

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 3  
Philadelphia, Pennsylvania 19103

**FILED**

May 15, 2025

10:11 am

**U.S. EPA REGION 3  
HEARING CLERK**

In the Matter of:	:
	:
Cybertech, Inc.	: U.S. EPA Docket No. CWA-03-2025-0071
419 Sargon Way, Suite J	:
Horsham, Pennsylvania 19044	: Proceeding under Section 309(g) of the Clean
	: Water Act, 33 U.S.C. § 1319(g)
Respondent.	:
	:

**CONSENT AGREEMENT**

**PRELIMINARY STATEMENT**

1. This Consent Agreement is entered into by the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3 ("Complainant") and Cybertech, Inc. ("Respondent") (collectively the "Parties"), pursuant to Section 309(g) of the Clean Water Act ("CWA" or the "Act"), 33 U.S.C. § 1319(g), and 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. Section 309(g) of the CWA, 33 U.S.C. § 1319(g) authorizes the Administrator of the U.S. Environmental Protection Agency to assess penalties and undertake other actions required by this Consent Agreement. The Administrator has delegated this authority to the Regional Administrator who, in turn, has delegated the authority to enter into agreements concerning administrative penalties to the Complainant. This Consent Agreement and the attached Final Order (hereinafter jointly referred to as the "Consent Agreement and Final Order") resolve Complainant's civil penalty claims against Respondent under Section 309 of the CWA, 33 U.S.C. § 1319, for the violations alleged herein.
2. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant hereby simultaneously commences and resolves this administrative proceeding.

**JURISDICTION**

3. The U.S. Environmental Protection Agency ("EPA") has jurisdiction over the above-captioned matter, as described in Paragraph 1, above.
4. The Consolidated Rules of Practice govern this administrative adjudicatory proceeding pursuant to 40 C.F.R. § 22.1(a)(6).

**GENERAL PROVISIONS**

5. For purposes of this proceeding only, Respondent admits the jurisdictional allegations set forth in this Consent Agreement and Final Order.
6. Except as provided in Paragraph 5, above, Respondent neither admits nor denies the specific factual allegations set forth in this Consent Agreement.
7. Respondent agrees not to contest the jurisdiction of the EPA with respect to the execution of this Consent Agreement, the issuance of the attached Final Order, or the enforcement of this Consent Agreement and Final Order.
8. For purposes of this proceeding only, Respondent hereby expressly waives its right to contest the allegations set forth in this Consent Agreement and Final Order and waives its right to appeal the accompanying Final Order.
9. Respondent consents to the assessment of the civil penalty stated herein, to the issuance of any specified compliance order herein, and to any conditions specified herein.
10. Respondent shall bear its own costs and attorney's fees in connection with this proceeding.
11. Pursuant to Section 309(g)(4)(A) of the CWA, 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45(b), the EPA provided public notice and an opportunity to comment on the Consent Agreement prior to issuing the Final Order.
12. By signing this Consent Agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the Final Order accompanying the Consent Agreement.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

13. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice, Complainant alleges and adopts the Findings of Fact and Conclusions of Law set forth immediately below.
14. Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of any pollutant by any person, except in compliance with, among other things, toxic and pretreatment effluent standards under Section 307 of the Act, 33 U.S.C. § 1317.

