UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Philadelphia, Pennsylvania 19103-2029

In the Matter of:	:	**EMERGENCY ADMINISTRATIVE ORDER**
Clarksburg Water Board	:	
Respondent.	:	Docket No. CWA-03-2021-0110DS
PWS ID No. WV3301705 Clarksburg Water Board 1001 S Chestnut Street Clarksburg, WV 26301	:	
System.	:	
Proceedings Pursuant to Section 1431 of the Safe Drinking Water Act, as amended, 42 U.S.C. § 300i(a)	:	

I. STATUTORY AUTHORITY

The following FINDINGS are made and ORDER FOR COMPLIANCE issued under the authority vested in the Administrator of the United States Environmental Protection Agency ("EPA" or "Agency") by Section 1431 of the Safe Drinking Water Act ("SDWA" or "the Act"), 42 U.S.C. § 300i(a). The EPA may issue an Order under Section 1431(a) of the Act, 42 U.S.C. § 300i(a), upon receipt of information that a contaminant is present in or is likely to enter a public water system or an underground source of drinking water which may present an imminent and substantial endangerment to the health of persons, and appropriate state and local authorities have not acted, or do not have the authority to act, to protect the health of such persons. While the West Virginia Department of Health and Human Resources ("WVDHHR") has acted with issuance of an Order on July 2, 2021, Administrative Order EE-21-12, EPA has determined that additional EPA actions are needed to support State actions in order to effectively protect public health. Pursuant to Section 1431(a) of the Act, 42 U.S.C. § 300i(a), EPA, in coordination with the WVDHHR, has determined that this SDWA Emergency Administrative Order ("Order") is necessary to ensure that certain actions are immediately taken by the Clarksburg Water Board to protect public health. The Administrator of EPA has delegated the authority to take these actions to the Regional Administrator of EPA, Region III, who has redelegated these authorities to the Director, Enforcement & Compliance Assurance Division, EPA Region III pursuant to delegation no. 9-17.

II. FINDINGS OF FACT, JURISDICTIONAL ALLEGATIONS, AND CONCLUSIONS OF LAW

1. Clarksburg Water Board ("Clarksburg" or "Respondent") is the owner and/or operator of the Clarksburg Public Water System ("PWS" or "System"), PWS ID WV3301705, located at 1001 S Chestnut Street, Clarksburg, WV 26301.

2. Respondent is a "person," as defined by Section 1401(12) of the SDWA, 42 U.S.C. § 300f(12), and 40 C.F.R. § 141.2.

3. The System is a "public water system" within the meaning of Section 1401(4) of the SDWA, 42 U.S.C. § 300f(4); 40 C.F.R. § 141.2 that provides water from a surface water source.

4. The System regularly serves at least 25 year-round residents and is therefore a "community water system" ("CWS") within the meaning of Section 1401(15) of the SDWA, 42 U.S.C. § 300f(15), and 40 C.F.R. § 141.2.

5. Clarksburg serves approximately 17,686 persons and has 7,913 service connections. In addition, the system provides water to other public water systems that serve an additional 38,225 persons.

6. Respondent's ownership and/or operation of the System makes it a "supplier of water" within the meaning of Section 1401(5) of the SDWA, 42 U.S.C. §300f(5), and 40 C.F.R. § 141.2, and subject to the requirements of Part B of the SDWA, 42 U.S.C. § 300g, and the National Primary Drinking Water Regulations ("NPDWRs") at 40 C.F.R. Part 141.

7. Pursuant to SDWA Section 1413, 42 U.S.C. § 300g-2, WVDHHR has primary responsibility for the implementation and enforcement of the public water supply program in West Virginia.

8. The System has an intake in the West Fork River as its primary source of drinking water. Current corrosion control treatment by the System consists of monitoring and adjusting water pH and alkalinity.

9. The System is classified as a medium-size PWS (3,301 to 50,000 people served) under the Lead and Copper Rule ("LCR"), as defined at 40 C.F.R. §§ 141.2 and 141.81(a)(2), and as such was required to conduct sampling, beginning with two (2) consecutive 6-month monitoring periods during July 1 to December 31, 1992 and January 1 to June 30, 1993 to determine compliance with the LCR at 40 C.F.R. § 141.86(d). After meeting lead and copper action levels during the two consecutive six-month monitoring periods, a medium-size water system may reduce monitoring frequency to once per year. 40 C.F.R. §§ 141.86(d)(1)(ii)(B); 141.86(d)(4). After three consecutive years of monitoring, a medium-size water system in compliance may further reduce the frequency of monitoring from annually to once every three years. 40 C.F.R. §§ 141.86(d)(4)(iii).

