



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

Docket Number: CWA-10-2026-0057, NPDES No. IDR053096

Penalty Amount: \$2,578, Inspection Date: February 26, 2025

Pacific Steel and Recycling ("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 \$2,578. 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 Nicolas Haddad at haddad.nicolas@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 Idaho for the purposes of consultation with Idaho 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 Idaho 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.

\_\_\_\_\_  
Nicolas Haddad, Case Officer  
Enforcement and Compliance Assurance Division

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

\_\_\_\_\_  
Regional Judicial Officer  
Region 10  
U.S. Environmental Protection Agency

Date: \_\_\_\_\_



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 INDUSTRIAL STORMWATER  
 EXPEDITED SETTLEMENT AGREEMENT



Permittee		Site Factors		
<b>Site Name:</b>	Pacific Steel and Recycling	<b>Acres of Exposure:</b>	4	
<b>Street Address:</b>	5120 Emerald Street	<b>Full Time Employees:</b>	9	
<b>City, State, Zip:</b>	Boise, Idaho 83706	<b>Environmental Harm:</b>	N/A	
<b>Lat/Long:</b>	43.61162, -116.24598	<b>Sector:</b>	N - Scrap Recycling Facilities	
<b>Permit ID:</b>	IDR053096	<b>Receiving Water(s):</b>	Boise River	
<b>Inspection Date:</b>	2/26/2025	<b>Water(s) Status:</b>	High Quality	
Permit Section Citation		Magnitude*	Penalty Amount	Duration
2.1.1	Control Measure Selection and Design Considerations			
2.1.2	Non-Numeric Technology-Based Effluent Limits			
3.1	Routine Facility Inspections			
3.2	Quarterly Visual Assessment (QVA) of Stormwater Discharges	≥ 50%	\$2,344	Q3 2021-Q4 2024
4.1	Monitoring Procedures			
4.2.2	Benchmark Monitoring			
4.2.3	Effluent Limitations Monitoring			
4.2.5	Impaired Waters Monitoring			
5.1	Corrective Actions			
5.2	Additional Implementation Measures (AIM)			
6	Stormwater Pollution Prevention Plan (SWPPP)			
7	Reporting and Recordkeeping	Minimal	\$234	2021-2024
		<b>Total:</b>	<b>\$2,578</b>	

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



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
INDUSTRIAL STORMWATER  
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Permit Section Citation	Description of Violations
2.1.1 Control Measure Selection and Design Considerations	
2.1.2 Non-Numeric Technology-Based Effluent Limits	
3.1 Routine Facility Inspections	
3.2 Quarterly Visual Assessment (QVA) of Stormwater Discharges	<b>Failure to conduct all required QVAs in 2021-2024 as required by Part 3.2.1 of the Permit:</b> Between Q3 of 2021 and Q4 of 2024, the permittee failed to sample and conduct over 50% of the required QVAs.
4.1 Monitoring Procedures	
4.2.2 Benchmark Monitoring	
4.2.3 Effluent Limitations Monitoring	
4.2.5 Impaired Waters Monitoring	
5.1 Corrective Actions	
5.2 Additional Implementation Measures (AIM)	
6 Stormwater Pollution Prevention Plan (SWPPP)	
7 Reporting and Recordkeeping	<b>Failure to properly summarize visual assessment documentation in annual reports between 2021-2024 as required by Part 7.4.2 of the Permit:</b> Between 2021 and 2024, the permittee failed to properly summarize QVA documentation in required annual reports, including reasons for not sampling or conducting a QVA in a given quarter. <b>Failure to maintain inspection reports with SWPPP as required by Part 3.1.6 of the Permit:</b> The permittee failed to maintain inspection report documentation on-site with the SWPPP.