



REGION 3
PHILADELPHIA, PA 19103

FILED

Sep 22, 2025

11:36 am

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

In the Matter of:

**YOK, LLC
201 South Herald Street
Wilmington, Delaware 19801**

Respondent.

**Southbridge BP
201 South Herald Street
Wilmington, Delaware 19801**

Facility.

:
:
: **U.S. EPA Docket No. RCRA-03-2025-0132**
:
: **Proceeding under SECTION 9006 of the Resource**
: **Conservation and Recovery Act, as amendment,**
: **42 U.S.C. § 6991e**
:

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 YOK, LLC ("Respondent") (collectively the "Parties"), pursuant to Section 9006 of the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. § 6991e, 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 9006 of RCRA, 42 U.S.C. § 6991e(d) 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 RCRA Subtitle I, 42 U.S.C. §§ 6991-6991m, and the State of Delaware's federally authorized underground storage tank program 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)(4).
5. The EPA has given the State of Delaware prior notice of the issuance of this Consent Agreement and Final Order in accordance with Section 9006(a)(2) of RCRA, 42 U.S.C. § 6991e(a)(2).

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. Except as provided in Paragraph 6, above, Respondent neither admits nor denies the alleged violations of law set forth in this Consent Agreement.
9. 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.
10. 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.

11. 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.
12. Respondent shall bear its own costs and attorney's fees in connection with this proceeding.
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. Delaware is approved to administer and enforce an underground storage tank program in lieu of the Federal program under Subtitle I of the RCRA, as amended, 42 U.S.C. §§ 6991-6991m. The State's program, as administered by Delaware's Department of Natural Resources and Environmental Control, was approved by the EPA pursuant to 42 U.S.C. 6991c and 40 CFR part 281 of this chapter. EPA approved the Delaware underground storage tank program on September 27, 1996, and approval was effective on October 28, 1996. A subsequent program revision application was approved by the EPA and became effective on September 12, 2022.
16. Delaware has primary responsibility for administering and enforcing its federally-approved underground storage tank program. However, the EPA retains the authority to exercise its inspection and enforcement authorities under sections 9005 and 9006 of Subtitle I of RCRA, 42 U.S.C. 6991d and 6991e, regardless of whether the State has taken its own actions, as well as under any other applicable statutory and regulatory provisions.
17. At all times relevant to violations alleged in this Consent Agreement and Final Order, Subtitle I of RCRA, 42 U.S.C. §§ 6991-6991m, and regulations promulgated pursuant thereto at 40 C.F.R. Part 280, and Delaware's Underground Storage Tank ("UST") program, set forth at 7 Del. Admin. C. § 1351-Parts A - D (2021), regulate USTs used to contain regulated substances including, but not limited to, petroleum products (e.g., gasoline and crude oil).

18. At all times relevant to this Consent Agreement and Final Order, Respondent has been a “person in charge” and “operator” of the “USTs” and “UST systems” at a “facility” as those terms are defined in 7 Del. Admin. C. § 1351-A-2.0 (2021).
19. At all times relevant to this Consent Agreement and Final Order, Respondent has owned and/or operated a facility known as South Bridge, BP, located at 201 South Herald Street, Wilmington, Delaware 19801 (the “Facility”).
20. At all times relevant to this Consent Agreement and Final Order, four (4) new underground storage tanks with double-walled flexible plastic piping were located at Respondent’s Facility as follows: one (1) UST stored regular gasoline with a capacity of 10,000 gallons, one (1) UST stored premium with a capacity of 8,000 gallons, one (1) UST stored diesel with a capacity of 4,000 gallons, and one (1) UST stored kerosene with a capacity of 4,000 gallons.
21. On April 25, 2024, the EPA conducted a Compliance Evaluation Inspection (the “Inspection”) of the four (4) USTs located at the Facility. All USTs are monitored for release detection by the Veeder-Root TLS-350 Automatic Tank Gauge. The pressurized lines for each UST were equipped with mechanical line leak detectors and sump sensors installed in the submersible turbine pump sump.
22. At the time of the Inspection, and at all times relevant to the applicable violations alleged herein, USTs and UST systems used to contain “regulated substance[s]” as this term is defined in Section 9001(7) of RCRA, 42 U.S.C. § 6991(7), and 7 Del. Admin. C. § 1351-A-2.0 (2021), were present at the Facility.