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10. An LCR compliance sample is a sample that has been collected and analyzed for lead and copper according to the requirements of the LCR at 40 C.F.R.§ 141.86. The lead action level is exceeded if the concentration of lead in more than 10 percent of tap water samples collected during any monitoring period conducted in accordance with section 141.86 is greater than 0.015 mg/L (*i.e.*, if the "90th percentile" lead level is greater than 0.015 mg/L).

11. Under the LCR, the System was required to identify sample sites and prepare a sampling plan in accordance with 40 C.F.R. § 141.86(a), prior to initiating LCR compliance sample collection on July 1, 1992. Sample sites were required to be classified as Tier 1, Tier 2, or Tier 3. Tier 1 sampling sites are defined by 40 C.F.R. § 141.86(a)(3) as single family structures that contain copper pipes with lead solder installed after 1982 or contain lead pipes and/or are served by a lead service line, Tier 2 sampling sites are defined by 40 C.F.R. § 141.86(a)(4) as buildings, including multiple-family residences, that contain copper pipes with lead solder installed after 1982 or contain lead pipes and/or are served by a lead service line), and Tier 3 sampling sites are defined by 40 C.F.R. § 141.86(a)(5) as single family structures that contain copper pipes with lead solder installed before 1983. The inclusion of Tier 2 or 3 sites in the sampling plan had to comply with the selection criteria established by 40 C.F.R. § 141.86(a).

12. The System was required to collect LCR compliance samples from the sample sites identified in the sampling plan during each sampling period, pursuant to 40 C.F.R. § 141.86(b)(4). Deviations from the sampling plan were required to be reported to WVDHHR per 40 C.F.R. § 141.90(a)(1)(v).

13. According to LCR compliance sampling data, the System did not exceed the lead or copper action levels ("ALs") in either the July 1 – December 31, 1992, or the January 1 – June 30, 1993 monitoring period, and was deemed by WVDHHR to have optimal corrosion control per 40 C.F.R. § 141.81(b)(1). Therefore, the System was not required to conduct water quality parameter monitoring as required by 40 C.F.R. § 40 C.F.R. 141.82, nor to initiate the corrosion control treatment requirements required by 40 C.F.R § 141.82.

14. Based on the compliance sampling results, as of April 1, 1993, the System had optimized corrosion control per 40 C.F.R. § 141.81(b)(1). This allowed the System to reduce sampling to annually per 40 C.F.R. § 141.86(c)(4). The System began annual sampling in 1994 and triennial sampling in 1999.

15. In 2010, the System sampled thirty (30) homes for LCR compliance that Respondent had indicated were Tier 1 sampling sites with lead service lines. Additional sampling was performed in 2013 and 2016 which were below the action levels.

16. In March 2019, the System submitted an LCR materials inventory and sample site plan reporting that the System had no lead service lines. The sample site plan did not include LCR compliance samples collected from Tier 1 sites with lead service lines as required by the LCR at 40 C.F.R. § 141.86(a). All samples collected for LCR compliance were

identified as being collected from sites with copper service lines with lead solder. In accordance with 40 C.F.R. § 141.86(a)(8), the System is required to locate and report all lead service lines, including lead components, and collect at least 50% of LCR compliance samples from locations served by lead service lines.

17. The System collected LCR compliance samples between June 2019 and September 2019 and reported them to the state as required by 40 C.F.R. § 141.86 and § 141.90. The 90th percentile of the samples collected during this period was 5.3 parts per billion (ppb), which is below the lead action level (AL) in the LCR at 40 C.F.R. § 141.80(c). One sample collected at a residence on Gould Avenue ("Gould Residence") exceeded the AL of 15 ppb; however, because the 90th percentile was below the AL, Respondent was required to notify only the Gould Residence of the exceedance. Based on these results, WVDHHR determined that the System was in compliance with the LCR.

18. On May 7, 2021, the WVDHHR, Bureau for Public Health, Office of Environmental Health Services ("OEHS") Radiation, Toxic, and Indoor Air Division ("RTIA") notified the OEHS Environmental Engineering Division ("EED") that Childhood Lead Assessments had been conducted at three homes in Clarksburg, WV following reports of three cases of children with elevated blood lead levels. Samples taken at drinking water taps during the Childhood Lead Assessments at the three identified residences ("the Residences") indicated the presence of elevated lead levels in the drinking water. The System visually verified that the service lines owned by the System at the Residences were lead and the portion owned by homeowners was copper.