15. Sections 307(b) and (c) of the Act, 33 U.S.C. § 1317(b) and (c), direct the EPA Administrator to promulgate regulations establishing pretreatment standards for the introduction of pollutants into Publicly Owned Treatment Works ("POTWs").
16. Section 307(d) of the Act, 33 U.S.C. § 1317(d), prohibits the operation of a source of pollutants in violation of the pretreatment standards.
17. Noncompliance with any pretreatment standard, prohibition or effluent standard, is a violation of the Act. *See* 33 U.S.C. § 1317.
18. The General Pretreatment Regulations are located in Title 40 of the Code of Federal Regulations ("C.F.R.") Part 403.
19. "The term Control Authority refers to: (1) The POTW if the POTW's Pretreatment Program Submission has been approved in accordance with the requirements of § 403.11; or (2) The Approval Authority if the Submission has not been approved." *See* 40 C.F.R. § 403.3(f).
20. The Control Authority for industrial users discharging to POTWs without approved POTW pretreatment programs in a state without an approved state pretreatment program is the appropriate Regional Administrator. *See* 40 C.F.R. § 403.3(d) and (f).
21. The EPA has not authorized the Commonwealth of Pennsylvania to implement the National Pollutant Discharge Elimination System ("NPDES") pretreatment program.
22. The "Approval Authority," in the Commonwealth of Pennsylvania, as defined in 40 C.F.R. § 403.3(c), is the Regional Administrator of the EPA Region 3 because Pennsylvania is not authorized to implement the NPDES pretreatment program.
23. The "Control Authority," for purposes of this matter, as defined in 40 C.F.R. § 403.3(f), is the Regional Administrator of the EPA Region 3 because Horsham Water and Sewer Authority does not have an approved POTW pretreatment program.
24. POTWs are required to establish an approved pretreatment program if (1) the POTW has a design flow greater than 5 million gallons per day or (2) the Approval Authority requires the POTW to develop an approved program due to specific circumstances. *See* 40 C.F.R. § 403.8(a).
25. Horsham Water and Sewer Authority owns and operates a wastewater treatment plant in Horsham, Pennsylvania known as the Horsham Water and Sewer Authority Park Creek Sewage Treatment Plant ("Park Creek STP").
26. Horsham Water and Sewer Authority is a municipal authority authorized by the Pennsylvania's Municipality Authorities Act. *See* 502(4) of the Act, 33 U.S.C § 1362(4).

27. The Park Creek STP is a POTW as defined in 40 C.F.R. § 403.3(q).
28. The Park Creek STP discharges to Park Creek, which is connected to the Little Neshaminy Creek, which is connected to the Neshaminy Creek, which is connected to the Delaware River, which is a water of the United States within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).
29. The Park Creek STP has an approved NPDES Permit, No. PA0051985, but does not have an approved POTW pretreatment program.
30. “The term Indirect Discharge or Discharge means the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Act.” *See* 40 C.F.R. § 403.3(i).
31. “Industrial User or User means a source of Indirect Discharge,” as defined in 40 C.F.R. § 403.3(j).
32. Cybertech, Inc. is a corporation incorporated in Pennsylvania and therefore a “person” within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.
33. Respondent, owns and operates the thermal and impact printer manufacturing facility (the “Facility”) located at 419 Sargon Way, Suite J, Horsham, Pennsylvania 19044.
34. As a part of the manufacturing process, process wastewater is generated at the Facility and discharged into the Park Creek STP.
35. Respondent’s discharges are regulated under Section 307(b), (c), or (d) of the Act, 33 U.S.C. § 1317(b), (c), or (d).
36. Respondent is an “Industrial User” as defined in 40 C.F.R. § 403.3(j) because its Facility discharges pollutants to the Park Creek STP.
37. The Pretreatment Standards for electroplating and metal finishing point source categories became effective on July 15, 1983. *See* 48 Fed. Reg. 32485.
38. Respondent’s Facility was constructed after August 31, 1982, and is therefore subject to the Metal Finishing Category Pretreatment Standards for New Sources under the National Pretreatment Program at 40 C.F.R. § 433.17.
39. Pretreatment Standards for New Sources in the Metal Finishing Category are located at 40 C.F.R. § 433.17 and set daily maximum and monthly average limits for pollutants.



40. On July 28, 2017, the EPA sent a Discharge Limitations and Monitoring Requirements package to Respondent for the Facility and assigned the Facility Industrial User No. PAP151985. The concentrations and sampling frequency were set as follows:

Parameter	Concentration (mg/l)		Monitoring Requirements (2)	
	Daily Maximum	Monthly Average	Frequency	Sample Type (3)
Flow (gdp)			1/month	Estimate
pH (1)			1/month	Grab/low chart read
Cadmium (T)	0.11	0.07	1/6 months	Grab
Chromium (T)	2.77	1.71	1/6 months	Grab
Copper (T)	3.38	2.07	1/6 months	Grab
Lead (T)	0.69	0.43	1/6 months	Grab
Nickel (T)	3.98	2.38	1/6 months	Grab
Silver (T)	0.43	0.24	1/6 months	Grab
Zinc (T)	2.61	1.48	1/6 months	Grab
Cyanide (T)	1.20	0.65	1/6 months	Grab
TTO <sup>1</sup> (4)	2.13	-----	1/6 months	Grab

