

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

September 20, 2023 @ 10:10 am

USEPA – Region II

Regional Hearing Clerk

-----X  
 In the Matter of :  
 :  
 ADPP Enterprises, Inc., and, :  
 APM Management, Inc. :  
 :  
 Respondent :  
 :  
 Proceeding Under Section 9006 of :  
 the Solid Waste Disposal Act, as :  
 amended. :  
 -----X

**CONSENT AGREEMENT/ FINAL ORDER**

Docket No. RCRA-02-2023-7505

**PRELIMINARY STATEMENT**

This is a civil administrative proceeding instituted pursuant to Section 9006 of the Solid Waste Disposal Act, as amended, 42 U.S.C. § 6901 *et seq.* (hereinafter referred to as the “Act” or “RCRA”) and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22 (hereinafter “CROP”). Complainant in this proceeding is the Director of the Enforcement and Compliance Assurance Division, United States Environmental Protection Agency, Region 2 (“EPA”), who has been delegated the authority to sign consent agreements in pre-filing settlements between EPA and a party against whom an administrative enforcement action is taken for violations of underground storage tank (“UST”) requirements under RCRA and the corresponding federal regulations. Section 9006 of RCRA, 42 U.S.C. § 6991(e), authorizes the Administrator to enforce violations of the Act and the regulations promulgated pursuant to it. The Respondents, ADPP Enterprises, Inc., and APM Management, Inc., have been the owner and/or operator of USTs that are located at thirteen (13) facilities in New Jersey listed in Paragraph 18 below.

Pursuant to Section 22.13(b) of the CROP, where the parties agree to settlement of one or more causes of action before the filing of an administrative Complaint, a proceeding may be simultaneously commenced and concluded by issuance of a Consent Agreement and Final Order (“CA/FO”) pursuant to 40 C.F.R. Sections 22.18(b)(2) and 22.18(b)(3) of the CROP. The Complainant and the Respondents have reached an amicable resolution of this matter and agree that settlement of this matter by entering into this CA/FO pursuant to 40 C.F.R. Sections 22.18(b)(2) and (3) is an appropriate means of resolving this case without further litigation.

No adjudicated findings of fact or conclusions of law have been made. Respondents neither admit nor deny the EPA Findings of Fact and Conclusions of Law set forth below.

## **EPA FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. Respondents are ADPP Enterprises, Inc., and APM Management, Inc., both located at 200 Route 17 South, Suite #215, Mahwah, NJ 07430 (hereinafter “Respondents” or “ADPP” and/or “APM”).
2. Respondents are each a “person” within the meaning of Sections 1004(15) and 9001(5) of the Act, 42 U.S.C. §§ 6903(15) and 6991(5), and 40 C.F.R. § 280.12.
3. Respondents were and are the “owner” and/or “operator” of at least one or more USTs or “UST systems,” as those terms are defined in Section 9001 of the Act, 42 U.S.C. § 6991, and 40 C.F.R. § 280.12, that are located at thirteen (13) different facilities in the State of New Jersey as detailed in Paragraph 18, below.
4. Pursuant to 40 C.F.R. § 280.12, EPA is the “implementing agency” responsible for enforcing the requirements of the Act and the regulations promulgated pursuant thereto which are the subject of this settlement.
5. Pursuant to Sections 2002, 9002 and 9003 of the Act, 42 U.S.C. §§ 6912, 6991a, 6991b, and 6991d, EPA promulgated rules setting forth requirements for owners and operators of UST systems, codified at 40 C.F.R. Part 280. These rules include but are not limited to requirements related to release detection record-keeping, and performance testing of automatic line leak detectors, line tightness of piping, release detection components, spill buckets, overfill prevention equipment and containment sumps.
6. Forty C.F.R. § 280.12 defines an “underground storage tank or UST” as any one or combination of tanks (including underground pipes connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is ten (10%) percent or more beneath the surface of the ground.
7. Pursuant to 40 C.F.R. § 280.20(c)(1)(i), owners and operators of UST systems must use spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe.
8. Pursuant to 40 C.F.R. § 280.34, owners and operators of UST systems must cooperate fully with inspections by the implementing agency, as well as requests for document submission, testing, and monitoring by the owner or operator pursuant to Section 9005 of Subtitle I of RCRA.
9. Section 9005 of the Act, 42 U.S.C. § 6991d provides, in relevant part, that “any owner or operator of an underground storage tank (or any tank subject to study under [Section 9009] that is used for storing regulated substances) shall, upon request of any officer, employee or representative of the Environmental Protection Agency ... furnish information relating to such tanks.”