19. On May 10, 2021, RTIA provided EED with the drinking water sample results collected during the Childhood Lead Assessments. Laboratory analysis of these samples returned the following results for lead: Bridge Street (20.3 ppb), Tyler Avenue (285.2 ppb), and Stanley Avenue (10.8 ppb). The Bridge Street and Tyler Avenue samples exceeded the AL for lead.

20. The System was notified of the lead sample results, and EED's Fairmont District Office requested information on the location of known lead service lines and recommended that the System collect additional water samples. Upon information presently made available to EPA, it appears that the System was not aware that it had lead service lines at the above sampling locations until such time as they sampled from the meters.

21. EPA has established a Maximum Contaminant Level Goal (MCLG) of zero for lead because: (1) there is no clear threshold for some noncarcinogenic lead health effects; and (2) a substantial portion of the sensitive population already exceeds acceptable blood lead levels. (56 Fed. Reg. 26467).

22. Health effects associated with exposure to inorganic lead and compounds include, but are not limited to: neurotoxicity, developmental delays, hypertension, impaired hearing acuity, impaired hemoglobin synthesis, and male reproductive impairment. Importantly, many of lead's health effects may occur without overt signs of toxicity. Lead has particularly significant effects in children, well before the usual term of chronic exposure

can take place. (https://iris.epa.gov/static/pdfs/0277_summary.pdf -- IRIS Chemical Assessment Summary for Lead)

23. On May 12, 2021, the System collected water samples at the meter for each of the Residences, with the following results for lead: Bridge Street (8,940 ppb), Stanley Avenue (21 ppb), and Tyler Avenue (30 ppb).

24. On May 20, 2021, RTIA collected water samples from the kitchen sink tap at the Bridge Street Residence, with the following results for lead: 12.4 ppb without flushing ("first-draw sample"); 55.1 ppb after a 30-second flush; 11.5 ppb after a 60-second flush; and 6.9 ppb after a 90-second flush. The highest lead levels were in samples collected after a 30-second flush, which may indicate the presence of a lead service line. A sample was also collected at the bathroom sink tap, with a result of 15.5 ppb for lead.

25. On June 11, 2021, the EED Fairmont Office addressed the lead testing results with the System and identified the need to develop a strategy to define the issue.

26. On June 14, 2021, the EED Fairmont Office met with representatives of the System to discuss and collect additional samples from the meter pits at each of the Residences. These samples returned the following results for lead: Bridge Street (726.5 ppb without flushing; 153.6 ppb after a 30-second flush); Tyler Avenue (2,130 ppb without flushing, 163.5 ppb after a 30-second flush); and Stanley Avenue (326.6 ppb without flushing, 163.5 ppb after a 30-second flush). All of these results exceed the lead AL of 15 ppb. These significantly high levels of lead pose an imminent and substantial endangerment to the health of persons at these sites and likely at other similar sites served by the System. EED collected additional samples upstream and downstream of the meters with longer flush times; lead results were below the AL. The EED also collected a sample from the finished water in the clearwell at the Clarksburg Water Treatment Plant, with no detectable result for lead.

27. On June 29, 2021, EED was notified by the System that it had replaced the publicly owned portions of the lead service lines ("LSL") at the Residences on June 28, 2021.

28. On June 30, 2021, WVDHHR notified EPA Region III's Water Division ("WD") and Enforcement & Compliance Assurance Division ("ECAD") of the reported elevated lead levels at the Residences.

29. On July 2, 2021, WVDHHR issued an Administrative Order to the Respondent, including, but not limited to, the following requirements:

    a. Immediately provide an alternate source of drinking water and/or Point of Use filters to the Residences and other homeowners where known lead service lines exist until corrosion control treatment has been installed;

    b. Within thirty (30) days of receipt of the Administrative Order, develop a corrective action plan ("CAP") in accordance with the LCR to, among other

things, develop an inventory of lead service lines, an updated sampling plan for standard monitoring under the LCR, and the identification and installation of corrosion control treatment;

c. On or before August 31, 2021, collect the required standard number of compliance LCR samples based on the approved corrected materials inventory and updated sample site plan in the CAP;

d. Immediately collect the required standard number of water quality parameter samples as required by the LCR at 40 C.F.R. § 141.87(a);

e. Continue with lead service line replacements, including full lead service line replacements, in accordance with 40 C.F.R. § 141.84 and offer to replace the homeowner's portion of the lead service line at the homeowner's cost. Notify and provide all homeowners and residents with Lead Public Education prior to any lead line replacement;

f. Investigate the material of the privately-owned portion of the service lines at the identified residences on Bridge Street, Tyler Avenue, and Stanley Avenue;

g. Instruct homeowners and residents with lead service lines or service lines of an unknown material to flush their tap for three minutes prior to using the water for drinking or cooking until bottled water or a water filter certified to remove lead is provided;

h. Notify homeowners and residents that have or have had lead service lines that if their internal plumbing contains galvanized iron pipe, lead exposure may still be a risk and provide instructions for reducing lead exposure, as well as a recommendation that the galvanized pipe be replaced;

i. Continue to collect additional special purpose lead and copper samples from in home taps, and begin to collect system-wide samples, focusing on locations with older housing stock to identify lead service lines and components. Collect samples prior to and after the installation of corrosion control treatment. All compliance and special purpose samples are required to be tested by a certified laboratory and submitted to OEHS;

j. Provide Lead Public Education as required by 40 C.F.R. § 141.85 in accordance with the following schedule and provide a Public Education Certification to OEHS documenting all public education communication methods:

    i. Within twenty-four (24) hours of receipt of this Administrative Order, provide Lead Public Education to all homeowners and residents with known lead detections above the AL;

ii. Within three (3) business days of receipt of the Administrative Order, provide Lead Public Notice to all homeowners and residents where suspected or known lead service lines exist, including unknown service lines where lead service lines were likely installed; and

iii. Within five (5) business day of receipt of this Order, provide all consumers of water provided by the System (including purchase systems) with Lead Public Education; and

k. Submit all required sampling analyses, data results, reports, and the CAP to OEHS.

30. The Respondent has failed to take the following immediate actions required by the July 2, 2021 Administrative Order:

a. The Respondent provided Point of Use filters to the Residences but has failed to provide an alternate source of drinking water and/or Point of Use filters to other homeowners with lead service lines as required. The Respondent has stated that they have no record of the locations of lead service lines in the System, and have not attempted to identify additional lead service lines;

b. The Respondent has not resampled all of the Residences following the partial lead service line replacement on June 28, 2021, and has failed to report any additional lead service line replacements to WVDHHR; and

c. The Respondent has failed to provide the requisite notice to the Residences and to all users of throughout the System.

31. Taken together, the known presence of lead in samples and in the lead service lines and the unknown extent of lead service lines within the system that could be impacting other residences presents an imminent and substantial endangerment to the health of all consumers of water provided by the System.

32. WVDHHR has requested that EPA issue an Emergency Administrative Order to the System, due to the System's failure to take immediate action as described in Paragraph 27.

33. EPA has determined: (1) that conditions exist in the System that may present an imminent and substantial endangerment to human health, and (2) that the appropriate State and local authorities' action has not resulted in the protection of the health of such persons, and 3) additional EPA actions are needed to support the State actions in order to effectively protect public health. EPA, in consultation with WVDHHR, has determined that this Order is necessary to protect public health.

III. ORDER FOR COMPLIANCE

Based on the foregoing FINDINGS, and pursuant to the authority given to the EPA Administrator by Section 1431(a)(1) of the SDWA, 42 U.S.C. § 300i(a)(1), and delegated to the Regional Administrators, the Respondent is hereby ORDERED to perform the following activities:

34. Residential Lead Service Lines. Respondent shall perform the following work as it relates to the Residences and other residential areas served:

    a. Beginning immediately, Respondent shall identify, including, but not limited to, any other residential homes, business, schools, throughout their distribution system (All Consumers) served by the System with potential lead drinking water exposures from full or partial lead service lines in either publicly or privately owned line portions, using all available means and/or proven technology approved by EPA or the State, including visual inspections.

    b. Beginning immediately, Respondent shall provide an alternative source of drinking water and/or point of use filters certified to remove lead to All Consumers where elevated lead levels are detected or where known or suspected lead services lines exist until corrosion control treatment has been installed. The alternative source of drinking water shall be made available until the Respondent receives written notification from the EPA that it is no longer necessary to supply an alternative source of drinking water. In addition, Respondent shall provide the EPA with a copy of its notification to the homeowners indicating that an alternate water supply has been made available. Respondent shall keep a daily log of All Consumers which have received alternative source of drinking water and/or point of use filters and provide this list via email to EPA daily unless otherwise specified by EPA.

    c. Within three (3) days of the Effective Date of this Order, Respondent shall sample any home that has had a lead service line replacement in accordance with the LCR procedure 40 C.F.R § 141.86(b). All samples must be sent to a certified lab for analysis in accordance with 40 C.F.R. § 141.89(a). In addition, Respondent shall report the results to EPA and WVDHHR within five (5) business days of receipt of any sampling results.

    d. Within five (5) business days of the Effective Date of this Order, Respondent shall provide EPA with sample dates and results from each of the Residences after the partial lead service line replacements were completed. Results should also be provided to the residences in the form of consumer notice pursuant to 40 C.F.R. § 141.85(d)

    e. Within three (3) days of the Effective Date of this Order, Respondent shall issue Lead Public Education, including written public education materials, detailing all relevant information regarding the elevated lead levels found at any and all locations in the System, possible health effects of lead, and sources of lead in

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drinking water as required by 40 C.F.R. § 141.85, to all consumers of water provided by the System including purchased systems.

f. Within five (5) days of the Effective Date of this Order, Respondent shall submit to EPA and WVDHHR the date, method, and specific documentation that Respondent provided All Consumers with Lead Public Education, including instructions for flushing. Respondent must show delivery of public education materials to the effected community in accordance with 40 C.F.R. § 141.85(b)(2)

35. Public Water System Corrective Action Plan. Respondent shall perform the following work as it relates to the remainder of the public water system:

a. On or before August 1, 2021, Respondent shall submit for EPA review and approval, with a copy to WVDHHR, a corrective action plan ("CAP") in accordance with the Federal Safe Drinking Water Regulations Subpart I for the Control of Lead and Copper (i.e., the LCR). The CAP must contain the following:

i. A full and corrected materials inventory, including all known and suspected system-owned and privately-owned lead service lines including partial lead service lines;

ii. Use the inventory data to develop a pool of enough sample sites to meet the minimum requirement of at least 60 samples collected in accordance with 40 C.F.R § 141.86(a)(5) and 40 C.F.R §141.86(a)(8)

iii. Identification of any special purpose sampling in an effort to locate additional lead service lines or lead components in the System, and

iv. Proposal for corrosion control treatment as well as the identification of the method of determining and installing the proposed corrosion control treatment, including schedule and timeframes;

v. Identification of the dosage rates of any chemical used to adjust pH and/or alkalinity, and the dosage rates of any inhibitors used.

b. EPA will review the CAP and either: approve the CAP, approve the CAP in part and request modifications to address and correct any noted deficiencies, modify the CAP to cure any deficiencies, or disapprove the CAP, in writing.

c. Within five (5) days of receipt of any EPA request for modifications or disapproval of the CAP, Respondent shall address and correct all noted deficiencies and resubmit the CAP for EPA approval. EPA retains the right, if the CAP is not approved as provided herein, to order compliance in accordance with a CAP developed by EPA.

d. On or before August 31, 2021, Respondent shall collect LCR compliance samples as required based on the corrected materials inventory and updated sample site plan in the approved CAP.

e. All samples required pursuant to this Order must be sent to a certified lab for analysis in accordance with 40 C.F.R. § 141.89(a).

f. Within thirty (30) days of the CAP approval, Respondent shall implement corrosion control treatment as described in the CAP.

36. Ongoing Lead Service Line Investigations and Replacement. Respondent shall perform the following activities as it relates to ongoing investigations of lead service lines and their full or partial replacement:

    a. Within thirty (30) days of the Effective Date of this Order, Respondent shall identify if there were any partial or full replacements of the publicly owned lead service lines. If replacement did occur, Respondent shall confirm the date the homeowners were properly notified prior to replacement and provided proper Lead Public Education, as well as the dates and results of sampling activities after replacement was complete. If notification was not provided, the Respondent shall provide such information within fifteen (15) days of the Effective Date of this Order.

    b. Respondent shall provide an explanation of why all lead service lines identified were not considered in more recent Lead and Copper Rule sampling efforts.

    c. All lead service replacements shall follow the requirements of Federal Safe Drinking Water Regulations 40 C.F.R. § 141.84, including notification prior to any lead line replacement and Lead Public Education with instructions for flushing.

37. Reporting. Unless otherwise noted in this Order, within five (5) days of the Effective Date of this Order, Respondent shall submit weekly updates to EPA on the progress for all requirements listed above by electronic mail unless alternate arrangements are made with EPA.

    a. All electronic notices or reports required by this Order shall be submitted to:

    Rick Rogers
    United States Environmental Protection Agency, Region III
    Philadelphia, Pennsylvania 19103
    Email: rogers.rick@epa.gov

IV. GENERAL PROVISIONS

38. Notwithstanding Respondent's compliance with any requirements of this Order, Respondent's failure to comply with all of the requirements of the SDWA, 40 C.F.R. Part 141, and milestones required under this Order, may subject Respondent to additional enforcement action, including but not limited to administrative or judicial actions, as appropriate, for penalties and/or injunctive relief.

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39. This Order shall not prohibit, prevent, or otherwise preclude EPA from whatever action it deems appropriate to enforce the SDWA in any matter and shall not prohibit, prevent, or otherwise preclude EPA from using this Order in subsequent administrative proceedings.

40. This Order does not waive, suspend, or modify the requirements of the SDWA, 42 U.S.C. §§ 300f - 300j-26, or its implementing regulations found in 40 C.F.R. Part 141, which remain in full force and effect. Issuance of this Order is not an election by the EPA to forgo any civil or criminal action otherwise authorized under the SDWA, including action against any person, including Respondent, in response to any condition which EPA determines may present an imminent and substantial endangerment to the public health, public welfare, or the environment.

41. This Order does not relieve Respondents of any responsibilities or liabilities established pursuant to any applicable federal, state or local law.

42. Submission of electronic reports shall not excuse the obligation of the Respondent to comply with this Order.

43. EPA and its authorized representatives, including contractors, shall have authority upon the presentation of proper identification to enter the premises of Respondent at any time without prior notification to monitor the activities required by this Order, verify any data or information submitted pursuant to this Order, obtain samples, request documentation, and inspect and review any records generated and/or maintained pursuant to this Order. EPA reserves and does not waive any and all existing inspection and information request authority.

44. The provisions of this Order shall apply to and be binding upon the Respondent and its officers, directors, employees, contractors, agents, trustees, successors and assigns of Respondent.

45. All reports and other documentation submitted under this Order shall be accompanied by the following certification:

    Respondent certifies that any information or representation it has supplied to 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. EPA shall have the right to institute further actions to recover appropriate relief if EPA obtains evidence that any information provided and/or representations made by Respondent to the EPA regarding matters relevant to this Order are false or, in any material respect, inaccurate. This right shall be in addition to all other rights and causes of action that 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.

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46. Violation of any term of this Administrative Order may subject Respondent to a civil penalty of up to $24,674 per day of violation under Section 1431 of the SDWA, 42 U.S.C. § 300i(b).

47. This Order constitutes a final agency action. Respondent may seek federal judicial review of this Order pursuant to Section 1448(a) of the Act, 42 U.S.C. 300j-7(a).

48. The EPA may modify this Order. The EPA will communicate any modification(s) to Respondents in writing and they shall be incorporated into this Order.

VI. TERMINATION AND SATISFACTION

49. The provisions of this Order shall be deemed satisfied when Respondent receives written notice from EPA that Respondent has demonstrated, to the satisfaction of EPA, that the terms of this Order, including any additional tasks determined by EPA to be required under this Order or any continuing obligation or promises, have been satisfactorily completed, and the written notice from EPA will state that this Order is terminated.

VII. NOTICE OF INTENT TO COMPLY

50. Within twenty-four (24) hours of the Effective Date of this Order, Respondents shall submit to EPA a Notice of Intent to Comply with the Order. The Notice shall be submitted to: rogers.rick@epa.gov; and lazos.pamela@epa.gov.

VIII. EFFECTIVE DATE

51. This Order shall become effective on the date on which it is filed with the Regional Hearing Clerk after the signature of the Director, EPA Region III ECAD (the "Effective Date of this Order").

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SO ORDERED this 14th day of July, 2021.

KAREN MELVIN Digitally signed by KAREN MELVIN
Date: 2021.07.14 16:28:10 -04'00'

Karen Melvin
Director, Enforcement & Compliance Assurance Division
U.S. EPA, Region III