41. As the Control Authority, the EPA set the monitoring requirements specific to each parameter in accordance with 40 C.F.R. § 403.12(g)(3).
42. Pursuant to 40 C.F.R. §§ 403.12(e) and (g), any industrial user subject to Pretreatment Standards is required to submit to the EPA "periodic reports on continued compliance," also called "Self-Monitoring Reports" ("SMRs"), twice a year on the nature and concentrations of the pollutants in its effluent and to include the results of any sampling.
43. Pursuant to 40 C.F.R § 403.12(e)(1), "Any Industrial User subject to a categorical Pretreatment Standard...after the compliance date of such Pretreatment Standard...shall submit to the Control Authority during the months of June and December, unless required more frequently in the Pretreatment Standard or by the Control Authority or the Approval Authority, a report indicating the nature and concentration of pollutants in the effluent which are limited by such categorical Pretreatment Standards. In addition, this report which are limited by such categorical Pretreatment Standards. In addition, this report shall include a record of measured or estimated average and maximum daily flows for the reporting period for the Discharge reported in [40 C.F.R. § 403.12(b)(4)] except that the Control Authority may require more detailed reporting of flows."
44. When the EPA set the pollutant discharge limits for Respondent, it also established that SMRs for the January to June monitoring period shall be due on July 31 of each year,

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<sup>1</sup> Total Toxic Organics ("TTO")

while SMRs for the July to December monitoring period shall be due January 31 of the following year.

**Count 1**

**Failure to Submit SMRs**

45. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
46. Pursuant to 40 C.F.R § 403.12(e)(1) and the monitoring requirements established by the EPA as the Control Authority, "Respondent must submit SMRs in the months of July and January to the EPA. The reports must include the nature and concentration of pollutants discharged in addition to a record of measured or estimated average and maximum daily flows for the reporting period."
47. Respondent was required to submit an SMR for the July to December 2021 monitoring period by January 31, 2022. Respondent failed to submit a SMR for this reporting period.
48. Respondent was required to submit an SMR for the July to December 2022 monitoring period by January 31, 2023. Respondent failed to submit a SMR for this reporting period.
49. On February 1, 2022 and on February 1, 2023, Respondent violated 40 C.F.R § 403.12(e)(1) and the monitoring requirements established by the EPA as the Control Authority by failing to submit SMRs for the July through December 2021 reporting period and for the July through December 2022 reporting period, respectively.
50. In failing to comply with 40 C.F.R § 403.12(e)(1) and the monitoring requirements established by the EPA as the Control Authority, Respondent is subject to the assessment of penalties under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

**Count 2**

**Failure to Submit Timely SMRs**

51. The information and allegations in the preceding paragraphs of this Consent Agreement are incorporated herein by reference.
52. Pursuant to 40 C.F.R § 403.12(e)(1) and the monitoring requirements established by the EPA as the Control Authority, "Respondent must submit SMRs in the months of July and January to the EPA. The reports must include the nature and concentration of pollutants discharged in addition to a record of measured or estimated average and maximum daily flows for the reporting period."

53. On April 19, 2021, Respondent submitted an SMR for the July through December 2020 reporting period, 78 days after it was required to be submitted on January 31, 2021.
54. On November 2, 2023, Respondent submitted an SMR for the January through June 2023 reporting period, 94 days after it was required to be submitted on July 31, 2023.
55. On November 28, 2023, Respondent submitted an SMR for the January through June 2021 reporting period, approximately 28 months after it was required to be submitted on July 31, 2021.
56. On November 28, 2023, Respondent submitted an SMR for the January through June 2022 reporting period, approximately 16 months after it was required to be submitted on July 31, 2022.
57. On February 1, 2021, August 1, 2021, August 1, 2022, and August 1, 2023, Respondent violated 40 C.F.R § 403.12(e)(1) and the monitoring requirements established by the EPA as the Control Authority by failing to submit timely SMRs for the July through December 2020 reporting period, January through June 2021 reporting period, January through June 2022 reporting period, and January through June 2023 reporting period, respectively.
58. In failing to comply with 40 C.F.R § 403.12(e)(1) and the monitoring requirements established by the EPA as the Control Authority, Respondent is subject to the assessment of penalties under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

#### **CIVIL PENALTY**

59. In settlement of the EPA's claims for civil penalties for the violations alleged in this Consent Agreement, Respondent consents to the assessment of a civil penalty in the amount of one thousand dollars (\$1,000) which Respondent shall be liable to pay in accordance with the terms set forth below.
60. The civil penalty is based upon the EPA's consideration of a number of factors, including the penalty criteria ("statutory factors") set forth in the Section 309(g) of the CWA, 33 U.S.C. § 1319(g), including, the following: 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. These factors were applied to the particular facts and circumstances of this case with specific reference to the EPA's [Interim Clean Water Act n Settlement Penalty Policy](#) which reflects the statutory penalty criteria and factors set forth in Section 309(g) of the CWA, the appropriate *Adjustment of Civil Monetary Penalties for Inflation*, pursuant to 40 C.F.R. Part 19, and the applicable EPA memoranda addressing the EPA's civil penalty policies to account for inflation.

