



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

Docket Number: CWA-10-2026-0183 NPDES No. AKR06AA89

Penalty Amount: \$12,797, Inspection Date: July 21, 2025

Colaska, Inc. – AggPro Site (“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).

The EPA finds, and Respondent admits, that Respondent is subject to Section 301(a) of the Act, 33 U.S.C. § 1311, and that the 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 the EPA is authorized to enter under the authority vested in the Administrator of the 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 \$12,797. 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 the 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. The 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. The EPA does not waive its right to issue a compliance order for any uncorrected alleged violation(s) described in the Settlement Worksheet. The EPA has determined this Agreement to be appropriate.

Prior to requesting that an EPA Regional Judicial Officer issue the Final Order, the 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. The EPA will also provide public notice of this Agreement and a reasonable opportunity for public comment on it. The 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 THE EPA:

\_\_\_\_\_  
*for* 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 the 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		
<b>Site Name:</b>	AggPro Site	<b>Acres of Exposure:</b>	24	
<b>Street Address:</b>	5760 Concrete Way	<b>Full Time Employees:</b>	3	
<b>City, State, Zip:</b>	Juneau, Alaska 99801	<b>Environmental Harm:</b>	Med	
<b>Lat/Long:</b>	58.35306 N, -134.50333 W	<b>Sector:</b>	E - Glass Clay, Cement, Concrete, and Gypsum Products	
<b>Permit ID:</b>	AKR06AA89	<b>Receiving Water(s):</b>	Lemon Creek	
<b>Inspection Date:</b>	7/21/2025	<b>Water(s) Status:</b>	High Quality	
Permit Section Citation		Magnitude*	Penalty Amount	Duration
6.1 Routine Facility Inspections		25% - 49%	\$2,461	2021-2023
6.2 Quarterly Visual Assessment of Stormwater Discharges		≥ 50%	\$4,922	2021-2023
8 Corrective Actions		Minimal	\$1,723	Quarter 4 of 2022 and Quarter 4 of 2023
5 Stormwater Pollution Prevention Plan (SWPPP)		Minimal	\$2,461	July of 2025
Appendix A-1.12, 9 Reporting and Recordkeeping		Moderate	\$1,230	2021-2023
		<b>Total:</b>	<b>\$12,797</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  
 EXPEDITED SETTLEMENT AGREEMENT



Permit Section Citation	Description of Violations
6.1 Routine Facility Inspections	The routine site inspection reports from Quarter 2 of 2021 through Quarter 3 of 2022 and Quarter 1 of 2023 through Quarter 4 of 2023 were not signed and certified as required by the permit.
6.2 Quarterly Visual Assessment of Stormwater Discharges	The Quarterly Visual Assessments (QVAs) from Quarter 2 of 2021 through Quarter 4 of 2023 were not signed and certified as required by the permit. The QVAs from Quarter 2 of 2020 through Quarter 2 of 2023 did not include the photo documentation required by the permit, specifically photos of the sample.
8 Corrective Actions	Facility did not take and document corrective actions to address numeric effluent exceedance for total suspended solids in Quarter 4 of 2022 and benchmark exceedance for iron in Quarter 4 of 2023 as required by the permit.
5 Stormwater Pollution Prevention Plan (SWPPP)	At the time of inspection, the SWPPP indicated there is an equipment cleaning/wash area but no washing occurs onsite. The SWPPP Map was missing the size of the property in acres, the locations of storm water monitoring points, the fueling stations, and transfer areas for substances in bulk.
Appendix A-1.12, 9 Reporting and Recordkeeping	At the time of inspection, the facility was unable to provide any training records. Additionally, the facility did not conduct 24-hour noncompliance reporting for the total suspended solids numeric exceedance in Quarter 4 of 2022 and iron benchmark exceedance in Quarter 4 of 2023 as required by the permit.