10. Pursuant to 40 C.F.R. § 280.34(c), owners and operators of UST systems must keep the records required either: (1) at the UST site and immediately available for inspection by the implementing agency; or (2) at a readily available alternative site and be provided for inspection to the implementing agency.
11. Forty C.F.R. § 280.34(b)(6) requires owners and operators to maintain documentation of periodic walkthrough inspections required pursuant to § 280.36(b).
12. Forty C.F.R. § 280.35(a)(1)(ii) requires the spill prevention equipment and containment sumps used for interstitial monitoring of piping to be tested at least once every three years to ensure the equipment is liquid tight by using vacuum, pressure, or liquid testing.
13. Forty C.F.R. § 280.35(a)(2) requires the overfill prevention equipment must be inspected at least once every three years.
14. Pursuant to 40 C.F.R. § 280.40(a)(3), beginning on October 13, 2018, release detection components must be annually tested for proper operation.
15. Forty C.F.R. § 280.41(b) requires that owners and operators of petroleum UST systems must provide release detection for piping in accordance with the requirement set forth in 40 C.F.R. § 280.41(b)(1)(i)(B) that underground piping that routinely contains and conveys regulated substances under pressure must either have an annual line tightness test conducted in accordance with § 280.44(b) or have monthly monitoring conducted in accordance with § 280.44(c).
16. Forty C.F.R. § 280.44(a) requires the automatic line leak detectors to have an annual test of the operation in accordance with § 280.40(a)(3).
17. Pursuant to 40 C.F.R. § 280.45(b), owners and operators of UST systems must maintain certain records for specified time periods in accordance with 40 C.F.R. § 280.34. This includes the results of any sampling, testing, or monitoring which must be maintained for at least one year.
18. Pursuant to Section 9005 of the Act, 42 U.S.C. § 6991d, between the period of August 16, 2019, and November 12, 2020, an authorized representative of EPA inspected Respondents' thirteen (13) facilities which have USTs in the State of New Jersey to determine their compliance with the Act and 40 C.F.R. Part 280. They are as follows:
  - a) Hasbrouck Heights Valero ("Hasbrouck Heights"), 404 Route 17 North, Hasbrouck Heights, NJ 07604, inspected on August 16, 2019;
  - b) Upper Saddle River Valero ("142 Upper Saddle River"), 142 Route 17 North, Upper Saddle River, NJ 07454, inspected on November 6, 2019;
  - c) Montague Valero ("9 Montague"), 9 Route 23, Montague, NJ 07827, inspected on November 6, 2019;