61. The civil penalty is also based upon an analysis of Respondent's ability to pay a civil penalty. This analysis was based upon information submitted to the EPA by Respondent.
62. Respondent agrees to pay a civil penalty in the amount of \$1,000 ("Assessed Penalty"). Based upon Respondent's documented inability to pay claim, and in accordance with applicable laws, the EPA conducted an analysis of Respondent's financial information and determined that the Assessed Penalty is an appropriate amount to settle this action, which Respondent consents to pay.
63. Respondent agrees to pay the Assessed Penalty within thirty (30) days of the Effective Date of this Consent Agreement and Final Order.
64. Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.
65. When making a payment, Respondent shall:
  - a. Identify every payment with Respondent's name and the docket number of this Consent Agreement, EPA Docket No. CWA-03-2025-0071,
  - b. Concurrently with any payment or within 24 hours of any payment, Respondent shall serve Proof of Payment simultaneously **by email** to the following person(s):

Promy Tabassum  
Assistant Regional Counsel  
[tabassum.promy@epa.gov](mailto:tabassum.promy@epa.gov)

U.S. Environmental Protection Agency  
Cincinnati Finance Center  
[CINWD\\_AcctsReceivable@epa.gov](mailto:CINWD_AcctsReceivable@epa.gov),

and

U.S. EPA Region 3 Regional Hearing Clerk  
[R3\\_Hearing\\_Clerk@epa.gov](mailto:R3_Hearing_Clerk@epa.gov).

"Proof of Payment" means, as applicable, a copy of the check, confirmation of credit card or debit card payment, or confirmation of wire or automated clearinghouse transfer, and any other information required to demonstrate that payment has been made according to EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent's name.



66. Interest, Charges, and Penalties on Late Payments. Pursuant to 33 U.S.C. § 1319(g)(9), 31 U.S.C. § 3717, 31 C.F.R. § 901.9, and 40 C.F.R. § 13.11, if Respondent fails to timely pay the full amount of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, the entire unpaid balance of the Assessed Penalty and all accrued interest shall become immediately due and owing, and the EPA is authorized to recover the following amounts.
- a. Interest. Interest begins to accrue from the Effective Date. If the Assessed Penalty is paid in full within thirty (30) days, interest accrued is waived. If the Assessed Penalty is not paid in full within thirty (30) days, interest will continue to accrue until the unpaid portion of the Assessed Penalty as well as any interest, penalties, and other charges are paid in full. Interest will be assessed at prevailing rates, per 33 U.S.C. § 1319(g)(9). The rate of interest is the IRS standard underpayment rate.
  - b. Handling Charges. The United States' enforcement expenses including, but not limited to, attorneys' fees and costs of collection proceedings.
  - c. Late Payment Penalty. A twenty percent (20%) quarterly non-payment penalty.
67. Late Penalty Actions. In addition to the amounts described in the prior Paragraph, if Respondent fails to timely pay any portion of the Assessed Penalty, interest, or other charges and penalties per this Consent Agreement, the EPA may take additional actions. Such actions the EPA may take include, but are not limited to, the following.
- a. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14;
  - b. Collect the debt by administrative offset (i.e., the withholding of money payable by the United States government to, or held by the United States government for, a person to satisfy the debt the person owes the United States government), which includes, but is not limited to, referral to the Internal Revenue Service for offset against income tax refunds, per 40 C.F.R. Part 13, Subparts C and H.
  - c. Suspend or revoke Respondent's licenses or other privileges, or suspend or disqualify Respondent from doing business with the EPA or engaging in programs the EPA sponsors or funds, per 40 C.F.R. § 13.17.
  - d. Request that the Attorney General bring a civil action in the appropriate district court to recover the full remaining balance of the Assessed Penalty, in addition to interest and the amounts described above, pursuant to 33 U.S.C. § 1319(g)(9). In any such action, the validity, amount, and appropriateness of the Assessed Penalty shall not be subject to review.

