



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101

FILED

March 4, 2025

5:20 P.M. PST

U.S. EPA REGION 10
HEARING CLERK

EXPEDITED SETTLEMENT AGREEMENT
Violation of Clean Water Act Section 311(b)
Penalty Amount: \$5,000

In the matter of Yount Enterprises
Docket No. CWA-10-2025-0008

On or around March 22, 2024, Yount Enterprises ("Respondent"), the owner or operator of an onshore facility located at 2829 East Comstock Avenue, Nampa, Idaho, discharged oil, as defined in section 311(a)(1) of the Clean Water Act (Act), 33 U.S.C. § 1321(a)(1), or a hazardous substance(s), as defined in section 311(a)(14), to the Boise River, a water of the United States as defined in section 502(7) of the Act, and 40 CFR § 110.1.

The undersigned EPA Complainant finds that Respondent is a person as defined in section 311(a)(7) of the Act and that Respondent has violated section 311(b)(3) of the Act by discharging a harmful quantity of oil, as defined in 40 CFR § 110.3, or hazardous substances into navigable waters of the United States or adjoining shorelines. Respondent admits that the EPA has jurisdiction over this matter under section 311(b)(6) of the Act and 40 C.F.R. part 22. Respondent also admits the facts in the preceding paragraph.

The purpose of this Expedited Settlement Agreement, ("Consent Agreement and Final Order" or "Agreement"), is to settle Respondent's civil penalty liability for the violation alleged above. Respondent consents to a penalty assessment of \$5,000.

Respondent certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that it has investigated the cause of the spill, has cleaned up the spill pursuant to federal requirements, and has taken corrective actions that will prevent future spills.

Respondent agrees that it shall, within 30 calendar days of the date of issuance of the final order below (Final Order) approving this Agreement, make a payment of the amount specified in this Agreement by any of the methods provided on the following website: <https://www.epa.gov/financial/makepayment>.

Respondent's payment shall indicate it is payable to "Environmental Protection Agency." In the check or other instrument of payment, Respondent shall also reference "Oil Spill Liability Trust Fund-311" and the docket number that appears on the Final Order. Within 24 hours of payment, Respondent shall also e-mail proof of payment to Emily Siangkam at Siangkam.Emily@EPA.gov and the Regional Hearing Clerk at R10_RHC@epa.gov. The payment made pursuant to this Agreement is a penalty within the meaning of Section 162(f) of the Internal Revenue Code, 26 U.S.C. § 162(f), and, therefore, Respondent shall not claim it as a tax deductible expenditure for purposes of federal, state or local law.

This Agreement will commence and conclude this proceeding pursuant to 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3). This Agreement will resolve only the federal civil penalty claims for the violation alleged above; does not affect EPA's right to pursue appropriate injunctive or other equitable relief or criminal sanctions; and does not affect Respondent's duty to comply with the Act or any other law.

Respondent waives the opportunity for a hearing or to contest the violation alleged above and its right to appeal the Final Order. Respondent also agrees to bear its own costs and attorney's fees related to this Agreement.

The Complainant and Respondent agree to service of the Agreement at the following valid email addresses: josh@yountenterprises.com and Siangkam.Emily@EPA.gov

Respondent understands that its 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 original signature on this Agreement.

This Agreement is binding on the parties signing below and becomes final 30 days from the date the Regional Judicial Officer issues the Final Order approving the Agreement. Once the Final Order is signed by the Regional Judicial Officer, it will be filed with the Regional Hearing Clerk and a copy will be mailed or emailed to the U.S. EPA Cincinnati Finance Office. A copy of the Final Order will also be mailed to the Respondent. Respondent shall pay the penalty within 30 calendar days of the date the Regional Judicial Officer signs the Final Order.

After the Regional Judicial Officer signs the Final Order, EPA will take no further civil penalty action against Respondent for the violations of the Act described in this Agreement. 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:

Edward J. Kowalski, Director
Enforcement and Compliance Assurance Division
Complainant

APPROVED BY RESPONDENT:

Name (print): Lash Yount

Title (print): President

 Date: 2/26/29

Signature

Having determined that this Agreement is authorized by law,
IT IS SO ORDERED:

Regional Judicial Officer
Region 10
U.S. Environmental Protection Agency