- d) Montague BP (“16 Montague”), 16 Route 23, Montague, NJ 07827, inspected on November 6, 2019;
  - e) Upper Saddle River (“360 Upper Saddle River”), 360 Route 17 North, Upper Saddle River, NJ 07430, inspected on November 7, 2019;
  - f) APM Valero (“389 Mahwah”), 385-389 Route 17 North, Mahwah, NJ 07430, inspected on November 7, 2019;
  - g) 193 Valero (“193 Mahwah”), 193 Route 17 North, Mahwah, NJ 07430, inspected on November 7, 2019;
  - h) Carlstadt Valero (“Carlstadt”), 330 Washington Avenue, Carlstadt, NJ 07072, inspected on November 12, 2019;
  - i) Bloomfield Valero (“Bloomfield”), 630 Bloomfield Avenue, Bloomfield, NJ 07003, inspected on November 12, 2019;
  - j) Mt. Olive BP (“Mount Olive”), 113 Route 46 East, Mount Olive, NJ 07828, inspected on November 12, 2019;
  - k) Rochelle Park Amoco (“Rochelle Park”), 88 Essex Street, Rochelle Park, NJ 07662, inspected on November 21, 2019;
  - l) Little Falls Valero (“Little Falls”), 1755 Route 46 East, Little Falls, inspected on November 21, 2019; and,
  - m) Elizabeth Valero (“Elizabeth”), 957 South Elmora Avenue, Elizabeth, NJ 07202, inspected on November 12, 2020.
19. Pursuant to Section 9005 of the Act, 42 U.S.C. § 6991d, and 40 C.F.R. Section 280.34, EPA sent a Notice of Violation and Information Request Letter (“NOV/IRL”), dated March 12, 2020, to ADPP, which was received on March 16, 2020, in order to determine its compliance with 40 C.F.R. Part 280.
  20. A response to EPA’s NOV/IRL was due on April 15, 2020, thirty (30) calendar days from the date of receipt of the NOV/IRL (March 16, 2020). No response was received by that date.
  21. EPA contacted ADPP in July 2020 regarding the NOV/IRL that was not responded to and from that time through August 29, 2022, there were numerous conversations and email exchanges, including four IRL requests between September 1, 2020, and December 4, 2020, and nine (9) responses between September 1, 2020, and August 29, 2022.
  22. Based on EPA's inspections, Respondent's responses to the NOV/IRL, and the correspondence described above, EPA sent a Notice of Potential Violations and

Opportunity to Confer (NOPVOC) to Respondent on June 30, 2022.

23. On April 12, 2023, EPA held an in-person settlement conference to discuss the alleged violations identified in the NOPVOC.
24. On May 2, 2023, Respondents caused to be submitted to EPA via email, notarized statements that Respondents' station managers had performed walkthrough inspections as required by 40 C.F.R. § 280.36(a)(1)(i).
25. Based on EPA's inspection reports, along with Respondent's responses to EPA's (NOPVOC) and subsequent related correspondence received, EPA has determined that during times including between August 15, 2018 and November 12, 2020, Respondents failed to:
  - a) Maintain adequate spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe in violation of 40 C.F.R. § 280.20(c)(1)(i) at the 9 Montague facility;
  - b) Maintain documentation of periodic walkthrough inspections pursuant to 40 C.F.R. § 280.34(b)(6) at the Hasbrouck Heights, 142 Upper Saddle River, 16 Montague, 193 Mahwah and Mount Olive facilities;
  - c) Meet compliance deadlines pursuant to 40 C.F.R. § 280.35(b) for conducting testing of spill prevention equipment and containment sumps used for interstitial monitoring of piping at least once every three years for compliance with 40 C.F.R. § 280.35(a)(1)(ii) at the 9 Montague facility and 16 Montague facility;
  - d) Meet compliance deadlines 40 C.F.R. § 280.35(b) for inspecting the overfill prevention equipment which must be inspected at least once every three years pursuant to for compliance with 40 C.F.R. § 280.35(a)(2) at the 16 Montague facility;
  - e) Conduct an annual line tightness test or conduct monthly monitoring of the underground piping pursuant to 40 C.F.R. § 280.41(b)(1)(i)(B) at the Elizabeth facility;
  - f) Conduct an annual test of the operation for the automatic line leak detectors pursuant to 40 C.F.R. § 280.44(a) at the 360 Upper Saddle River, 193 Mahwah facility and Rochelle Park Amoco; and
  - g) Maintain release detection records pursuant to 40 C.F.R. § 280.45(b) at the Hasbrouck Heights, 142 Upper Saddle River, 16 Montague, 360 Upper Saddle River, Carlstadt, Bloomfield, Mount Olive, Rochelle Park, Little Falls and Elizabeth facilities.
26. Since the April 12, 2023, meeting, the parties have engaged in settlement discussions

concerning the EPA determinations described in Paragraph 25, *supra*, and have agreed to settle this matter by entering into this Consent Agreement.

