

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

TAMARACK MILL, LLC

New Meadows, Idaho

Respondent.

DOCKET NO. CWA-10-2025-0159

CONSENT AGREEMENTProceedings Under Section 309(g) of the Clean
Water Act, 33 U.S.C. § 1319(g)**I. STATUTORY AUTHORITY**

1.1. This Consent Agreement is entered into under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g).

1.2. Pursuant to CWA Section 309(g)(1)(A), 33 U.S.C. § 1319(g)(1)(A), the EPA is authorized to assess a civil penalty against any person that has violated CWA Section 301, 33 U.S.C. § 1311, and/or any permit condition or limitation in a permit issued under CWA Section 402, 33 U.S.C. § 1342.

1.3. CWA Section 309(g)(2)(B), 33 U.S.C. § 1319(g)(2)(B), authorizes the administrative assessment of Class II civil penalties in an amount not to exceed \$10,000 per day for each day during which the violation continues, up to a maximum penalty of \$125,000. Pursuant to 40 C.F.R. Part 19, the administrative assessment of Class II civil penalties may not exceed \$27,378 per day for each day during which the violation continues, up to a maximum penalty of \$342,218. *See also* 90 Fed. Reg. 1375 (January 8, 2025) (“2025 Civil Monetary Penalty Inflation Adjustment Rule”).

1.4. Pursuant to CWA Section 309(g)(1)(A) and (g)(2)(B), 33 U.S.C. § 1319(g)(1)(A) and (g)(2)(B), and in accordance with Section 22.18 of the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties,” 40 C.F.R. Part 22, the EPA issues,

and Tamarack Mill, LLC (Respondent) agrees to issuance of, the Final Order attached to this Consent Agreement.

II. PRELIMINARY STATEMENT

2.1. In accordance with 40 C.F.R. §§ 22.13(b) and 22.18(b), execution of this Consent Agreement commences this proceeding, which will conclude when the Final Order becomes effective.

2.2. The Administrator has delegated the authority to sign consent agreements between the EPA and the party against whom a penalty is proposed to be assessed pursuant to CWA Section 309(g), 33 U.S.C. § 1319(g), to the Regional Administrator of EPA Region 10, who has redelegated this authority to the Director of the Enforcement and Compliance Assurance Division, EPA Region 10 (Complainant).

2.3. Part III of this Consent Agreement contains a concise statement of the factual and legal basis for the alleged violations of the CWA, together with the specific provisions of the CWA and implementing regulations that Respondent is alleged to have violated.

III. ALLEGATIONS

Statutory and Regulatory Framework

3.1. As provided in CWA Section 101(a), 33 U.S.C. § 1251(a), the objective of the CWA is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

3.2. CWA Section 301(a), 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person from any point source into waters of the United States except, *inter alia*, as authorized by a National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to CWA Section 402, 33 U.S.C. § 1342.

3.3. CWA Section 502(12), 33 U.S.C. § 1362(12), defines “discharge of a pollutant” to include “any addition of any pollutant to navigable waters from any point source.”

3.4. CWA Section 502(6), 33 U.S.C. § 1362(6) defines a “pollutant” to include, *inter alia*, industrial waste discharged into water.

3.5. CWA Section 502(14), 33 U.S.C. § 1362(14), defines “point source” as “any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, [or] conduit . . . from which pollutants are or may be discharged.”

3.6. CWA Section 502(7), 33 U.S.C. § 1362(7), defines “navigable waters” as “waters of the United States, including the territorial seas.”

3.7. CWA Section 402(a)(1), 33 U.S.C. § 1342(a)(1), provides that the EPA may “issue a permit for the discharge of any pollutant” into navigable waters in compliance with CWA Section 301, 33 U.S.C. § 1311, and such terms and conditions as the EPA determines are necessary to carry out the CWA.

3.8. CWA Section 402(p)(2)(B), 33 U.S.C. § 1342(p)(2)(B), requires a permit for any stormwater “discharge associated with industrial activity.”

3.9. “Storm water discharge associated with industrial activity” is defined to include “the discharge from any conveyance that is used for collecting and conveying storm water and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant,” including the discharge from facilities classified under Standard Industrial Classification code 2421 (Sawmills and Planing Mills, General) and “[s]team electric power generating facilities.” 40 C.F.R. § 122.26(b)(14); *id.* §§ 122.26(b)(14)(ii) and (vii).