68. Allocation of Payments. Pursuant to 31 C.F.R. § 901.9(f) and 40 C.F.R. § 13.11(d), a partial payment of debt will be applied first to outstanding handling charges, second to late penalty charges, third to accrued interest, and last to the principal that is the outstanding Assessed Penalty amount.
69. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Consent Agreement shall not be deductible for purposes of federal taxes.
70. Payment of the civil penalty is due and payable immediately upon the effective date of this Consent Agreement and Final Order. Receipt by Respondent or Respondent's legal counsel of such copy of the fully executed Consent Agreement and Final Order, with a date stamp indicating the date on which the Consent Agreement and Final Order was filed with the Regional Hearing Clerk, shall constitute receipt of written initial notice that a debt is owed as of the Effective Date of this Consent Agreement and Final Order by Respondent in accordance with 40 C.F.R. § 13.9(a).
71. The Parties consent to service of the Final Order by e-mail at the following valid email addresses: [tabassum.promy@epa.gov](mailto:tabassum.promy@epa.gov) (for Complainant), and [shann@hrmml.com](mailto:shann@hrmml.com) (for Respondent).

#### **GENERAL SETTLEMENT CONDITIONS**

72. By signing this Consent Agreement, Respondent acknowledges that this Consent Agreement and Final Order will be available to the public and represents that, to the best of Respondent's knowledge and belief, this Consent Agreement and Final Order does not contain any confidential business information or personally identifiable information from Respondent.
73. Respondent certifies that any information or representation it has supplied or made to the EPA concerning this matter was, at the time of submission true, accurate, and complete and that there has been no material change regarding the truthfulness, accuracy or completeness of such information or representation. The EPA shall have the right to institute further actions to recover appropriate relief if the EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Consent Agreement and Final Order, including information about Respondent's ability to pay a penalty, are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that the EPA may have, civil or criminal, under law or equity in such event. Respondent and its officers, directors, and agents are aware that the submission of false or misleading information to the United States government may subject a person to separate civil and/or criminal liability.

### **CERTIFICATION OF COMPLIANCE**

74. Respondent certifies to the EPA, upon personal investigation and to the best of its knowledge and belief, that it currently is in compliance with regard to the violations alleged in this Consent Agreement.

### **OTHER APPLICABLE LAWS**

75. Nothing in this Consent Agreement and Final Order shall relieve Respondent of its obligation to comply with all applicable federal, state, and local laws and regulations, nor shall it restrict the EPA's authority to seek compliance with any applicable laws or regulations, nor shall it be construed to be a ruling on the validity of any federal, state, or local permit. This Consent Agreement and Final Order does not constitute a waiver, suspension, or modification of the requirements of the CWA, or any regulations promulgated thereunder.

### **RESERVATION OF RIGHTS**

76. This Consent Agreement and Final Order resolves only the EPA's claims for civil penalties for the specific violations alleged against Respondent in this Consent Agreement and Final Order. The EPA reserves the right to commence action against any person, including Respondent, in response to any condition which the EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment. 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, 40 C.F.R. § 22.18(c). The EPA reserves any rights and remedies available to it under the CWA, the regulations promulgated thereunder and any other federal law or regulation to enforce the terms of this Consent Agreement and Final Order after its effective date. Respondent reserves whatever rights or defenses it may have to defend itself in any such action.

### **EXECUTION /PARTIES BOUND**

77. This Consent Agreement and Final Order shall apply to and be binding upon the EPA, the Respondent and the officers, directors, employees, contractors, successors, agents, and assigns of Respondent. By his or her signature below, the person who signs this Consent Agreement on behalf of Respondent is acknowledging that he or she is fully authorized by Respondent to execute this Consent Agreement and to legally bind Respondent to the terms and conditions of this Consent Agreement and Final Order.

### **EFFECTIVE DATE**

78. Pursuant to 40 C.F.R. § 22.45(b), this Consent Agreement and Final Order shall be issued only after a 40-day public notice and comment period is concluded. This Consent

Agreement and Final Order will become final and effective thirty (30) days after having been signed by the Regional Administrator or his delegate, the Regional Judicial Officer, and filed with the Regional Hearing Clerk.