### **CONSENT AGREEMENT**

Based upon the foregoing, and pursuant to Section 9006 of RCRA, 42 U.S.C. § 6991(e), and 40 C.F.R. § 22.18 of the CROP, it is hereby agreed by and between Complainant and the Respondents and voluntarily and knowingly accepted by the Respondents, that the Respondents, for purposes of this Consent Agreement:

- a) admit that EPA has jurisdiction pursuant to Section 9006(a)(1) of the Act, 42 U.S.C. Section 6991e(a)(1) to commence a civil administrative proceeding based on the information described in the EPA Findings of Fact and Conclusions of Law above;
- b) neither admit nor deny any determination in the EPA Findings of Fact and Conclusions of Law section set out above;
- c) consent to the assessment of the EPA civil penalty as set forth below;
- d) consent to any and all conditions stated in the Consent Agreement;
- e) consent to the issuance of the Final Order incorporating this Consent Agreement; and
- f) waive their rights to contest or appeal that Final Order.

It is further hereby agreed by and between Complainant and the Respondents, and voluntarily and knowingly accepted by the Respondents, that the Respondents shall comply with the following terms and conditions:

1. Commencing on the date the Final Order is signed (the “Effective Date”), Respondents shall hereinafter maintain compliance at all its facilities with all regulations applicable to owners and operators of USTs as set forth at 40 C.F.R. Part 280 including but not limited to complying with the spill prevention, overfill prevention, release detection monitoring, testing and documentation requirements for tanks and pressurized piping for its UST systems at all of its facilities listed in Paragraph 18 above.
2. Respondents certify that, as of the Effective Date of the CA/FO, to the best of their knowledge and belief, they are complying with all the UST requirements referenced in Paragraph 25 above of EPA’s Findings of Facts and Conclusions of Law of this CA/FO.
3. The Respondent certifies that it has submitted a signed, certified statement of its current financial condition articulating a basis for its contention that it cannot pay the penalty within thirty (30) days of the Effective Date without experiencing an undue financial hardship. Respondent further certifies, under penalty of law, that the information submitted to EPA, is true, accurate, and complete based upon personal knowledge or personal inquiry of the person or persons directly responsible for gathering the information, and that he/she is aware that there are significant penalties for submitting false information and false certifications, including the possibility of fines and imprisonment for knowing violations.

