent’s placement of the dredged and/or fill material at the Discharge Area constitutes a “discharge of pollutants” as defined under the CWA § 502(12), 33 U.S.C. § 1362(12).
36. At no time during the discharge of dredged and/or fill material at the Discharge Area from approximately December 5, 2020, to July 13, 2021, did the Respondent possess a permit under Section 404 of the CWA, 33 U.S.C. § 1344, authorizing the activities performed by Respondent.
37. Each discharge by the Respondent of pollutants into navigable waters without the required permit issued under Section 404 of the CWA, 33 U.S.C. § 1344, is a violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a).
38. Each day the material discharged by the Respondent remains in waters of the United States without the required permit under Section 404 of the CWA, 33 U.S.C. § 1344, constitutes a day of violation of Section 301(a) of the CWA, 33 U.S.C. § 1311(a).

VI. STIPULATIONS

39. The issuance of this CAFO simultaneously commences and concludes this proceeding. 40 C.F.R. § 22.13(b).
40. For the purpose of this proceeding, as required by 40 C.F.R. § 22.18(b)(2), Respondent:
 - (a) admits that the EPA has jurisdiction over the subject matter alleged in this CAFO;
 - (b) neither admits nor denies the factual allegations set forth in Section IV (Findings of Facts) of this CAFO;
 - (c) consents to the assessment of a civil penalty as stated below;
 - (d) consents to the conditions specified in this CAFO;

(e) waives any right to contest the allegations set forth in Section V (Alleged Violations) of this CAFO; and

(f) waives its rights to appeal the Final Order accompanying this CAFO.

41. For the purpose of this proceeding, Respondent:

(a) agrees that this CAFO states a claim upon which relief may be granted against Respondent;

(b) acknowledges that this CAFO constitutes an enforcement action for purposes of considering Respondent's compliance history in any subsequent enforcement actions;

(c) waives any rights it may possess at law or in equity to challenge the authority of the EPA to bring a civil action in a United States District Court to compel compliance with the CAFO, and to seek an additional penalty for such noncompliance, and agrees that federal law shall govern in any such civil action;

(d) waives any right it may have pursuant to 40 C.F.R. § 22.8 to be present during any discussions with, or to be served with and reply to, any memorandum or communication addressed to EPA officials where the purpose of such discussion, memorandum, or communication is to persuade such official to accept and issue this CAFO; and

(e) agrees to comply with the terms of this CAFO.

42. In accordance with 40 C.F.R. § 22.5, the individuals named in the certificate of service are authorized to receive service related to this proceeding and the parties agree to receive service by electronic means.

43. The parties acknowledge and agree that this CAFO is subject to the requirements of 40 C.F.R. § 22.45(c)(4), which provides a right to petition to set aside a proposed CAFO based on comments received during the public comment period.

VII. TERMS OF PAYMENT

44. Respondent consents to the payment of a civil penalty, which was calculated in accordance with the Act, in the amount of \$20,000.00, which is to be paid within thirty (30) calendar days of the Effective Date of this CAFO.

45. Payment shall be made by cashier's check, certified check, by electronic funds transfer (EFT), or by Automated Clearing House (ACH) (also known as REX or remittance express). If paying by check, the check shall be payable to: Treasurer, United States of America, and the Facility name and docket number for this matter shall be referenced on the face of the check. If Respondent sends payment by standard U.S. Postal Service delivery, the payment shall be addressed to:

U.S. Environmental Protection Agency
P.O. Box 979078
St. Louis, MO 63197-9000

If Respondent sends payment by non-standard mail delivery (e.g., FedEx, DHL, UPS, USPS certified, registered, etc.), the payment shall be sent to:

U.S. Environmental Protection Agency
Government Lockbox 979078
3180 Rider Trail S.
Earth City, MO 63045

If paying by EFT, Respondent shall transfer the payment to:

Federal Reserve Bank of New York
ABA: 021030004
Account Number: 68010727
SWIFT address: FRNYUS33
33 Liberty Street
New York, NY 10045
Beneficiary: Environmental Protection Agency