Count 1

Failure to report an unusual operating condition as required by DRGUST Part E, Section 1.1.1

23. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
24. Pursuant to 7 Del. Admin. C. § 1351-E-1.1.1, “[o]wners and operators shall report any unusual operating conditions to the Department by calling 302-395-2500 within twenty-four (24) hours of discovery or by the next Day.”
25. Unusual operating conditions include “a signal or alarm from any Release Detection device...” 7 Del. Admin. C. § 1351-E-1.1.2.3.
26. At the time of the inspection, the liquid sensor (a release detection device) L1 of Tank 13 sump (regular) was in alarm.

27. ATG detection monitoring printouts provided by the Facility indicated that the alarm was initially activated on April 18, 2024.
28. As of the date of the inspection, seven (7) days after the alarm began, the Facility had not reported the alarm to the State of Delaware, nor had the Facility investigated the alarm.
29. After the inspection, the Facility had water removed from the sump on May 1, 2024, and the alarm was resolved.
30. From April 19, 2024, through May 1, 2024, a total of thirteen (13) days, the Facility failed to investigate and report a suspected release and/or unusual operating condition.
31. In failing to comply with 7 Del. Admin. C. § 1351-E-1.1.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 2

Failure to investigate a suspected release, as required by DRGUST Part E, Section 2.2.1.1

32. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
33. Pursuant to 7 Del. Admin. C. § 1351-E-2.2.1.1, owners and operators are required to initiate an investigation to determine the cause of any unusual operating condition within twenty-four (24) hours of discovery.
34. Based on ATG print outs, the alarm on Tank 13 sump (regular) began on April 18, 2024, and was not resolved until May 1, 2024.
35. For the period of April 19, 2024, through May 1, 2024, the Facility failed to investigate the alarm.
36. In failing to comply with 7 Del. Admin. C. § 1351-E-2.2.1.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 3

Failure to monitor tanks for a release at least every 30 days, as required by DRGUST Part B, Section 2.9.1.1.1.

37. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.

38. Pursuant to 7 Del. Admin. C. § 1351-B-2.9.1.1.1, owners and operators of UST systems must conduct release detection monitoring at least once every thirty (30) days, in accordance with the manufacturer's specifications and the performance standards of the subsection.
39. Facility records show that Respondent failed to conduct monitoring on all four (4) tanks more than thirty (30) days since the prior testing on the following dates:
 - a. December 15, 2022 (42 days late);
 - b. March 12, 2023 (57 days late);
 - c. April 25, 2023 (14 days late);
 - d. June 15, 2023 (21 days late);
 - e. July 24, 2023 (10 days late);
 - f. November 22, 2023 (91 days late);
 - g. January 31, 2024 (41 days late); and
 - h. April 25, 2024 (55 days late).
40. In failing to comply with 7 Del. Admin. C. § 1351-B-2.9.1.1.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

Count 4

Failure to conduct periodic operation and maintenance walkthrough inspections at least every 30 days, as required by DRGUST Part B, Section 1.30.1.

41. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
42. Pursuant to 7 Del. Admin. C. § 1351-B-1.30.1, owners and operators of UST systems must conduct an inspection no less than once every 30 days to monitor the condition of the UST system, including all dispensers, sumps, access ports, spill containment devices, transition sumps and containment sumps.
43. Facility records showed maintenance inspections occurred on the following dates: May 14, 2023, June 21, 2023 (8 days late), July 19, 2023, August 25, 2023 (7 days late), September 13, 2023, October 22, 2023 (9 days late), November 23, 2023 (2 days late), January 16, 2024 (24 days late), February 13, 2024, March 18, 2024 (4 days late), and April 20, 2024 (3 days late).
44. In failing to comply with 7 Del. Admin. C. § 1351-B-1.30.1, Respondent is subject to the assessment of penalties under Section 9006(d)(2) of RCRA, 42 U.S.C. § 6991e(d)(2).