4. Respondents shall pay a civil penalty to EPA in the total amount of **ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000)** to be paid within six (6) months of the Effective Date of the CAFO on a monthly payment schedule that will include interest on any amount not paid within 30 days of the Effective Date. Such payments shall be made by cashier's or certified check or by Electronic Fund Transfer (EFT).
5. The civil penalty of **\$175,000.00**, set forth in Paragraph 4, above, plus applicable interest at the rate of three percent (3%) per annum on the outstanding principal balance (total interest payments to equal **\$1,458.34**) for a total payment (principal plus interest) of **\$176,458.34**, shall be paid in six installments as follows:
  - a. 1st Payment: The first payment, in the amount of **TWENTY-NINE THOUSAND ONE HUNDRED SIXTY-SIX DOLLARS AND SIXTY-SEVEN CENTS (\$29,166.67)**, shall be received by EPA on or before thirty (30) calendar days following the Effective Date (due date #1).
  - b. 2nd Payment: The second payment, in the amount of **TWENTY-NINE THOUSAND EIGHT HUNDRED NINETY-FIVE DOLLARS AND EIGHTY-FOUR CENTS (\$29,895.84)** consisting of a principal payment of \$29,166.67 and an interest payment of \$729.17, shall be received by EPA on or before sixty days (60) calendar days following the Effective Date (due date #2).
  - c. 3rd Payment: The third payment, in the amount of **TWENTY-NINE THOUSAND FOUR HUNDRED FIFTY-EIGHT DOLLARS AND THIRTY-FOUR CENTS (\$29,458.34)** consisting of a principal payment of \$29,166.67 and an interest payment of \$291.67, shall be received by EPA on or before ninety (90) calendar days following the Effective Date (due date #3)
  - d. 4th Payment: The fourth payment, in the amount of **TWENTY-NINE THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS AND FORTY-TWO CENTS (\$29,385.42)**, consisting of a principal payment of \$29,166.67 and an interest payment of \$218.75, shall be received by EPA on or before one hundred and twenty (120) calendar days following the Effective Date (due date #4).
  - e. 5th Payment: The fifth payment, in the amount of **TWENTY-NINE THOUSAND THREE HUNDRED TWELVE DOLLARS AND FIFTY CENTS (\$29,312.50)**, consisting of a principal payment of \$29,166.67 and an interest payment of \$145.83, shall be received by EPA on or before one hundred and fifty (150) calendar days following the Effective Date (due date #5).
  - f. 6th Payment: The sixth payment, in the amount of **TWENTY-NINE THOUSAND TWO HUNDRED THIRTY-NINE DOLLARS AND FIFTY-SEVEN CENTS (\$29,239.57)**, consisting of a principal payment of \$29,166.67 and an interest payment of \$72.92, shall be received by EPA on or before one hundred and eighty (180) calendar days following the Effective Date (due date #6).
6. If any payment is made by check, then the check shall be (a) made payable to the

**“Treasurer, United States of America,”** (b) identified with a notation thereon listing the following: **“In the Matter of ADPP Enterprises, Inc., and APM Management, Inc., Docket Number RCRA-02-2023-7505,”** and (c) shall be mailed to:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979078  
St. Louis, MO 63197-9000

7. Alternatively, if Respondents choose to make any payment by EFT, then they shall provide the following information to its remitter bank:
  - a) Amount of Payment **See Payment Schedule in Paragraph 5 above.**
  - b) SWIFT address: **FRNYUS33, 33 Liberty Street, New York, NY 10045.**
  - c) Account Code for Federal Reserve Bank of New York receiving payment: **68010727.**
  - d) Federal Reserve Bank of New York ABA routing number: **021030004.**
  - e) Field Tag 4200 of the Fedwire message should read **“D 68010727 Environmental Protection Agency.”**
  - f) Name of Respondent: **ADPP Enterprises, Inc., and APM Management, Inc.**
  - g) Case Number: **RCRA-02-2023-7505**
8. Whether Respondents make payment by cashier’s check, certified check or by the EFT method, Respondents shall, promptly, when a payment has been made, furnish reasonable proof that the required payment has been made, and such proof shall be furnished to the EPA individuals identified below in Paragraph 16.
9. Each payment must be received at the above address (or account of EPA) on or before the due dates specified in Paragraph 5 above.
10. Failure to pay any amount in full within the time set forth above may result in referral of this matter to the United States Department of Justice or the United States Department of the Treasury for collection or other appropriate action.
11. Furthermore, if a payment is not made on or before the Due Date(s), interest for said payment shall be assessed at the annual rate established by the Secretary of the Treasury pursuant to 31 U.S.C. § 3717, on the overdue amount from the Due Date said payment was to have been made through the date said payment has been received. In addition, a late payment handling charge of \$15.00 will be assessed for each thirty (30) calendar day period or any portion thereof, following the date the payment was to have been made, in which payment of the amount remains in arrears. In addition, a 6% per annum penalty will be applied to any principal amount that has not been received by the EPA within ninety (90) calendar days of the date by which the payment was required hereto to have been made.