3.10. Pursuant to 40 C.F.R. § 122.28, the EPA may issue individual permits for a facility or general permits covering one or more categories of stormwater discharges.

3.11. On January 15, 2021, the EPA issued the Multi-Sector General Permit (MSGP). The MSGP became effective on March 1, 2021. A minor modification to the MSGP became effective on September 29, 2021. The MSGP authorizes operators of stormwater discharges

associated with industrial activity in areas where the EPA is the permitting authority to discharge into waters of the United States in accordance with its terms and conditions.

3.12. CWA Section 402(b), 33 U.S.C. § 1342(b), authorizes the EPA to delegate National Pollutant Discharge Elimination System (NPDES) permitting authority to authorized states.

3.13. On June 5, 2018, the EPA approved Idaho's application to administer the Idaho Pollutant Discharge Elimination System program pursuant to the CWA. 83 Fed. Reg. 27769 (June 14, 2018). Permitting and compliance authority for stormwater permits, including the 2021 MSGP, were transferred on July 1, 2021. *Id.* Pursuant to CWA Section 402(i), 33 U.S.C. § 1342(i), the Administrator of the EPA retains the authority to take enforcement action under Section 309 of the CWA, 33 U.S.C. § 1319, if a state NPDES program is approved.

General Allegations

3.14. Respondent is a "person" under CWA Section 502(5), 33 U.S.C. § 1362(5).

3.15. At all times relevant to this action, Respondent owned and operated the Tamarack Mill, LLC facility located at 3555 Highway 95 South in New Meadows, Idaho (Facility).

3.16. The Facility is a sawmill and cogeneration plant. It produces dried lumber for sale and distribution. The Facility receives, stores, waters, and debarks logs, which are activities categorized under Standard Industrial Classification code 2421 and regulated by 40 C.F.R. § 122.26(b)(14)(ii). The Facility also uses wood by-products, such as bark, sawdust, and shavings, to produce steam in a boiler, which are activities regulated by 40 C.F.R. § 122.26(b)(14)(vii). The electricity produced from the steam is either used on-site or sold for off-site use.

3.17. The Facility's stormwater discharges contain "pollutants" within the meaning of CWA Section 502(6) and (12), 33 U.S.C. §§ 1362(6), 1362(12).

3.18. The Facility discharges stormwater through four identified discharge points (Outfalls 001–004) into the Weiser River.

3.19. Outfalls 001–004 are each a “point source” as defined by CWA Section 502(14), 33 U.S.C. § 1362(14).

3.20. The Weiser River is connected to the Snake River downstream of river mile 445.5, where the Snake River is a traditional navigable water pursuant to Section 10 of the Rivers and Harbors Act of 1899, 33 U.S.C. § 403. Accordingly, the Weiser River is a “navigable water” within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

3.21. At all times relevant to this Order, Respondent was authorized to discharge stormwater associated with industrial activity from the Facility by MSGP permit number IDR053165.

3.22. Respondent has discharged pollutants from a point source into navigable waters at the Site, within the meaning of Section 502(7) of the CWA, 33 U.S.C. § 1362(7).

3.23. On May 22, 2023, the EPA conducted a compliance evaluation inspection at the Facility to determine Respondent’s compliance with the MSGP and CWA Sections 301 and 402, 33 U.S.C. §§ 1311 and 1342.

Violations

3.24. As described below, from October 2019 to May 2023, Respondent violated CWA Section 301, 33 U.S.C. § 1311, and the conditions and/or limitations of the MSGP. Violations of the MSGP are enforceable under Section 309(g) of the CWA, 33 U.S.C. § 1319(g).

Violation 1 – Unauthorized Discharge of Process Wastewater

3.25. Part 1.2.1 of the MSGP provides the stormwater discharges allowable under the permit.

3.26. Part 1.2.2.1 of the MSGP provides the only non-stormwater discharges authorized under the permit.

3.27. The EPA alleges that Respondent violated the CWA by discharging process wastewater from the Facility into the Weiser River without authorization.

Violation 2 – Failure to Post a Sign of Permit Coverage

3.28. Part 1.3.5 of the MSGP requires Respondent to publicly post a sign or notice of its permit coverage for industrial stormwater discharges.

3.29. The EPA alleges that Respondent violated Part 1.3.5 of the MSGP by failing to publicly display a sign or notice of its permit coverage at the time of inspection on May 22, 2023.

