

NOTICE OF PROCEEDING TO ASSESS A CLASS I CIVIL PENALTY AND OPPORTUNITY TO COMMENT

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 2
Enforcement Compliance and Assurance Division
290 Broadway, New York, NY 10007**

Date of Notice: 5/13/2026

Docket No.: CWA-02-2026-3501

Comments will be accepted until June 15, 2026

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. §1319(g), and the Consolidated Rules of Practice Governing the Administrative Assessment of Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation Termination or Suspension of Permits ("CROP"), 40 C.F.R. Part 22, notice is hereby given that the EPA Region 2 is proposing pursuant to 40 C.F.R. § 22.13(b) to initiate and conclude the assessment of an administrative penalty pursuant to 40 C.F.R. § 22.18(b)(2) and (3) for alleged violations of the CWA and provide an opportunity to comment on the commencement of the action and the proposed penalty assessment in the amount of seventeen thousand dollars (\$17,000.00) against the Respondents named below for alleged violations of Section 404 of the CWA. EPA provides Public Notice of the proposed assessment pursuant to 33 U.S.C. §1319(g)(4)(A).

RESPONDENTS:

Care365 Realty, LLC
1 Main Street
Monsey, Rockland County, New York 11952

272 59, LLC
400 Rella Blvd. Suite 170
Montebello, New York 10901

SUMMARY OF VIOLATIONS: EPA Region 2 alleges that Respondents violated Sections 301 and 404 of the CWA by discharging dredged and/or fill material into waters of the United States at property located at New York State Route 59, Tax Parcel No. 55.12-1-5, in Tallman, Rockland County, New York, without a permit from the U.S. Army Corps of Engineers.

In order to provide opportunity for public comment, EPA will take no final action in this proceeding prior to 10-days after the close of the 30-day public comment period, or forty (40) days after issuance of this Notice.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the proceeding to assess a civil penalty or the proposed penalty are invited to submit via email a statement to the EPA Region 2 Enforcement and Compliance Assurance Division Director. This statement should be emailed directly to the person listed below within 30 days of the date of this public notice. Comments received within this 30-day period will be considered.

Please include the case name, Docket No. CWA-02-2026-3501, and a concise statement of the basis for any comment and any relevant facts on which it is based.

All comments should be emailed to:
Stephanie Andreescu
andreescu.stephanie@epa.gov

ADDITIONAL INFORMATION:

Persons wishing to obtain additional information on the proceeding, receive a copy of the EPA's [Consolidated Rules](#), review the proposed Consent Agreement/Final Order, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Stephanie Andreescu at the email address listed above within the 30-day comment period.

SUPPLEMENTARY INFORMATION:

Written Comments

Please do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. If the submission of CBI or otherwise restricted information is critical, please clearly label it as such.

Questions

For technical questions contact Stephanie Andreescu, Wetlands Protection Section, at andreescu.stephanie@epa.gov. Persons with legal questions may contact Lauren Fischer, Office of Regional Counsel, at fischer.lauren@epa.gov.

Dated: 5/13/2026

**Douglas McKenna, Acting Director
Enforcement and Compliance Assurance Division**