12. In the event of Respondents' failure to make any payment of a civil penalty when due, the EPA may, without notice or demand, declare the entire unpaid balance due and any accrued interest then unpaid immediately due and payable.
13. Full payment of the penalty described in Paragraph 5 above of this Consent Agreement shall only resolve Respondents' liability for federal civil penalties for the violations described in Paragraph 25 above of EPA's Findings of Fact and Conclusions of Law. Full payment of this penalty shall not in any case affect the right of EPA or the United States from pursuing appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.
14. Complainant shall e-mail to Respondents (to the representatives designated in Paragraph 17 below of this Consent Agreement, *infra*) a copy of the fully executed CA/FO. Respondents consent to service of the CA/FO by email and consent to service by an employee of EPA other than the Regional Hearing Clerk of EPA, Region 2.
15. The civil penalty(s) provided for herein are penalties within the meaning of Title 26, Section 162(f) of the United States Code, 26 U.S.C. § 162(f), and are not deductible expenditures for purposes of federal or state taxes.
16. Except as the parties may agree otherwise in writing, all documentation and information required to be submitted to EPA in accordance with the terms and conditions of this Consent Agreement shall be sent by e-mail to:

Gaetano La Vigna  
RCRA Compliance Branch  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1866  
[LaVigna.Gaetano@epa.gov](mailto:LaVigna.Gaetano@epa.gov)

and,

Carl Howard, Assistant Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, Room 1650  
New York, NY 10007-1866  
[Howard.Carl@epa.gov](mailto:Howard.Carl@epa.gov)

17. Unless the above-named EPA contacts are later advised otherwise in writing, EPA shall address any written communications concerning the CA/FO (including any correspondence related to payment of the penalty) to Respondents at the following addresses:

Shivpreet S. Grewal, President  
ADPP Enterprises, Inc., and APM Management, Inc.  
200 Route 17 South, Suite #215  
Mahwah, NJ 07430  
[sgrewal@adppenterprises.com](mailto:sgrewal@adppenterprises.com)

and

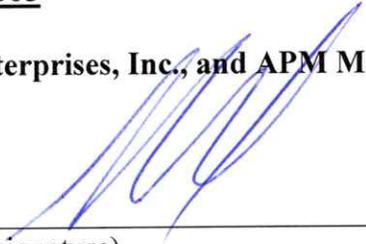
Thomas H. Prol, Counsel  
Sills Cummis & Gross P.C.  
One Riverfront Plaza  
Newark, NJ 07102  
[tprol@sillscummis.com](mailto:tprol@sillscummis.com)

18. Respondents have read the Consent Agreement, understand its terms, find it to be reasonable and consent to the issuance and its terms. Respondents consent to the issuance of the accompanying Final Order. Respondents agree that all the terms of the settlement are set forth herein.
19. Respondents explicitly and knowingly consent to the assessment of the civil penalty as set forth in this Consent Agreement and agree to pay the civil penalty in accordance with the terms of the Consent Agreement.
20. The Respondents explicitly and knowingly waive their rights to request or to seek any Hearing on this Consent Agreement or the Final Order included herein, including any right to contest any of EPA's Findings of Fact and Conclusions of Law contained within this document. In addition, Respondents expressly waive any right to contest the EPA determinations contained in this CA/FO and to appeal the Final Order of this CA/FO.
21. Respondents agree not to contest the validity or any term of this CA/FO in any action brought: a) by the United States, including EPA, to enforce this CA/FO; or b) to enforce a judgment relating to this CA/FO.
22. This Consent Agreement and any provision herein shall not be construed as an admission of liability in any criminal or civil action or other administrative proceeding, but Respondents agree not to contest the terms of this Consent Agreement and Final Order in an action or proceeding to enforce or seek compliance with this Consent Agreement and its accompanying Final Order.
23. This CA/FO does not relieve Respondents of their obligations to comply with all applicable provisions of federal, state, and local laws and regulations applicable to owners and operators of USTs, nor shall the CA/FO be construed to be a ruling on, or a determination of, any issue related to any federal, state, or local permit. This Consent Agreement and Final Order does not waive, extinguish, or otherwise affect Respondents' obligations to comply with applicable provisions of the Act and the regulations promulgated thereunder.