CIVIL PENALTY

45. 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 **FIFTY THOUSAND SIX HUNDRED SEVENTY-TWO DOLLARS (\$50,672)**, which Respondent shall be liable to pay in accordance with the terms set forth below.
46. In determining the amount of the civil penalty to be assessed, EPA has taken into account the factors specified in Section 9006(c) of RCRA, 42 U.S.C. § 6991e(c). After considering these factors, EPA has determined that an appropriate penalty to settle this action is **\$50,672**.
47. Respondent agrees to pay a civil penalty in the amount of **\$50,672** ("Assessed Penalty") within thirty (30) days of the Effective Date of this Consent Agreement and Final Order.
48. 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 [Modernizing Payments To and From America's Bank Account](#), Respondent shall pay using one of the electronic payments methods listed on <https://www.epa.gov/financial/makepayment> and will not pay with a paper check.
49. When making a payment, Respondent shall:
- a. Identify every payment with Respondent's name and the docket number of this Consent Agreement, **RCRA-03-2025-0132**,
 - 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 Zarrillo
Assistant Regional Counsel
Zarrillo.lauren@epa.gov,

U.S. Environmental Protection Agency
Cincinnati Finance Center
CINWD_AcctsReceivable@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.

50. Interest, Charges, and Penalties on Late Payments. Pursuant to 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty per this Consent Agreement, the EPA is authorized to recover, in addition to the amount of the unpaid Assessed Penalty, the following amounts.

a. Interest. Interest begins to accrue from the Effective Date of this Consent Agreement. 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 any unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. To protect the interests of the United States, the rate of interest is set at the IRS “standard” underpayment rate, any lower rate would fail to provide Respondent adequate incentive for timely payment.

b. Handling Charges. Respondent will be assessed monthly a charge to cover the EPA’s costs of processing and handling overdue debts. If Respondent fails to pay the Assessed Penalty in accordance with this Consent Agreement, the EPA will assess a charge to cover the costs of handling any unpaid amounts for the first thirty (30) day period after the Effective Date. Additional handling charges will be assessed every thirty (30) days, or any portion thereof, until the unpaid portion of the Assessed Penalty as well as any accrued interest, penalties, and other charges are paid in full.

c. Late Payment Penalty. A late payment penalty of six percent (6%) per annum, will be assessed monthly on all debts, including any unpaid portion of the Assessed Penalty, interest, penalties, and other charges, that remain delinquent more than ninety (90) days. Any such amounts will accrue from the Effective Date.

51. 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. Refer this matter to the United States Department of Justice for litigation and collection, per 40 C.F.R. § 13.33.
52. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.
53. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.
54. Payment of the civil penalty is due and payable immediately upon receipt by Respondent of a true and correct copy of the fully executed and filed Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed the EPA by Respondent in accordance with 40 C.F.R. § 13.9(a).
55. 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 tom@saccullolegal.com (for Respondent).
56. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, the EPA is required to send to the IRS annually, a completed IRS Form 1098-F ("Fines, Penalties, and Other Amounts") with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that the EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor's violation of any law or the investigation or inquiry into the payor's potential violation of any law, including amounts paid for "restitution or remediation of property" or to come "into compliance with a law." The EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number ("TIN"),

as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. In order to provide the EPA with sufficient information to enable it to fulfill these obligations, the EPA herein requires, and Respondent herein agrees, that:

- a. Respondent shall complete an IRS Form W-9 (“Request for Taxpayer Identification Number and Certification”), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>;
- b. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent’s correct TIN or that Respondent has applied and is waiting for issuance of a TIN;
- c. Respondent shall email its completed Form W-9 to the EPA’s Cincinnati Finance Center at henderson.jessica@epa.gov, within 30 days after the Final Order ratifying this Consent Agreement is filed, and the EPA recommends encrypting IRS Form W-9 email correspondence; and
- d. In the event that Respondent has certified in its completed IRS Form W-9 that it has applied for a TIN and that TIN has not been issued to Respondent within 30 days after the effective date, then Respondent, using the same email address identified in the preceding sub-paragraph, shall further:
 - i. notify the EPA’s Cincinnati Finance Center of this fact, via email, within 30 days after the 30 days after the Effective Date of the Final Order per Paragraph 63; and
 - ii. provide the EPA’s Cincinnati Finance Center with Respondent’s TIN, via email, within five (5) days of Respondent’s issuance and receipt of the TIN.