**ENTIRE AGREEMENT**

79. This Consent Agreement and Final Order constitutes the entire agreement and understanding between the Parties regarding settlement of all claims for civil penalties pertaining to the specific violations alleged herein and there are no representations, warranties, covenants, terms, or conditions agreed upon between the Parties other than those expressed in this Consent Agreement and Final Order.


In the Matter of: Cybertech, Inc.

EPA Docket No. CWA-03-2025-0071

For Respondent: Cybertech, Inc.

Date: 3/6/2025

By

  
Lloyd Barnett  
President



For the Complainant:

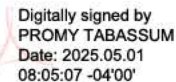
After reviewing the Consent Agreement and other pertinent matters, I, the undersigned Director of the Enforcement and Compliance Assurance Division of the United States Environmental Protection Agency, Region 3, agree to the terms and conditions of this Consent Agreement and recommend that the Regional Administrator, or his/her designee, the Regional Judicial Officer, issue the attached Final Order.

By: **Melvin,  
Karen**  Digitally signed by Melvin,  
Karen  
Date: 2025.05.15  
07:41:26 -04'00'

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*[Digital Signature and Date]*  
Karen Melvin, Director  
Enforcement and Compliance Assurance Division  
U.S. EPA – Region 3  
Complainant

Attorney for Complainant:

By: **PROMY  
TABASSUM**  Digitally signed by  
PROMY TABASSUM  
Date: 2025.05.01  
08:05:07 -04'00'

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*[Digital Signature and Date]*  
Promy Tabassum  
Assistant Regional Counsel  
U.S. EPA – Region 3

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 3  
Philadelphia, Pennsylvania 19103

FILED

May 15, 2025

10:12 am

U.S. EPA REGION 3  
HEARING CLERK

In the Matter of: :  
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Cybertech, Inc. : U.S. EPA Docket No. CWA-03-2025-0071  
419 Sargon Way, Suite J :  
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: Water Act, 33 U.S.C. § 1319(g)  
Respondent. :  
:

**FINAL ORDER**

Complainant, the Director of the Enforcement and Compliance Assurance Division, U.S. Environmental Protection Agency, Region 3, and Respondent, Cybertech, Inc., 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 EPA's [Interim Clean Water Act Settlement Penalty Policy](#), March 1, 1995, and the statutory factors set forth in Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g).

**NOW, THEREFORE, PURSUANT TO** Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(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 **ONE THOUSAND DOLLARS (\$1,000)**, in accordance with the payment provisions set forth in the Consent Agreement and in 40 C.F.R. § 22.31(c), and comply with the terms and conditions of the Consent Agreement.

This Final Order constitutes the final Agency action in this proceeding. This Final Order shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive or other equitable relief, or criminal sanctions for any violations of the law. This Final Order resolves only those causes of action alleged in the Consent Agreement and does not waive, extinguish or otherwise affect Respondent's obligation to comply with all applicable provisions of the Clean Water Act and the regulations promulgated thereunder.

The Consent Agreement and this Final Order will become final and effective thirty (30) days after it is signed by the Regional Administrator or the Regional Administrator's delegate,

the Regional Judicial Officer, and filed with the Regional Hearing Clerk.

By: **JOSEPH  
LISA**  Digitally signed by  
JOSEPH LISA  
Date: 2025.05.15  
09:03:42 -04'00'

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*[Digital Signature and Date]*  
Joseph J. Lisa  
Regional Judicial and Presiding Officer  
U.S. EPA – Region 3



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 3  
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Cybertech, Inc.	: U.S. EPA Docket No. CWA-03-2025-0071
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	: Water Act, 33 U.S.C. § 1319(g)
Respondent.	:
	:

**CERTIFICATE OF SERVICE**

I certify that the foregoing ***Consent Agreement and Final Order*** was filed with the EPA Region 3 Regional Hearing Clerk on the date that has been electronically stamped on the ***Consent Agreement and Final Order***. I further certify that on the date set forth below, I caused to be served a true and correct copy of the foregoing to each of the following persons, in the manner specified below, at the following addresses:

Copies served via email to:

Lloyd Barnett, President  
Cybertech Inc.  
419 Sargon Way, Suite J  
Horsham, PA 19044  
[lbarnett@cbrtech.com](mailto:lbarnett@cbrtech.com)

Steve Hann, Esq.  
Hamburg, Rubin, Mullin, Maxwell & Lupin  
1684 S. Broad Street, Suite 230  
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