



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 10

1200 Sixth Avenue, Suite 155, Seattle, Washington 98101

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-10-2026-0192, NPDES No. Unpermitted

Penalty Amount: \$5,000, Inspection Date: July 30, 2025 and August 1, 2025

Offshore Systems, Inc. ("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 "Industrial Non-filer Expedited Settlement Worksheet" ("Settlement Form"), which is incorporated by reference. By its signature, Complainant ("EPA") finds that Respondent is responsible for the alleged violations specified in the Settlement Form. Respondent had unauthorized discharge(s) of stormwater in violation of Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311.

The EPA finds, and Respondent admits, that Respondent is subject to Section 301 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 Form 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) of the Act, 33 U.S.C. § 1319(g), and by 40 C.F.R. Part 22. The parties enter into this Agreement to settle the civil violation(s) alleged in this Agreement for a penalty of \$5,000. Respondent consents to the assessment of this penalty and waives the right to: (1) contest the finding(s) specified in the Form; (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. Respondent also agrees to bear its own costs and attorney's fees related to this Agreement.

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that the Respondent has addressed the alleged violations identified in the Settlement Form by either: a) developing and implementing a Stormwater Pollution Prevention Plan and submitting to the permit authority a Notice of Intent to be covered by the applicable industrial stormwater permit; or b) acting to meet eligibility requirements for a waiver from industrial stormwater permit requirements as allowed by the permit authority and submitting the relevant forms (such as the No Exposure Certification form), to the permit authority.

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 the [EPA's How to Make a Payment webpage](https://www.epa.gov/financial/additional-instructions-making-payments-epa). 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 the 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 Form. The EPA has determined this Agreement to be appropriate.

This Agreement is binding on the parties signing below and effective upon filing with the Regional Hearing Clerk.

APPROVED BY THE EPA:

Date: _____
Edward J. Kowalski, Director
Enforcement and Compliance Assurance Division
EPA Region 10

APPROVED BY RESPONDENT:

Name
(print): _____

Title
(print): _____

Signature: _____ Date: _____

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: _____
Richard Mednick
Regional Judicial Officer, U.S. EPA Region 10

Industrial Non-Filer Expedited Settlement Worksheet

5/5/2026 Version

Alleged Violation: Discharge of industrial stormwater from the below facility without authorization under the Clean Water Act in violation of Section 301.

SIC Code: 4225 - 4226

Receiving Water: Captain's Bay



REGION 10

SEATTLE, WA 98101

Name and Location of Facility:

Offshore Systems, Inc

Captains Bay Road Mile 4

Unalaska, Alaska 99692

Docket #:

CWA-10-2026-0192

Case Developer:

Vanessa Oquendo

Inspection Date:

7/30/25 and 8/1/25

Factor 1 - Duration of Alleged Violation (D):

Date of First 0.5" Rainfall, After
Facility Began Operating:

9/17/2021

Unpermitted through (Date)

6/18/2026

Years Operating w/o Permit
Coverage under CWA §301:

4.8

Duration Category:

>2 Years

1

Factor 2 - Company Size/Sophistication (S):

Tier Level (1-3) from Sheet 2:

Tier 1

0.5

Factor 3 - Acreage of Industrial Activity Exposed (E):

Calculated from Aerial:

11.74

Exposure Category:

2+ Acres

2

Factor 4 - Pollution Control (P):

Level of Pollution Control (P):

>75%

0.5

Factor 5 - Notification (N):

Previous written notification?

No

1

Expedited Settlement Formula:

D x S x E x P x N x \$10,000

Total Expedited Settlement Amount:

\$5,000

Eligible for ESA Policy?

Yes

Instructions: User will enter data in all white cells.

Case Developer Notes: