

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
Philadelphia, Pennsylvania 19103-2029

U.S. EPA-REGION 3-RHC  
FILED-14MAY2019AM9:42

---

In the Matter of: :  
: Proceeding to Assess Class I  
: Administrative Penalty Under  
: Section 309(g) of the Clean Water Act  
:  
Rockydale Quarries Corporation :  
2343 Highland Farm Road, NW :  
Roanoke, VA 24017 : Docket No. CWA-03-2019-0052  
:  
: **CONSENT AGREEMENT**  
: **AND FINAL ORDER**  
Respondent. :  
:  
:  
:  
:  
:

---

**CONSENT AGREEMENT**

**I. STATUTORY AND REGULATORY BACKGROUND**

1. Pursuant to Section 309(g) of the Clean Water Act (“CWA” or “Act”), 33 U.S.C. § 1319(g), the Administrator of the United States Environmental Protection Agency (“EPA”) is authorized to assess administrative penalties against persons who violate Section 301(a) of the Act, *id.* § 1311(a). The Administrator has delegated this authority to the Regional Administrator of EPA Region III, who in turn has delegated this authority to the Director, Enforcement and Compliance Assurance Division (“Complainant”).
2. This Consent Agreement is entered into by the Complainant and Rockydale Quarries Corporation (“Respondent” or “Rockydale”), pursuant to Section 309(g) of the CWA and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation, Termination or Suspension of Permits (“Consolidated Rules”), 40 C.F.R. Part 22.
3. The Consolidated Rules, at 40 C.F.R. § 22.13(b), provide in pertinent part that when the parties agree to settlement of one or more causes of action before the filing of a complaint, a proceeding simultaneously may be commenced and concluded by the issuance of a consent agreement and final order pursuant to 40 C.F.R. § 22.18(b)(2) and (3). Pursuant thereto, this Consent Agreement and the Final Order (jointly “CAFO”) simultaneously commence and conclude this administrative proceeding against Respondent.

4. Section 309(g)(2)(B) of the Clean Water Act, 33 U.S.C. § 1319(g)(2)(B), authorizes the assessment of administrative penalties against any person who violates any National Pollutant Discharge Elimination System (“NPDES”) permit condition or limitation in an amount not to exceed \$10,000 per day for each day of violation, up to a total penalty amount of \$125,000.
5. Pursuant to the Civil Monetary Penalty Inflation Adjustment Rule, 40 C.F.R. Part 19, and Section 309(g)(2)(B) of the Act, 33 U.S.C. § 1319(g)(2)(B), any person who has violated any NPDES permit condition or limitation after January 12, 2009, is liable for an administrative penalty not to exceed \$16,000 per day for each day of violation, up to a total penalty amount of \$177,500 for violations that occurred between January 12, 2009, and December 6, 2013, and up to a total penalty of \$187,500 per proceeding for violations that occurred after December 6, 2013 through November 2, 2015. For violations that occurred after November 2, 2015 where the penalty is assessed on or after January 15, 2018, the maximum administrative penalty per day for each day of violation is up to \$21,393, up to a total penalty amount of \$267,415. (Part 19 also specifies the maximum penalties applicable to other time periods.)
6. 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.
7. Section 301(a) of the Act, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant (other than dredged or fill material) from a point source into waters of the United States, except in compliance with a permit issued pursuant to the NPDES program under Section 402 of the Act, 33 U.S.C. § 1342.
8. Section 402(a) of the Act, 33 U.S.C. § 1342(a), provides that the Administrator of EPA may issue permits under the 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.
9. Section 402(p) of the Act, 33 U.S.C. § 1342(p), and 40 C.F.R. sections 122.2 and 122.26 provide that, with some exceptions not relevant here, storm water discharges are "point sources" subject to NPDES permitting requirements under Section 402(a) of the Act, 33 U.S.C. § 1342(a).
10. “Stormwater” is defined as “stormwater runoff, snow melt runoff and surface runoff and drainage.” 40 C.F.R. § 122.26(b)(13).
11. An NPDES permit is required for discharges of stormwater associated with industrial activity. Section 402(p) of the Act, 33 U.S.C. ' 1342(p); 40 C.F.R. § 122.26(a),(c); 40 C.F.R. § 122.21.
12. Pursuant to 40 C.F.R. § 122.26(b)(14)(ii), facilities classified as, inter alia, Standard Industrial Classification Group 14, including Industry Group 142 (Crushed and Broken Stone, including Riprap), are engaged in “industrial activity” within the meaning of Section 402(p) of the Act and 40 C.F.R. § 122.

13. The Commonwealth of Virginia has been approved by EPA to administer the NPDES program in the Commonwealth of Virginia.

14. Pursuant to the authority of the Act, the NPDES program approval, and the Virginia State Water Control Law, Virginia issued Permits to all six facilities subject to this Order.

15. The 2009 Virginia Pollutant Discharge Elimination System (“VPDES”) General Permit for Nonmetallic Mineral Mining, the 2009 VPDES General Permit for Industrial Activity Stormwater Discharges, the 2014 VPDES General Permit for Nonmetallic Mineral Mining, and the 2014 VPDES General Permit for Industrial Activity Stormwater Discharges (“VPDES Permits”) authorize the discharge of stormwater in accordance with the provisions of the VPDES Permits. The VPDES Permits require a permittee to comply with all conditions in the Permit.

## **II. FINDINGS OF FACT, JURISDICTIONAL ALLEGATIONS AND CONCLUSIONS OF LAW**

16. Rockydale is a “person” within the meaning of Section 502(5) of the Act, 33 U.S.C. § 1362(5). Rockydale owns and operates eight plant locations across the Commonwealth of Virginia, six of which Complainant identified violations of the applicable VPDES Permits.

17. ***Jack’s Mountain Quarry:*** At all times relevant to this Order, Respondent has owned and/or operated a quarry at or near 1535 Jacks Creek Road, Glade Hill, VA 24092.

17. The Jack’s Mountain Quarry discharges stormwater into Jacks Creek, which is a tributary to Pigg River, which is a tributary to the Roanoke River, which is a water of the United States.

18. The discharges of stormwater from Jack’s Mountain Quarry were authorized by the 2009 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840050, effective July 1, 2009 and the 2014 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840050, effective July 1, 2014.

19. ***Flatrock Quarry:*** At all times relevant to this Order, Respondent has owned and/or operated a Quarry at or near 477 Limestone Road, Quicksburg, VA 22847.

20. The Flatrock Quarry facility discharges stormwater into an unnamed tributary to the Holman Creek, which is a tributary to the North Fork Shenandoah River, which is a water of the United States.

21. The discharges of stormwater from the Flatrock Quarry were authorized by the 2009 VPDES General Permit for Nonmetallic Mineral Mining under permit number VAG8400443, effective July 1, 2009 and the 2014 VPDES General Permit for Nonmetallic Mineral Mining under permit number VAG8400443, effective July 1, 2014.

22. ***Starkey Lime Plant:*** At all times relevant to this Order, Respondent has owned and/or operated a lime plant at or near 5925 Starkey Road, Roanoke, VA 24018.
23. The Starkey Lime Plant facility discharges stormwater into Back Creek, which is a tributary to the Roanoke River, which is a water of the United States.
24. The discharges of stormwater from the Starkey Lime Plant were authorized by the 2009 VPDES General Permit for Industrial Activity Stormwater Discharges, under permit number VAR052303, effective July 1, 2009, the 2014 VPDES General Permit for Industrial Activity Stormwater Discharges, under permit number VAR052303, effective July 1, 2014, the 2009 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840067, effective July 1, 2009, and the 2014 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840067, effective July 1, 2014.
25. ***Charlottesville Stone Company:*** At all times relevant to this Order, Respondent has owned and/or operated a stone company at or near 2430 Rio Mills Road, Charlottesville, VA 22936.
26. The Charlottesville Stone Company facility discharges stormwater into Schroeder Branch, which empties into the South Fork of the Rivanna River which is a water of the United States.
27. The discharges of stormwater from the Charlottesville Stone Company were authorized by the 2009 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840204, effective July 1, 2009 and the 2014 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840204, effective July 1, 2014.
28. ***Broadway Quarry:*** At all times relevant to this Order, Respondent has owned and/or operated a quarry at or near 11261 Turleytown Road, Linville, VA 22815.
29. The Broadway Quarry discharges stormwater into Brock Creek, a tributary to Turley Creek, which is a tributary to the North Fork Shenandoah River, which is a water of the United States.
30. The discharges of stormwater from the Broadway were authorized by the 2009 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840133, effective July 1, 2009 and the 2014 VPDES General Permit for Nonmetallic Mineral Mining, under permit number VAG840133, effective July 1, 2014.
31. ***Roanoke Quarry:*** At all times relevant to this Order, Respondent has owned and/or operated a quarry at or near 4754 Old Rocky Mount Road, Roanoke, VA 24014.
32. The Roanoke Quarry discharges stormwater into Back Creek, and Ore Branch, both tributaries to the Roanoke River, which is a water of the United States.
33. The discharges of stormwater from the Roanoke Quarry were authorized by the 2009 VPDES General Permit for Industrial Activity Stormwater Discharges, under permit number

VAR052307, effective July 1, 2009 and the 2014 VPDES General Permit for Industrial Activity Stormwater Discharges, under permit number VAR052307, effective July 1, 2014.

34. On April 8, 2014, an EPA compliance inspection team inspected the Charlottesville facility for compliance with its VPDES permit.

35. After the inspection, at the request of EPA, representatives of Rockydale provided information pertaining to VPDES permit compliance.

36. On February 9, 2016, pursuant to Section 308 of the Act, EPA requested information and documents from Rockydale regarding compliance with the VPDES permit requirements at eight facilities, it owned and/or operated.

37. Based on the April 2014 inspection and on review of the documents provided in response to EPA's request, EPA has identified the following violations of the six (listed above) of eight facilities.

**Counts 1-4: Failure to comply with permit requirements concerning the retention of records (2009 VAG84 Part III.B.2, 2009 VAR05 Part II.B.2, 2014 VAG84 Part III.B.2, and 2014 VAR05 Part II.B.2.)**

38. In response to the Section 308 request, Rockydale provided requested information from eight of its facilities related to permitted activities. The following facilities were not in compliance with permit requirements concerning the ability to find the following types of records: Discharge Monitoring Reports (DMRs), Stormwater Visual Examinations, and Comprehensive Site Compliance Evaluations.

39. ***Flatrock Quarry:*** Missing the 2013 3<sup>rd</sup> quarter DMR for Outfalls 001 and 002, and missing the 2014 DMR for Outfall 004.

40. ***Jack's Mountain Quarry:*** Missing the December 2015 Visual Stormwater Examination record.

41. ***Charlottesville Quarry:*** Missing the 2014 and the 2015 DMR for Outfall 002, missing the 1<sup>st</sup> quarter of the 2013 Quarterly Stormwater Outfall Visual Examinations for Outfall 001, and missing all Quarterly Stormwater Outfall Visual Examinations for Outfall 002.

42. ***Broadway Quarry:*** Missing the 2014 annual Comprehensive Site Compliance Evaluation (CSCE).

**Counts 5-8: Failure to comply with permit requirements concerning Comprehensive Site Compliance Evaluations (CSCE) (2009 VAG84 Part II.H.4, 2009 VAR05 Part III.E, 2014 VAG84 Part II.H.4, and 2014 VAR05 Part III.E.)**

43. The following facilities were not in compliance with permit requirements concerning the generation of a CSCE.
44. *Flatrock Quarry*: Failure to generate a CSCE in 2013, 2014 and 2015.
45. *Jack's Mountain Quarry*: Failure to generate a CSCE in 2013, 2014 and 2015.
46. *Roanoke Quarry*: Failure to generate a CSCE in 2013, 2014 and 2015.
47. *Starkey Lime Plant*: Failure to generate a CSCE in 2013, 2014 and 2015.

**Counts 9-10: Failure to comply with permit requirements concerning the reporting of monitoring results (2009 VAG84 Part III.C, 2009 VAR05 Part II.C, 2014 VAG84 Part III.C, and 2014 VAR05 Part II.C.)**

48. The following facilities were not in compliance with permit requirements concerning submissions of DMRs to the Virginia Department of Environmental Quality (VADEQ).
49. *Broadway Quarry*: Failure to submit the 3<sup>rd</sup> quarter DMR for 2013 for Outfall 001 to VADEQ.
50. *Flatrock Quarry*: Failure to submit the 3<sup>rd</sup> quarter DMR for 2013 for Outfall 001 to VADEQ.

**III. GENERAL PROVISIONS**

51. For the purpose of this proceeding, Respondent admits the jurisdictional allegations set forth in this Consent Agreement.
52. Respondent neither admits nor denies the Allegations of Fact set forth in this Consent Agreement.
53. Respondent waives any defenses it might have as to jurisdiction and venue, its right to contest the allegations through hearing or otherwise, and its right to appeal the CAFO.
54. Respondent agrees not to contest EPA's jurisdiction to issue and enforce this CAFO.
55. Respondent hereby expressly waives its right to a hearing on any issue of law or fact in this matter and consents to issuance of this CAFO without adjudication.
56. Each party shall bear its own costs and attorney fees.
57. The undersigned representative of the Respondent certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this CAFO and to execute and

legally bind that party to it. The provisions of this CAFO shall be binding upon the Respondent, its officers, principals, directors, successors and assigns.

58. The parties agree that settlement of this matter prior to the initiation of litigation is in the public interest and that entry of this CAFO is the most appropriate means of resolving this matter.

#### **IV. CIVIL PENALTY**

59. In full and final settlement of the Complainant's claims for civil penalties for the alleged violations identified herein, Respondent consents to the assessment of, and agrees to pay, in accordance with the terms set forth herein, the total administrative civil penalty of \$26,700 within thirty (30) days of the effective date of this CAFO, pursuant to 40 C.F.R. § 22.31(c).

60. The civil penalty amount set forth in Paragraph 59, above, is based on a number of factors, including the nature, circumstances, extent and gravity of the violation(s), Respondent's ability to pay, prior history of compliance, degree of culpability, economic benefit or savings resulting from the violations, and such other matters as justice may require, pursuant to the authority of Section 309(g) of the Act, 33 U.S.C. § 1319(g).

61. Respondent shall pay the civil penalty amount described in this Part, above, plus any interest, administrative fees, and late payment penalties owed, in accordance with this Part, below, by either cashier's check, certified check, or electronic wire transfer, in the following manner:

- a. All payments by Respondent shall reference Respondent's name and address, and the docket number of this action;
- b. All checks shall be made payable to "**United States Treasury**";
- c. All payments made by check and sent by regular mail shall be addressed to:

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, MO 63197-9000

Primary Contact: Craig Steffen, (513) 487-2091  
Secondary Contact: Molly Williams, (513) 487-2076

- d. All payments made by check and sent by overnight delivery service shall be addressed for delivery to:

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
P.O. Box 979077  
1005 Convention Plaza  
SL-MO-C2-GL  
St. Louis, MO 63101

Primary Contact: Craig Steffen, (513) 487-2091  
Secondary Contact: Molly Williams, (513) 487-2076

- e. All payments made by check in any currency drawn on banks with no USA branches shall be addressed for delivery to:

Cincinnati Finance  
US EPA, MS-NWD  
26 W. M.L. King Drive  
Cincinnati, OH 45268-0001

