



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
ONE CONGRESS STREET SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

August 26, 2008

BY HAND

LeAnn Jensen
Acting Regional Judicial Officer
U.S. EPA, Region I
One Congress Street
Boston, MA 02114-2023

Re: In the Matter of Scituate Concrete Pipe, Co.,
Docket No. CWA-01-2008-0092

Dear Ms. Jensen,

In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2), enclosed please find a Consent Agreement and Final Order in the form of an "Expedited SPCC Settlement Agreement" that will simultaneously commence and settle the above-captioned action. This action is filed under the authority of Section 311(b)(6)(A)(I) of the Clean Water Act, 33 U.S.C. § 1321(b)(6)(A)(I). As a "Class I" case, it does not require public notice.

The Agreement has been signed by the parties and is now being submitted to you for approval.

The proposed penalty of \$3000 in this matter is consistent with EPA's Civil Penalty Policy for Violations of Section 311(b)(3) and Section 311(j) of the Clean Water Act (CWA). The Policy is based on the statutory penalty factors set forth in Section 311(b)(8), 33 U.S.C. § 1321(b)(8) of the CWA.

Once the Final Order has been signed, the parties will file the fully executed Consent Agreement and Final Order with the Regional Hearing Clerk thereby resolving this matter. If you have any questions related to this matter please call me at 617-918-1762.

Respectfully submitted,

A handwritten signature in cursive script that reads "Diane Boisclair".

Diane Boisclair
Environmental Protection Specialist

Enclosure

cc: Wanda Santiago, Regional Hearing Clerk