



REGION 5
CHICAGO, IL 60604

June 25, 2024

VIA ELECTRONIC MAIL

Jeff Kendra
Plant Manager
Hyponex Corporation
3875 South Elyria Road
Shreve, Ohio 44676
jeffrey.kendra@scotts.com

Dear Jeff Kendra,

Enclosed is a Consent Agreement and Final Order (CAFO) in the Matter of Hyponex Corporation, docket number CWA-05-2024-0013. By signature of the Regional Judicial Officer, this CAFO issued on June 25, 2024. Consistent with 33 U.S.C. § 1319(g)(5), this CAFO will become final and effective on July 25, 2024, which is 30 days after issuance. Please refrain from making payment prior to this effective date.

Pursuant to the CAFO, Hyponex Corporation must pay the civil penalty within 30 days of the effective date. Accordingly, the civil penalty in the amount of \$100,000 is due on August 26, 2024. The check with which you pay the civil penalty must display the case name: In the Matter of Hyponex Corporation and the docket number CWA-05-2024-0013.

Please direct any questions regarding this matter to Jake Berger at (312) 353-8024 or berger.jake@epa.gov, or your attorney may contact Lisa Frasco, Associate Regional Counsel, at (312) 886-5994 or frasco.lisa@epa.gov.

Sincerely,

Juliane Grange
Regional Hearing Clerk
Region 5

Enclosure

cc: Mark Johnson, Ohio Environmental Protection Agency, mark.johnson@epa.ohio.gov
Joby Jackson, Ohio Environmental Protection Agency, joby.jackson@epa.ohio.gov
William Palmer, Ohio Environmental Protection Agency, william.palmer@epa.ohio.gov
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Molly Smith, EPA, smith.molly@epa.gov
Jake Berger, EPA, berger.jake@epa.gov