- f. All payments made by electronic wire transfer shall be directed to:

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

Field Tag 4200 of the Fedwire message should read:  
**“D 68010727 Environmental Protection Agency”**

- g. All electronic payments made through the Automated Clearinghouse (ACH), also known as Remittance Express (REX), shall be directed to:

US 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, MD 20737

Contact: John Schmid, (202) 874-7026  
Remittance Express (REX): (866) 234-5681



h. On-Line Payment Option:

WWW.PAY.GOV/paygov/

Enter **sfo 1.1** in the search field. Open and complete the form.

i. Additional payment guidance is available at:

<http://www2.epa.gov/financial/makepayment>

j. Payment by Respondent shall reference Respondent's name and address, and the EPA Docket Number of this Consent Agreement.

k. A copy of Respondent's check or a copy of Respondent's electronic fund transfer shall be sent simultaneously to:

Bonnie A. Pugh  
Senior Assistant Regional Counsel  
U.S. EPA, Region III (3RC20)  
1650 Arch Street  
Philadelphia, PA 19103-2029

and

Regional Hearing Clerk  
U.S. EPA, Region III (3RC00)  
1650 Arch Street  
Philadelphia, PA 19103-2029

62. Pursuant to 31 U.S.C. § 3717 and 40 C.F.R. § 13.11, EPA is entitled to assess interest and late payment penalties on outstanding debts owed to the United States and a charge to cover the costs of processing and handling a delinquent claim, as more fully described below. Accordingly, Respondent's failure to make timely payment as specified herein shall result in the assessment of late payment charges including interest, penalties, and/or administrative costs of handling delinquent debts.

63. Interest on the civil penalty assessed in this CAFO will begin to accrue on the date that a true and correct copy of this CAFO is mailed or hand-delivered to Respondent. However, EPA will not seek to recover interest on any amount of the civil penalty that is paid within thirty (30) calendar days after the date on which such interest begins to accrue. Interest will be assessed at the rate of the United States Treasury tax and loan rate in accordance with 40 C.F.R. § 13.11(a).

## **V. APPLICABLE LAWS**

64. This CAFO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state or local law and ordinance, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit. Nor does this CAFO constitute a waiver, suspension or modification of the requirements of the CWA, 33 U.S.C. §§ 1251 *et seq.*, or any regulations promulgated thereunder.

## **VI. RESERVATION OF RIGHTS**

65. This CAFO resolves only the civil claims for the specific violations alleged herein. EPA reserves the right to commence an action against any person, including Respondent, in response to any condition that EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. In addition, 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. Further, EPA reserves any rights and remedies available to it under the Clean Water Act, 33 U.S.C. § 301 *et seq.*, the regulations promulgated thereunder, and any other federal laws or regulations for which EPA has jurisdiction, to enforce the provisions of this CAFO, following the filing of the CAFO with the Regional Hearing Clerk.

66. Subject to the reservation of rights set forth in Paragraph 65 in the case of imminent and substantial endangerment and as provided in 40 CFR 22.18(c), entry of this CAFO is a final settlement of all violations alleged in this Consent Agreement, as well as any other issues arising from or relating to EPA's inspection on April 8, 2014 (described in paragraph 34 above) and the EPA information requests on February 9, 2016 and September 22, 2017 (described in paragraph 36 above) as well as Respondent's responses thereto. EPA reserves the right to seek and obtain appropriate relief if EPA obtains evidence that the information provided and/or representations made by Respondent to EPA are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action, civil or criminal, EPA may have under law or equity in such event.

## **VII. FULL AND FINAL SATISFACTION**

67. This settlement shall constitute full and final satisfaction of all civil claims for penalties which Complainant has under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), for the violations alleged in this Consent Agreement. Compliance with the requirements and provisions of this CAFO shall not be a defense to any action commenced at any time for any other violation of the federal laws and/or regulations administered by EPA.