If paying by ACH, Respondent shall remit payment to:

US Treasury REX / Cashlink ACH Receiver
ABA: 051036706
Account Number: 310006, Environmental Protection Agency
CTX Format Transaction Code 22 – checking
Physical location of US Treasury facility:
5700 Rivertech Court
Riverdale, MD 20737
REX (Remittance Express): 1-866-234-5681

46. Respondent shall send proof of payment, within 24 hours of payment of the civil penalty, to:

Regional Hearing Clerk
r4_regional_hearing_clerk@epa.gov

and

Joel Strange
Water Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. EPA Region 4
strange.joel@epa.gov

47. “Proof of payment” means, as applicable, a copy of the check, confirmation of credit card or debit card payment, confirmation of wire or automated clearinghouse transfer, and any other

information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the Facility name and “Docket No. CWA-04-2024-1202(b).”

48. Pursuant to 33 U.S.C. § 1319(g)(9), If Respondent fails to timely pay any portion of the penalty assessed under this CAFO, the EPA may recover, in addition to the amount of the unpaid penalty assessed, the following amounts on any portion overdue:
- a. Interest. Interest will begin to accrue on the civil penalty from the Effective Date of this CAFO. If the civil penalty is paid within 30 days of the Effective Date of this CAFO, Interest is waived. However, if the civil penalty is not paid in full within 30 days, Interest will continue to accrue on any unpaid portion until the unpaid portion of the civil penalty and accrued Interest are paid. Interest will be assessed currently prevailing rates.
 - b. Non-Payment Penalty. A 20 percent quarterly nonpayment penalty pursuant to 33 U.S.C. § 1319(g)(9); and
 - c. Attorneys’ Fees and Costs of Collection. The United States’ attorneys’ fees and costs of collection.
49. In addition to what is stated in the prior Paragraph, if Respondent fails to timely pay any portion of the penalty assessed under this CAFO, the EPA may:
- (a) refer the debt to a credit reporting agency or a collection agency, 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 to, or held by the United States for, a person to satisfy the debt the person owes the Government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, 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 EPA sponsors or funds, 40 C.F.R. § 13.17; and/or
 - (d) request that the Attorney General bring a civil action in the appropriate district court to recover the amount assessed, in addition to the amounts described above, pursuant to 33 U.S.C. § 1319(g)(9). In any such judicial action, the validity, amount, and appropriateness of the penalty and of this CAFO shall not be subject to review.
50. Penalties paid pursuant to this CAFO shall not be deductible for purposes of federal taxes.
51. Effective upon signature of this CAFO by the Respondent, the Respondent agrees that the time period commencing on the date of its signature and ending on the Effective Date shall not be included in computing the running of any statute of limitations potentially applicable to any action brought by the EPA related to the matters addressed in this CAFO and that, in any action

brought by the EPA related to the matters addressed, the Respondent will not assert, and may not maintain, any defense or claim based upon principles of statute of limitations, waiver, laches, estoppel, or other defense based on the passage of time during such period.

VIII. EFFECT OF CAFO

52. In accordance with 40 C.F.R. § 22.18(c), Respondent's full compliance with this CAFO shall only resolve Respondent's liability for federal civil penalties for the violations and facts specifically alleged above.
53. Full payment of the civil penalty, as provided in Section VII (Terms of Payment) shall satisfy the requirements of this CAFO; but, shall not in any case affect the right of the EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. 40 C.F.R. § 22.18(c).
54. Nothing in this CAFO shall relieve Respondent of the duty to comply with all applicable provisions of the Act and other federal, state, or local laws or statutes, 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, or determination of, any issue related to any federal, state, or local permit, except as expressly provided herein.
55. Nothing herein shall be construed to limit the power of the EPA to undertake any action against Respondent or any person in response to conditions that may present an imminent and substantial endangerment as provided under the Act.
56. The terms, conditions, and compliance requirements of this CAFO may not be modified or amended except upon the written agreement of both Parties, and approval of the Regional Judicial Officer.
57. The provisions of this CAFO shall apply to and be binding upon Respondent and its successors and assigns. Respondent shall direct its officers, directors, employees, agents, trustees, and authorized representatives to comply with the provisions of this CAFO.
58. Any change in the legal status of the Respondent, or change in ownership, partnership, corporate or legal status relating to the Facility, will not in any way alter Respondent's obligations and responsibilities under this CAFO.
59. By signing this Consent Agreement, Respondent acknowledges that this CAFO will be available to the public and agrees that this CAFO does not contain any confidential business information or personally identifiable information.
60. By signing this Consent Agreement, the Complainant, and the undersigned representative of Respondent each certify that he or she is fully authorized to execute and enter into the terms and conditions of this CAFO and has the legal capacity to bind the party he or she represents to this CAFO.