Violation 3 – Failure to Maintain Good Housekeeping Measures

3.30. Part 2.1 of the MSGP requires Respondent to minimize pollutant discharges by implementing stormwater control measures.

3.31. Part 2.1.2.2 of the MSGP requires Respondent to maintain good housekeeping measures to minimize pollutant discharges, including proper storage of materials, minimizing the potential for debris and plastics to be discharged, other cleaning measures at regular intervals.

3.32. The EPA alleges that Respondent violated Part 2.1.2.2 of the MSGP by failing to implement control measures to minimize pollutant discharges from the boneyard and kiln areas at the Facility.

Violation 4 – Failure to Conduct Spill Prevention and Response Measures

3.33. Part 2.1.2.4 of the MSGP requires Respondent to “minimize the potential for leaks, spills and other releases that may be exposed to stormwater and develop plans for effective response to such spills if or when they occur in order to minimize pollutant discharges.”

Response measures include cleaning up spills and leaks, use of equipment for spill and overflow protection, and “procedures for material storage and handling, including the use of secondary containment and barriers between material storage and traffic.”

3.34. The EPA alleges that Respondent violated Part 2.1.2.4 of the MSGP by failing to properly respond to oil leaks and spills, as evidenced by stained soil adjacent to the release valve for the secondary containment structure.

Violation 5 – Failure to Document Routine Facility Inspections

3.35. Part 3.1.4 of the MSGP requires Respondent to conduct inspections at least quarterly. At least once each calendar year, Respondent is required to conduct the inspection “when a stormwater discharge is occurring.”

3.36. Part 3.1.6 of the MSGP requires Respondent to maintain documentation of routine facility inspections.

3.37. The EPA alleges that Respondent violated Parts 3.1.4 and 3.1.6 of the MSGP by failing to complete quarterly inspections in the first and second quarters in 2021. The EPA further alleges that Respondent was untimely in conducting inspections in all quarters in 2020.

Violation 6 – Failure to Submit Quarterly Visual Assessments

3.38. Part 3.2.1 of the MSGP requires Respondent to collect a stormwater sample from each discharge point once each quarter and conduct a visual assessment of each sample. The sample must be “representative of the stormwater discharge.”

3.39. Part 3.2.3 of the MSGP requires Respondent to document the results of visual assessments and maintain the documentation with the Facility’s SWPPP.

3.40. The EPA alleges that Respondent violated Parts 3.2.1 and 3.2.3 of the MSGP by failing to complete visual assessments for any quarters in 2020, the second quarter in 2021, the third and fourth quarters in 2022, and first and second quarters in 2023.

Violation 7 – Failure to Timely Submit Discharge Monitoring Reports

3.38. Part 4.2 of the MSGP requires Respondent to meet benchmark monitoring parameters for certain stormwater discharges.

3.39. Part 4.2.2.3 of the MSGP requires Respondent to conduct benchmark monitoring for all parameters in the first year of permit coverage and fourth year of permit coverage.

3.40. Part 7.1 of the MSGP requires Respondent to submit Discharge Monitoring Reports to the EPA electronically.

3.41. Part 7.3.4 of the MSGP requires Respondent to submit benchmark monitoring sampling results to the EPA within 30 days of receiving laboratory results.

3.42. The EPA alleges that Respondent failed to timely submit Discharge Monitoring Reports for monitoring periods on May 31, 2020, February 28, 2021, and June 30, 2023.

Violation 8 – Failure to Document Unauthorized Non-Stormwater Discharge in the SWPPP

3.43. Part 6.2.3.4 of the MSGP requires Respondent to inspect and document all discharge points at the Facility by the end of the first year of permit coverage or document in the SWPPP why such an inspection was infeasible and provide a schedule to complete the evaluation.

3.44. The EPA alleges that Respondent violated Part 6.2.3.4 of the MSGP by failing to inspect and document in the SWPPP all discharge points at the Facility by the end of the first year of the Facility's permit coverage under the 2021 MSGP.

Violation 9 – Failure to Document Employee Training in the SWPPP

3.45. Part 6.2.5.1.e of the MSGP requires Respondent to include certain elements in an employee training plan within the Facility's SWPPP.

3.46. Part 2.1.2.8.b.v of the MSGP requires Respondent to train employees on when and how to conduct inspections.

3.47. EPA alleges that Respondent violated Part 6.2.5.1.e of the MSGP by failing to document employee training and the employee training schedule, including training for sector-specific requirements under Subsector O1, in the Facility's SWPPP.