## **VIII. PARTIES BOUND**

68. This CAFO shall apply to and be binding upon the EPA, Respondent and Respondent's officers, employees, agents, successors and assigns. The undersigned representative of Respondent certifies that he or she is fully authorized by the party represented to enter into the terms and conditions of this Consent Agreement and to execute and legally bind that party to it.

## **IX. EFFECTIVE DATE**

69. Pursuant to 40 C.F.R. § 22.45(b), this CAFO shall be issued after a 40-day public notice period is concluded. This CAFO will become final and effective thirty (30) days after it is filed with the Regional Hearing Clerk, pursuant to Section 309(g)(5) of the Act, 33 U.S.C. § 1319(g)(5), or until a public comment process pursuant to 40 C.F.R. § 22.45(b) is concluded.

**X. ENTIRE AGREEMENT**

70. This Consent Agreement constitutes the entire agreement and understanding of the parties concerning settlement of the above-captioned action and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Consent Agreement.

FOR RESPONDENT,

ROCKYDALE QUARRIES  
CORPORATION:

Date: 4/25/19

J. Kenneth Parolko PRESIDENT  
Insert name and title



**BEFORE THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III**

U.S. EPA-REGION 3-RHC  
FILED-14MAY2019AM9:43

	:	
	:	
In the Matter of:	:	Proceeding under Section 309(g) of the Clean Water Act
	:	
Rockydale Quarries Corporation	:	Docket No. CWA-03-2019-0052
	:	
	:	<b>FINAL ORDER</b>
Respondent.	:	
	:	

**FINAL ORDER**


Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region III, and Respondent, Rockydale Quarries Corporation, 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.

Based upon the representations of the parties in the attached Consent Agreement, the penalty agreed to therein is based upon consideration of, *inter alia*, the statutory factors set forth in Section 309(d) of the Clean Water Act ("CWA"), 33 U.S.C. § 309(d).

**NOW, THEREFORE, PURSUANT TO** Section 309 of the CWA, 33 U.S.C. Section 309(g), 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 **TWENTY SIX THOUSAND SEVEN HUNDRED DOLLARS (\$26,700.00)**, in accordance with the payment provisions set forth in the Consent Agreement, and comply with the terms and conditions of the Consent Agreement.

The effective date of the attached Consent Agreement and this Final Order is thirty (30) days after this Final Order is filed with the Regional Hearing Clerk, pursuant to 33 U.S.C. §1319(g)(5).

MAY 7 2019  
Date

  
\_\_\_\_\_  
Karen Melvin, Director  
Enforcement and Compliance  
Assurance Division

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

U.S. EPA-REGION 3-RHC  
FILED-14MAY2019AM9:43

In the Matter of: )  
)  
Rockdale Quarries Corporation ) Docket No. CWA-03-2019-0052  
4754 Old Rocky Mount Road )  
Roanoke, VA 24014 ) Consent Agreement and Final Order  
)  
)  
Respondent. )  
)

CERTIFICATE OF SERVICE

I certify that on MAY 14 2019, the original and one (1) copy of foregoing *Consent Agreement and Final Order*, Docket No. CWA-03-2019-0052, were filed with the EPA Region III Regional Hearing Clerk. I further certify that on the date set forth below, I served a true and correct copy of the same to each of the following persons, in the manner specified below, at the following addresses:

Copy served via **Certified Mail, Return Receipt Requested, Postage Prepaid**, to:

Daniel Summerlin, Esq.  
Woods Rogers PLC  
10 S. Jefferson Street, Suite 400  
Roanoke, VA 24011

Copy served via **Hand Delivery and via E-mail** (at Pugh.Bonnie@epa.gov) to:

Bonnie A. Pugh  
Senior Assistant Regional Counsel  
Office of Regional Counsel (3RC20)  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Dated: MAY 14 2019



Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region III

CERTIFIED MAIL RECEIPT NUMBER(S): 7016137000136429/05