



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 10, 1200 Sixth Avenue, Seattle, Washington 98101
EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2026-0002, NPDES No. AKR06AC60

Penalty Amount: \$5,353 Inspection Date: April 7, 2025

North Star Terminal & Stevedore Company, LLC ("Respondent") is a "person," within the meaning of Section 502(5) of the Clean Water Act ("Act"), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

Attached is an "Expedited Settlement Offer Worksheet" ("Settlement Worksheet"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the alleged violations specified in the Settlement Worksheet.

Respondent failed to comply with the condition(s) or limitation(s) of a duly issued permit pursuant to Section 402 of the Act, 33 U.S.C. § 1342, and Section 301(a) of the Act, 33 U.S.C. § 1311(a).

EPA finds, and Respondent admits, that Respondent is subject to Section 301(a) of the Act, 33 U.S.C. § 1311, and that EPA has jurisdiction over any "person" who "discharges pollutants" from a "point source" to "waters of the United States." Respondent neither admits nor denies the specific alleged violations specified in the Settlement Worksheet or this Expedited Settlement Agreement ("Agreement").

This Agreement constitutes a Consent Agreement and Final Order, which EPA is authorized to enter under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement to settle the civil violation(s) alleged in this Agreement for a penalty of \$5,353. Respondent consents to the assessment of this penalty and waives the right to: (1) contest the finding(s) specified in the Settlement Worksheet; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8). By signing this 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 Agreement.

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that the alleged violations identified in the Settlement Worksheet have been corrected. Respondent shall submit a written report and other documentation required by EPA with this Agreement detailing the specific actions taken to correct the alleged violations cited herein. This documentation may include monitoring, inspection and maintenance reports, documentation of corrective actions, certification records, and other records required for compliance with permit documentation and recordkeeping conditions.

Respondent agrees that, within thirty (30) days after the effective date of the Final Order, 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 [EPA's How to Make a Payment webpage](#). For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>.

Within 24 hours of payment, Respondent shall also e-mail proof of payment to Vanessa Oquendo at oquendo.vanessa@epa.gov and the Regional Hearing Clerk at R10_RHC@epa.gov.

Respondent agrees that consistent with section 162(f)(1) of the Internal Revenue Code, 26 U.S.C. § 162(f)(1), it will not deduct the penalties paid under this Agreement for federal tax purposes.

This Agreement settles EPA's civil penalty claims against Respondent for the alleged Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected alleged violation(s) described in the Settlement Worksheet. EPA has determined this Agreement to be appropriate.

Prior to requesting that an EPA Regional Judicial Officer issue the Final Order, EPA will provide a copy of the Agreement to the state of Alaska for the purposes of consultation with Alaska on the appropriateness of this Agreement. EPA will also provide public notice of this Agreement and a reasonable opportunity for public comment on it. EPA will address any comments on the Agreement in accordance with section 309(g)(1) and (4)(A) of the Act, 33 U.S.C. § 1319(g)(1) and (4)(A), and 40 CFR §§ 22.38 and 22.45.

This Agreement is binding on the parties signing below and becomes effective when the Final Order is executed and filed with the Regional Hearing Clerk pursuant to 40 C.F.R. § 22.31(b).

APPROVED BY RESPONDENT:

Name
(print): _____

Title
(print): _____

Signature: _____ Date: _____

APPROVED BY EPA:

Edward J. Kowalski, Director
Enforcement and Compliance Assurance Division

More than 40 days have elapsed since providing the Agreement to Alaska and the issuance of public notice pursuant to Section 309(g)(1) and (4)(A) of the Act, 33 U.S.C. § 1319(g)(1) and (4)(A), and EPA has received no comments concerning this matter.

Vanessa Oquendo, Case Officer
Enforcement and Compliance Assurance Division

Having determined that this Agreement is authorized by law,
IT IS SO ORDERED:

_____ Date: _____
Regional Judicial Officer
Region 10
U.S. Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
INDUSTRIAL STORMWATER
EXPEDITED SETTLEMENT AGREEMENT



Permittee		Site Factors	
Site Name:	Nort Star Terminal & Stevedore Company, LLC	Acres of Exposure:	22
Street Address:	790 Ocean Dock Road	Full Time Employees:	42
City, State, Zip:	Anchorage, Alaska 99501	Environmental Harm:	Med
Lat/Long:	61.228052° N, -149.895144° W	Sector:	Q - Water Transportation (medium)
Permit ID:	AKR06AC60	Receiving Water(s):	Knik Arm - Cook Inlet
Inspection Date:	4/7/2025	Water(s) Status:	Low Quality
Permit Section Citation		Magnitude*	Penalty Amount
7.2.1 Benchmark Monitoring		25% - 49%	\$3,691
8 Corrective Actions		Minimal	\$1,292
9 Reporting and Recordkeeping		Minimal	\$369
		Total:	\$5,353

* "Magnitude" reflects the severity and/or duration of the violations identified by the Inspector(s) at the time of the Inspection.



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Permit Section Citation	Description of Violations
7.2.1 Benchmark Monitoring	24 late DMR submittals between October 2020 and October 2022 ranging 1 to 3 months late (all had October 15 submittal deadlines each year between 2020 and 2022. Noncompliance with Part 9.1 of the Permit. Not documenting control measure review to determine if modifications are necessary for benchmark exceedances for 3 of 4 pollutant parameters between Quarter 4 of 2020 and Quarter 2 of 2025 per Parts 7.2.1.4 and 8.2 - 8.4 of the Permit.
8 Corrective Actions	Not taking corrective actions by deadlines for benchmark exceedances of 3 of 4 pollutant parameters; no corrective action reports between Quarter 4 of 2020 and Quarter 4 of 2022 per Parts 8.2 - 8.4 of the Permit.
9 Reporting and Recordkeeping	2022 annual submitted almost a year late. Noncompliance with Part 6.3 of the Permit.