



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 9, 75 Hawthorne Street, San Francisco, CA 94105



**EXPEDITED SPILL PREVENTION, CONTROL, AND COUNTERMEASURE
SETTLEMENT AGREEMENT**

In the matter of Mahoney Environmental Solutions,
Anaheim CA;
Docket No. CWA-09-2026-0034

On April 24, 2025, an authorized representative of the United States Environmental Protection Agency (EPA) conducted an inspection of Mahoney Environmental Solutions Anaheim Facility (Mahoney) to determine compliance with the Oil Pollution Prevention regulations promulgated at 40 CFR Part 112 under Section 311(j) of the Clean Water Act, as amended, (33 U.S.C. §1321(j)), (the “Act” or “CWA”). EPA determined that Mahoney, as owner or operator of the facilities, violated regulations implementing Section 311(j) of the Act by failing to comply with the Oil Pollution Prevention regulations as noted on the attached Spill Prevention Control and Countermeasure (“SPCC”) Inspection Findings, Alleged Violations, and Proposed Penalty Form (“Violations Form”) which is hereby incorporated by reference. By its signature below, EPA ratifies the inspection findings and alleged violations set forth in the Violations Form.

The parties enter into this Expedited Settlement in order to settle the civil violations described in the Violations Form for a penalty of \$2,625.00. The parties are authorized to enter into this Expedited Settlement under the authority of Section 311(b) (6) (B) (i) of the Act, 33 U.S.C. § 1321(b) (6) (B) (i), and by 40 C.F.R. § 22.13(b).

This settlement is subject to the following terms and conditions:

EPA finds that Mahoney is subject to the Oil Pollution Prevention regulations, and has violated the regulations as further described in the Violations Form. Mahoney admits it is subject to the Oil Pollution Prevention regulations and that EPA has jurisdiction over Mahoney as described in the Violations Form. Mahoney admits to the facts in the first paragraph of this Settlement Agreement, and waives any objections it may have to EPA’s jurisdiction. Mahoney consents to the assessment of the penalty stated above.

Mahoney further certifies, subject to civil and criminal penalties for making a false submission to the United States Government, that the violations identified in the Violations Form have been corrected and the facility is now in full compliance with the Oil Pollution Prevention regulations (or that the violations will be corrected and the facility brought into full compliance with the Oil

Pollution Prevention regulations within an alternative time frame agreed to by EPA in writing). Mahoney, in accordance with the included Payment Instructions, shall provide proof of payment within thirty (30) days after receiving the executed and filed order of this Expedited Settlement.

The payment made pursuant to this Consent Agreement is a penalty within the meaning of Section 162(f) of the Internal Revenue Code, 26 U.S.C. §162(f), and, therefore, Mahoney shall not claim it as a tax-deductible expenditure for purposes of federal, state or local law.

Upon signing and returning this Expedited Settlement to EPA, Mahoney waives the opportunity for a hearing or appeal pursuant to Section 311 of the Act, and consents to EPA’s approval of the Expedited Settlement without further notice. Moreover, in entering into this Consent Agreement, Mahoney agrees to bear its own costs and attorney’s fees related to this Consent Agreement.

This Expedited Settlement is binding on the parties signing below and is effective upon filing with the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b). The parties consent to service of this Expedited Settlement Agreement and Final Order by e-mail at the following valid e-mail addresses: reich.peter@epa.gov and helmlinger.andrew@epa.gov (for Complainant), and kbarker@mahoneys.com (Kyle Barker for Mahoney).

Once the Expedited Settlement is signed by the Regional Judicial Officer, the original Expedited Settlement will be filed with the Regional Hearing Clerk and a copy will be mailed to: U.S. EPA Cincinnati Finance Office, 26 W. Martin Luther King Drive (MS-WG32B), Cincinnati, OH 45268. A copy of the Expedited Settlement will also be mailed to Mahoney.

If Mahoney does not sign and return this Expedited Settlement as presented within 30 days of the date of its receipt, or within an extension timeframe approved by the EPA, the proposed Expedited Settlement is withdrawn without prejudice to EPA’s ability to file any other enforcement action for the violations identified in the Violations Form.

After this Expedited Settlement becomes effective, EPA will take no further civil penalty action against Mahoney for the alleged violations of the Oil Pollution Prevention regulations described in the Violations Form through the order date of this Expedited Agreement. However, EPA does not waive any rights to take any enforcement action for any other past, present, or

future violations by Mahoney of the Oil Pollution Prevention regulations or of any other federal statute or regulations.

APPROVED BY EPA:

ROBERTO

Digitally signed by ROBERTO
RODRIGUEZ

RODRIGUEZ

Date: 2025.12.08 13:25:01 -08'00'

Date: _____

Delegated Official

**APPROVED BY: MAHONEY ENVIRONMENTAL
SOLUTIONS, LLC**

Name (print): Melissa Moran

Title (print): Legal Counsel + Corporate Secretary

Signature: 

Date: 10/2/25

IT IS SO ORDERED:

Beatrice

Digitally signed by
Beatrice Wong

~~Wong~~

Date: 2025.12.10
14:59:31 -08'00'

Date: _____

Regional Judicial Officer

CERTIFICATE OF SERVICE

I hereby certify the foregoing Expedited Settlement Agreement and Final Order in the matter of Mahoney Environmental Solutions (CWA-09-2026-0034) was filed by the Regional Hearing Clerk, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, and that a true and correct copy of the same was served on the parties, via electronic mail, as indicated below:

RESPONDENT(S): Kyle Barker
Environmental Compliance Manager
2435 Producers Ln
Indianapolis, Indiana 46218-3178
Kbarker@mahoneyes.com

COMPLAINANT: Andrew Helmlinger
Supervisory Attorney Adviser
U.S. EPA – Region IX
Hazardous Waste Section I
(ORC-3-1) 75 Hawthorne Street
San Francisco, CA 94105
Helmlinger.Andrew@epa.gov

PONLY TU Digitally signed by
PONLY TU
Date: 2025.12.10
15:34:16 -08'00'

Ponly Tu
Regional Hearing Clerk
U.S. EPA – Region IX