61. By signing this Consent Agreement, both Parties agree that each party's obligations under this CAFO constitute sufficient consideration for the other party's obligations.
62. By signing this Consent Agreement, Respondent certifies that the information it has supplied concerning this matter was at the time of submission, and continues to be, true, accurate, and complete for each such submission, response, and statement. Respondent acknowledges that there are significant penalties for submitting false or misleading information, including the possibility of fines and imprisonment for knowing submission of such information, under 18 U.S.C. § 1001.
63. The EPA also reserves the right to revoke this CAFO and settlement penalty if and to the extent that the EPA finds, after signing this CAFO, that any information provided by Respondent was materially false or inaccurate at the time such information was provided to the EPA. If such false or inaccurate material was provided, the EPA reserves the right to assess and collect any and all civil penalties for any violation described herein. The EPA shall give Respondent notice of its intent to revoke, which shall not be effective until received by Respondent in writing.
64. Unless specifically stated otherwise in this CAFO, each party shall bear its own attorney's fees, costs, and disbursements incurred in this proceeding.
65. It is the intent of the parties that the provisions of this CAFO are severable. If any provision or authority of this CAFO or the application of this CAFO to any party or circumstances is held by any judicial or administrative authority to be invalid or unenforceable, the application of such provisions to other parties or circumstances and the remainder of the CAFO shall remain in force and shall not be affected thereby.
66. Respondent hereby covenants not to sue and agrees not to assert any claims or causes of action against the United States, including any department, agency or instrumentality of the United States, with respect to the matters addressed and resolved in this CAFO, including but not limited to, any claim that any of the matters or actions described in this CAFO have resulted in a taking of Respondent's property without compensation.

IX. EFFECTIVE DATE

67. This CAFO shall become effective after execution of the Final Order by the Regional Judicial Officer, on the date of filing with the Hearing Clerk.

The foregoing Consent Agreement In the Matter of SHAROLYN SNYDER, Docket No. CWA-04-2024-1202(b), is Hereby Stipulated, Agreed, and Approved for Entry.

FOR RESPONDENT:

Sharolyn Snyder 5-13-24
Signature Date

Printed Name: SHAROLYN SNYDER

Title: OWNER

Address: 2822 PARADISE LANE, SPRINGFIELD, TN 37172

The foregoing Consent Agreement In the Matter of SHAROLYN SNYDER, Docket No. CWA-04-2024-1202(b), is Hereby Stipulated, Agreed, and Approved for Entry.

FOR COMPLAINANT:

Mary Jo Bragan, Chief
Water Enforcement Branch
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 4

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

In the Matter of:

SHAROLYN SNYDER,

Respondent.

Docket No. CWA-04-2024-1202(b)

FINAL ORDER

The Regional Judicial Officer is authorized to ratify this Consent Agreement which memorializes a settlement between Complainant and Respondent. 40 C.F.R. §§ 22.4(b) and 22.18(b)(3). The foregoing Consent Agreement is, therefore, hereby approved, ratified and incorporated by reference into this Final Order in accordance with the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22.

