



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 7

11201 Renner Blvd, Lenexa, Kansas 66219

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-07-2026-0195, NPDES No.: IAL024511

City of Grundy Center, Iowa ("Respondent")

is a "person," within the meaning of Section 502(5) of the Clean Water Act ("CWA" or "Act"), 33 U.S.C. §1362(5), and 40 C.F.R. § 503.9.

Attached is an "Expedited Settlement Offer Worksheet Deficiencies Form" ("Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the violation(s) specified in the Form. The violation(s) are associated with operation of the City's Publicly Owned Treatment Works located at 706 6th Street, Grundy Center, Iowa 50638.

Based on information provided by the Respondent, Respondent failed to comply with Section 405 of the CWA, 33 U.S.C. § 1345, and/or 40 C.F.R. 503, Standards for the Use or Disposal of Sewage Sludge, which regulate the disposal of sewage sludge.

EPA finds, and Respondent admits, that Respondent is subject to Section 405 of the Act, 33 U.S.C. § 1345, and 40 C.F.R. 503 and that EPA has jurisdiction over any "person" who "prepares sewage sludge" or "applies sewage sludge to the land". Respondent neither admits nor denies the violation(s) specified in the Form.

EPA is authorized to enter into this Expedited Settlement Agreement ("ESA") 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) and 22.18(b)(2)-(3). The parties enter into this ESA in order to settle the civil violation(s) alleged in this ESA for a penalty of **\$3,700**. Respondent consents to the assessment of this penalty and waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this Expedited Settlement Agreement and Final Order and its right to appeal this Expedited Settlement Agreement and Final Order.

By signing this Expedited Settlement 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 this Expedited Settlement Agreement.

Additionally, Respondent certifies, subject to civil and/or criminal penalties for making a false statement to the United States Government, that any

violation(s) identified in the Form have been corrected. Respondent shall submit a written report with this ESA detailing the specific actions taken to correct the violation(s) cited herein.

Respondent certifies 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 the EPA website: <https://www.epa.gov/financial/makepayment>. Additional payment instructions can be found at: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. A copy of the information confirming payment shall simultaneously be emailed to the following: R7_Hearing_Clerk_Filings@epa.gov and to moreno.sarah@epa.gov.

This ESA settles EPA's civil penalty claims against Respondent for the CWA violation(s) specified in this ESA. 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 violation(s) described in the Form. EPA has determined this ESA to be appropriate.

This ESA is binding on the parties signing below and, pursuant to Section 309(g)(4)(C) of the Act, 33 U.S.C. § 1319(g)(4)(C), and Part 22. Its Effective Date is the date it is filed with the Regional Hearing Clerk. Respondent agrees to service of this ESA at the email address provided herein.

APPROVED BY RESPONDENT:

Name:

PAUL EBERLINE DC

Title:

MAYOR - GRUNDY CENTER

Email:

mayor@eberline@grundycenter.com

Signature:

Paul Eberline

Date:

6-9-2016

APPROVED BY EPA:

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

_____ Date: _____

Alyse Stoy
Acting Director
Enforcement and Compliance Assurance Division

FINAL ORDER
IT IS SO ORDERED:

_____ Date _____

Regional Judicial Officer

Effective Date: See Notice of Filing for Effective Date.