24. Nothing in this document is intended or shall be construed to waive, prejudice, or otherwise affect the right of EPA, or the United States, from pursuing any appropriate remedy, sanction or penalty prescribed by law against Respondents, if Respondents make any material misrepresentations or provides materially false information herein or in any document in connection with this proceeding.
25. Nothing herein shall be construed to limit the power of the EPA to undertake any action against any of the Respondents or any person in response to conditions that may present an imminent and substantial endangerment to the public health, welfare, or the environment.
26. The provisions of this Consent Agreement and Final Order shall be binding upon both EPA and the Respondents, their officers, agents, authorized representatives, and successor agencies, departments, or instrumentalities.
27. The undersigned signatory for each Respondent certifies that: a) he or she is duly and fully authorized to enter into this Consent Agreement and all the terms, conditions and requirements set forth in this Consent Agreement; and b) he or she is duly and fully authorized to bind the party on behalf of which he or she is entering this Consent Agreement to comply with and abide by all the terms, conditions and requirements of this Consent Agreement
28. EPA and each Respondent agrees that the parties may use electronic signatures for this matter.
29. Pursuant to 40 CFR Section 22.13(b), the Effective Date of this Consent Agreement and Final Order shall be the date when it is filed with the Regional Hearing Clerk of the United States Environmental Protection Agency, Region 2.
30. Each party hereto agrees to bear its own costs and fees in connection with this proceeding.

**In the Matter of ADPP Enterprises, Inc., and APM Management, Inc,  
Docket No. RCRA-02-2023-7505**

**RESPONDENTS: ADPP Enterprises, Inc., and APM Management, Inc,**

BY:   
\_\_\_\_\_  
(signature)

NAME Shivpreet Grewal

TITLE: President

DATE: 9/12/23

**COMPLAINANT:**

BY: \_\_\_\_\_  
Dore F. LaPosta, Director  
Enforcement and Compliance Assurance Division  
U.S. Environmental Protection  
Agency - Region 2  
290 Broadway  
New York, NY 10007-1866

**In the Matter of ADPP Enterprises, Inc., and APM Management, Inc,**  
**Docket No. RCRA-02-2023-7505**

**FINAL ORDER**

The Regional Administrator of the U.S. Environmental Protection Agency, Region 2, ratifies the foregoing Consent Agreement. The Consent Agreement, entered by the Complainant and the Respondents, is hereby approved, incorporated herein, and issued as an Order pursuant to Section 9006 of the Act and 40 C.F.R. § 22.18(b)(3). The Effective Date of this Order shall be the date of filing with the Regional Hearing Clerk, U.S. EPA, Region 2, New York, New York. 40 C.F.R. Section 22.31(b).

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Lisa F. Garcia  
Regional Administrator  
U.S. Environmental Protection  
Agency – Region 2  
290 Broadway  
New York, New York 10007-1866

**In the Matter of ADPP Enterprises, Inc., and APM Management, Inc,  
Docket No. RCRA-02-2023-7505**

**CERTIFICATE OF SERVICE**

I certify that I have this day caused to be sent the foregoing fully executed CONSENT AGREEMENT and FINAL ORDER, bearing the above-referenced docket number, in the following manner to the respective addressees below:

By E-Mail;

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency - Region 2  
290 Broadway, 17th Floor  
New York, NY 10007-1866  
[maples.karen@epa.gov](mailto:maples.karen@epa.gov)

Copy by E-Mail:

Shivpreet S. Grewal, President  
ADPP Enterprises, Inc., and APM Management, Inc.  
200 Route 17 South, Suite #215  
Mahwah, NJ 07430  
[sgrewal@adppenterprises.com](mailto:sgrewal@adppenterprises.com)

and

Thomas H. Prol, Counsel  
Sills Cummis & Gross P.C.  
One Riverfront Plaza  
Newark, NJ 07102  
[tprol@sillscummis.com](mailto:tprol@sillscummis.com)

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