The Respondent is hereby ORDERED to comply with all of the terms of the foregoing Consent Agreement effective immediately upon filing of this Consent Agreement and Final Order with the Regional Hearing Clerk. This Final Order disposes of this matter pursuant to 40 C.F.R. §§ 22.18 and 22.31.

BEING AGREED, IT IS SO ORDERED.

Regional Judicial Officer

CERTIFICATE OF SERVICE

I certify that the foregoing Consent Agreement and Final Order, in the Matter of SHAROLYN SNYDER, Docket No. CWA-04-2024-1202(b), were filed and copies of the same were emailed to the parties as indicated below.

Via email to all parties at the following email addresses:

To Respondent: Sharolyn Snyder
Property Owner
c/o: William L. "Bill" Penny (Counsel for Sharolyn Snyder)
bpenny@burr.com
Phone number 616-724-3213

To EPA: Joel Strange, Enforcement Officer
strange.joel@epa.gov
Phone number 404-562-9455

Paula Feldmeier, Assistant Regional Counsel
feldmeier.paula@epa.gov
Phone number 404-562-8276

U.S. EPA Region 4
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

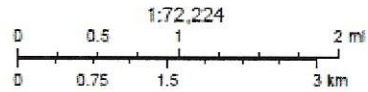
Shannon L. Richardson, Regional Hearing Clerk
r4_regional_hearing_clerk@epa.gov

**EXHIBIT A: Area 1 and Area 2
Snyder; Springfield, Robertson County, Tennessee**



Aerial imagery dated 7/9/2023

EXHIBIT B: Discharge Area and/or Site Snyder; Springfield, Robertson County, Tennessee



Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.

Parcels 113 056.00, 114 171.01, and 114 171.02 are included in the Site.
 Source: Tennessee Property Viewer

Exhibit C
Consent Agreement and Final Order
Payment Instructions

Payment shall be in a single payment, due no later than 30 calendar days from the effective date of the Final Order. If the due date for the payment falls on a weekend or federal holiday, then the due date is the next business day. The date the payment is made is considered to be the date processed, as described below. Payment must be received by 11:00 a.m. Eastern Standard Time to be considered as received that day.

The payment shall be made by remitting a check or making a wire transfer or on-line payment. The check or other payment shall:

- designate the name and docket number of this case, and
- be payable to “Treasurer, United States of America.”

The payment shall be remitted as follows:

If remitted by standard U.S. Postal Service delivery:

U.S. Environmental Protection Agency
P.O. Box 979078
St. Louis, Missouri 63197-9000

If remitted by non-standard mail delivery (e.g., FedEx, DHL, UPS, USPS certified, registered, etc.):

U.S. Environmental Protection Agency
Government Lockbox 979078
3180 Rider Trail S.
Earth City, Missouri 63045

If remitted by wire transfer: Any wire transfer must be sent directly to the Federal Reserve Bank in New York City using the following information:

Federal Reserve Bank of New York
ABA = 021030004
Account = 68010727
SWIFT address = FRNYUS33
33 Liberty Street
New York, New York 10045
Beneficiary: US Environmental Protection Agency

If remitted through the Automated Clearing House (ACH) for receiving US currency:

U.S. Treasury REX / Cashlink ACH Receiver

ABA: 051036706

Account Number: 310006, Environmental Protection Agency

CTX Format Transaction Code 22 – checking

Physical location of U.S. Treasury facility:

5700 Rivertech Court

Riverdale, Maryland 20737

Remittance Express (REX): 1-866-234-5681

If remitted on-line with a debit card or credit card: No user name, password, or account number is necessary for this option. On-line payment can be accessed via www.pay.gov, entering 1.1 in the form search box on the left side of the screen, opening the form, and following the directions on the screen.

At the time of payment, a copy of the check (or notification of other type of payment) shall also be sent by email to:

Regional Hearing Clerk

U.S. EPA Region 4

Office of Regional Counsel

R4_Regional_Hearing_Clerk@epa.gov

and

Joel Strange

Water Enforcement Branch

Enforcement and Compliance Assurance Division

U.S. EPA Region 4

strange.joel@epa.gov