Violation 10 – Failure to Maintain Spill Reduction Measures

3.48. Part 8.O.4.8 of the MSGP requires Respondent to reduce the risk of an oil spill by inspecting and immediately making any necessary repairs to the structural integrity of above-ground fuel storage tanks.

3.49. The EPA alleges that Respondent violated Part 8.O.4.8 of the MSGP by failing to minimize potential leaks, spills, or other releases from the above ground secondary containment structures for oil storage.

Violation 11 – Failure to Maintain Good Housekeeping for Ash Loading Areas

3.50. Part 8.O.4.11 of the MSGP requires Respondent to “[r]educe or control the tracking of ash and residue from ash loading areas.”

3.51. The EPA alleges that Respondent violated Part 8.O.4.11 of the MSGP by failing to properly manage ash at the Facility, as evidenced by discolored water flowing through a sawdust storage pile with ash residue at the time of inspection.

Violation 12 – Failure to Minimize Contamination from Scrap Yards

3.52. Part 8.O.4.13 of the MSGP requires Respondent to minimize contamination of stormwater from scrap yards and general refuse sites.

3.53. The EPA alleges that Respondent violated Part 8.O.4.13 of the MSGP by failing to reduce contamination of stormwater from the relict equipment and debris in the Facility’s boneyard.

Violation 13 – Failure to Complete Additional Inspection Requirements

3.54. Part 8.O.6 of the MSGP requires Respondent to inspect certain areas monthly, including areas for loading and unloading, fueling, ash handling, maintenance, and long- and short-term material storage.

3.55. The EPA alleges that Respondent violated Part 8.O.6 of the MSGP by failing to complete and document any required monthly inspections.

IV. TERMS OF SETTLEMENT

4.1. Respondent admits the jurisdictional allegations contained in this Consent Agreement.

4.2. Respondent neither admits nor denies the specific factual allegations contained in this Consent Agreement.

4.3. As required by CWA Section 309(g)(3), 33 U.S.C. § 1319(g)(3), the EPA has taken into account “the nature, circumstances, extent and gravity of the violation, or violations, and, with respect to the violator, ability to pay, any prior history of such violations, the degree of culpability, economic benefit or savings (if any) resulting from the violation, and such other matters as justice may require.” After considering all of these factors as they apply to this case, the EPA has determined that an appropriate penalty to settle this action is \$45,000 (“Assessed Penalty”).

4.4. Respondent consents to the assessment of the Assessed Penalty set forth in Paragraph 4.3 and agrees to pay the total Assessed Penalty with interest, at the current IRS “standard” underpayment rate of 7 percent per annum, within twelve (12) months after the date of the Final Order ratifying this Agreement is filed with the Regional Hearing Clerk (“Filing Date”).

4.5. 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>.

4.6. When making a payment, Respondent shall:

4.6.1. Identify every payment with Respondent’s name and the docket number of this Agreement, CWA-10-2025-0159,

4.6.2. Concurrently with any payment or within 24 hours of any payment,

Respondent shall serve proof of payment electronically to the following person(s):

Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 155
Seattle, Washington 98101
R10_RHC@epa.gov

Charissa Bujak, Senior Case Officer/Inspector
U.S. Environmental Protection Agency, Region 10
Idaho Operations Office
Boise, Idaho 83702
Bujak.Charissa@epa.gov

and

U.S. Environmental Protection Agency
Cincinnati Finance Center
Via electronic mail to:
CINWD_AcctsReceivable@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 the EPA requirements, in the amount due, and identified with the appropriate docket number and Respondent’s name.

4.7. 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 any portion of the Assessed Penalty, interest, or other charges and penalties per this 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.

4.7.1. Interest. Interest begins to accrue from the Filing 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 at 7 percent per annum.

4.7.2. Handling Charges. The United States’ enforcement expenses including, but not limited to, attorneys’ fees and costs of collection proceedings.

4.7.3. Late Payment Penalty. A twenty percent (20%) quarterly non-payment penalty.

4.8. 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.

4.8.1. Refer the debt to a credit reporting agency or a collection agency, per 40 C.F.R. §§ 13.13 and 13.14.

4.8.2. 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.

4.8.3. 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.

4.8.4. 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.

4.9. 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.

4.10. Tax Treatment of Penalties. Penalties, interest, and other charges paid pursuant to this Agreement shall not be deductible for purposes of federal taxes.