GENERAL SETTLEMENT CONDITIONS

57. 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.
58. 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

59. Respondent certifies to the EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

OTHER APPLICABLE LAWS

60. 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 RCRA, or any regulations promulgated thereunder.

RESERVATION OF RIGHTS

61. 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 RCRA, 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

62. 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 his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she 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

63. The effective date of this Consent Agreement and Final Order ("Effective Date") is the date on which the Final Order, signed by the Regional Administrator of the EPA, Region 3, or his/her designee, the Regional Judicial Officer, is filed along with the Consent Agreement with the Regional Hearing Clerk pursuant to the Consolidated Rules of Practice.

ENTIRE AGREEMENT

64. 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.

In the Matter of: YOK, LLC

EPA Docket No. RCRA-03-2025-0132

For Respondent: YOK, LLC

Date: 9/4/25

By:

A black rectangular box redacting the signature of Matt Kidane.

Matt Kidane
Manager

For the Complainant:

After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Acting Division Director of the Enforcement & 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 his/her designee, the Acting Regional Judicial Officer, issue the attached Final Order.

By: **ANDREA BAIN** Digitally signed by
ANDREA BAIN
Date: 2025.09.17
13:45:47 -04'00'

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

Attorney for Complainant:

By: **LAUREN ZARRILLO** Digitally signed by
LAUREN ZARRILLO
Date: 2025.09.17
15:15:50 -04'00'

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



REGION 3
PHILADELPHIA, PA 19103

FILED

Sep 22, 2025

11:36 am

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

In the Matter of:

**YOK, LLC
201 South Herald Street
Wilmington, Delaware 19801**

Respondent.

**Southbridge BP
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FINAL ORDER

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3, and Respondent, YOK, LLC have executed a document entitled "Consent Agreement," which I hereby ratify as a Consent Agreement in accordance with 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 (with specific reference to Sections 22.13(b) and 22.18(b)(2) and (3)). The terms of the foregoing Consent Agreement are accepted by the undersigned and incorporated into this Final Order as if fully set forth at length herein.

NOW, THEREFORE, PURSUANT TO Section 9006 of the Resource Conservation and Recovery Act, 42 U.S.C. Section 6991e, and Section 22.18(b)(3) of the Consolidated Rules of Practice, **IT IS HEREBY ORDERED** that Respondent pay a civil penalty in the amount of **FIFTY THOUSAND SIX HUNDRED SEVENTY TWO DOLLARS (\$50,672)**, in accordance with the payment provisions set 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 RCRA and the regulations promulgated thereunder.

The effective date of the foregoing Consent Agreement and this Final Order is the date on which this Final Order is filed with the Regional Hearing Clerk.

By: **DONZETTA THOMAS** Digitally signed by
DONZETTA THOMAS
Date: 2025.09.22
10:55:49 -04'00'
Regional Judicial and Presiding Officer
U.S. Environmental Protection Agency, Region 3



REGION 3

PHILADELPHIA, PA 19103

In the Matter of:

YOK, LLC
201 South Herald Street
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: Proceeding under SECTION 9006 of the Resource
: Conservation and Recovery Act, as amendment,
: 42 U.S.C. § 6991e
:

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:

Thomas Kovach, Esq.
A.M. Saccullo Legal, LLC
27 Crimson King Drive
Bear, Delaware 19701
tom@saccullolegal.com

Lauren Zarrillo
Assistant Regional Counsel
U.S. EPA, Region 3
Zarrillo.lauren@epa.gov

Nicole Okino
Inspector
U.S. EPA, Region 3
okino.nicole@epa.gov

In the Matter of: YOK, LLC

EPA Docket No. RCRA-03-2025-0132

BEVIN

ESPOSITO

Digitally signed by BEVIN ESPOSITO
Date: 2025.09.22 11:37:52 -04'00'

[Digital Signature and Date]

Regional Hearing Clerk

U.S. Environmental Protection Agency, Region 3