



**REGION 2**

EDISON, NEW JERSEY 08837

May 1, 2025 4:56 pm  
USEPA – Region II  
Regional Hearing Clerk

VIA ELECTRONIC MAIL – [whemmerling@mcgard.com](mailto:whemmerling@mcgard.com)

Wayne Hemmerling, President  
McGard, LLC  
3875 California Road  
Orchard Park, NY 14127

Re: In the Matter of L.D. McCauley, LLC  
TRI Facility ID: 14127LDMCC3875C  
Docket No. EPCRA-02-2025-4203

Dear Mr. Hemmerling:

Enclosed is a copy of the Consent Agreement and Final Order in the above referenced proceeding, signed by the Regional Judicial Officer of the United States Environmental Protection Agency, Region 2.

Please note that the period for the civil penalty payment commences as of the date this Final Order is signed by the Regional Judicial Officer. Please arrange for payment of this penalty according to the instructions given in the Consent Agreement (see "Terms of Consent Agreement"). Specifically, please remember to electronically mail a verification copy of the company's payment record to James Crossmon, as detailed in the Consent Agreement.

Sincerely,

James Crossmon  
EPCRA Enforcement Officer

Enclosure

Cc: Kevin Wood, Director  
New York State Department of Environmental Conservation  
Division of Materials Management, Bureau of Hazardous Waste and Radiation Management  
625 Broadway  
Albany, NY 12233-7256  
[kevin.wood@dec.ny.gov](mailto:kevin.wood@dec.ny.gov)