4.11. Pursuant to 26 U.S.C. § 6050X and 26 C.F.R. § 1.6050X-1, the EPA is required to send to the Internal Revenue Service (“IRS”) annually, a completed IRS Form 1098-F (“Fines, Penalties, and Other Amounts”) with respect to any court order or settlement agreement (including administrative settlements), that require a payor to pay an aggregate amount that the EPA reasonably believes will be equal to, or in excess of, \$50,000 for the payor’s violation of any law or the investigation or inquiry into the payor’s potential violation of any law, including amounts paid for “restitution or remediation of property” or to come “into compliance with the law.” The EPA is further required to furnish a written statement, which provides the same information provided to the IRS, to each payor (i.e., a copy of IRS Form 1098-F). Failure to comply with providing IRS Form W-9 or Tax Identification Number (“TIN”), as described below, may subject Respondent to a penalty, per 26 U.S.C. § 6723, 26 U.S.C. § 6724(d)(3), and 26 C.F.R. § 301.6723-1. In order to provide the EPA with sufficient information to enable it to fulfill these obligations, the EPA herein requires, and Respondent herein agrees, that:

4.11.1. Respondent shall complete an IRS Form W-9 (“Request for Taxpayer Identification Number and Certification”), which is available at <https://www.irs.gov/pub/irs-pdf/fw9.pdf>.

4.11.2. Respondent shall therein certify that its completed IRS Form W-9 includes Respondent’s correct TIN or that Respondent has applied and is waiting for issuance of a TIN;

4.11.3. Respondent shall email its completed Form W-9 to the EPA’s Cincinnati Finance Center at henderson.jessica@epa.gov within 30 days after the Final Order ratifying this Agreement is filed, and the EPA recommends encrypting IRS Form W-9 email correspondence; and

4.11.4. In the event that Respondent has certified in its completed IRS Form W-9 that it does not yet have a TIN but has applied for a TIN, Respondent shall provide the EPA’s Cincinnati Finance Center with Respondent’s TIN, via email, within five (5) days of Respondent’s receipt of a TIN issued by the IRS.

4.12. The undersigned representative of Respondent certifies that he or she is authorized to enter into the terms and conditions of this Consent Agreement and to bind Respondent to this document.

4.13. The undersigned representative of Respondent also certifies that, as of the date of Respondent’s signature of this Consent Agreement, Respondent is addressing the violation(s) alleged in Part III above in accordance with Administrative Compliance Order on Consent Docket No. CWA-10-2025-0158.

4.14. Except as described in Subparagraph 4.7.2, above, each party shall bear its own fees and costs in bringing or defending this action.

4.15. For the purposes of this proceeding, Respondent expressly waives any affirmative defenses and the right to contest the allegations contained in the Consent Agreement and to

appeal the Final Order. 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.

4.16. The provisions of this Consent Agreement and the Final Order shall bind Respondent and its agents, servants, employees, successors, and assigns.

4.17. The above provisions are STIPULATED AND AGREED upon by Respondent and EPA Region 10.

DATED:

08-12-2025

FOR RESPONDENT:



Rodney Krogh
President
Tamarack Mill, LLC

FOR COMPLAINANT:

Edward J. Kowalski
Director
Enforcement and Compliance Assurance Division
EPA Region 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

TAMARACK MILL, LLC

New Meadows, Idaho

Respondent.

DOCKET NO. CWA-10-2025-0159

FINAL ORDER

Proceedings Under Section 309(g) of the Clean
Water Act, 33 U.S.C. § 1319(g)

1. The Administrator has delegated the authority to issue this Final Order to the Regional Administrator of the U.S. Environmental Protection Agency (EPA) Region 10, who has in turn delegated this authority to the Regional Judicial Officer in EPA Region 10.

2. The terms of the foregoing Consent Agreement are ratified and incorporated by reference into this Final Order. Respondent is ordered to comply with the terms of settlement.

3. The Consent Agreement and this Final Order constitute a settlement by EPA of all claims for civil penalties pursuant to the Clean Water Act (CWA) for the violations alleged in Part III of the Consent Agreement. In accordance with 40 C.F.R. § 22.31(a), nothing in this Final Order shall affect the right of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law. This Final Order does not waive, extinguish, or otherwise affect Respondent's obligations to comply with all applicable provisions of the CWA and regulations promulgated or permits issued thereunder.

4. This Final Order shall become effective upon filing.

IT IS SO ORDERED.

RICHARD MEDNICK
Regional Judicial Officer
EPA Region 10