



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I-NEW ENGLAND  
5 POST OFFICE SQUARE, SUITE 100  
BOSTON, MASSACHUSETTS 02109-3912

NOTIFICATION OF FEDERAL INTEREST  
UNDER SECTION 311 OF THE CLEAN WATER ACT, 33 U.S.C. § 1321

Date: 10/15/2019

Dear Sir or Madam:

An oil pollution incident has occurred on (or approximately on) 0500 on 10/15/2019  
(or is threatening to occur) at the following location: 195 East St Wallingford, CT

Federal law permits the United States government to take appropriate action to minimize or mitigate damage to the public health or welfare that is threatened or may be caused by this incident.

The United States Environmental Protection Agency ("EPA") has initially determined that you are the owner, operator, or person in charge of the facility which is the source of the above referenced discharge or threat of discharge of oil in harmful quantities into a navigable water of the United States or adjoining shoreline as defined in Section 311 of the Clean Water Act ("CWA"), 33 U.S.C. § 1321, as amended by the Oil Pollution Act (OPA") of 1990, 33 U.S.C. § 2701 et seq. As such, you may be a responsible party under federal law and liable for, among other things, removal costs and damages resulting from this incident.

The National Contingency Plan encourages persons responsible for discharges to voluntarily and promptly perform removal actions, provided the On-Scene Coordinator ("OSC") determines such actions will ensure an effective and immediate removal of the discharge or mitigation or prevention of a substantial threat of discharge. As long as the OSC determines that you are taking adequate actions in this matter, Federal removal activity will generally be limited to observing the progress of your actions and providing guidance as necessary.

If it is determined that your actions to remove the oil and/or mitigate its effects are unsatisfactory, then EPA will either issue a removal order to the facility pursuant to § 311(c) and/or § 311(e) of the CWA, 33 U.S.C. § 1321(c) or § 1321(e), or take the necessary removal response actions to remove the oil,



mitigate the effects of the discharge, or prevent the substantial threat of discharge. If EPA conducts the cleanup, please be advised that you may be liable to the United States for the actual costs incurred in the response action, including but not limited to the costs of restoring damaged natural resources.

Please be advised that under Section 311 of the CWA, 33 U.S.C. § 1321, the owner, operator or person in charge of a facility or vessel from which oil is discharged, may be subject to a civil penalty of up to \$37,500 per day of violation, or up to \$1,100 per barrel of oil discharged. In addition, the owner, operator or person in charge of a facility or vessel from which oil is discharged, may also be liable for up to three times the costs incurred by the Oil Spill Liability Trust Fund, for failing to properly carry out the removal of the discharge as ordered by the OSC, or to comply with any administrative orders necessary to protect the public health or welfare. Moreover, the failure or refusal to provide all reasonable cooperation and assistance requested by the OSC will eliminate any defense, or entitlement to limited liability, which otherwise might be available under the Act.

Should you require further information, contact the On-Scene Coordinator, Dan Burgo at (617) 918-1052, or the Chief of Emergency Response and Removal I/II, [select: Ted Bazenias or William Lovely] at (617) 918-[1230 or 1240]

Sincerely,

[Signature], EPA Federal On-Scene Coordinator

Acknowledged by:

SIGNATURE: [Signature]

Date/Time: 10/15/19 15:38

PRINT NAME: STEVE BIGGAR

Title: OSM MANAGER (OPERATOR)

Witness to Refusal to Acknowledge:

SIGNATURE: \_\_\_\_\_

Date/Time: \_\_\_\_\_

PRINT NAME: \_\_\_\_\_

Title: \_\_\_\_\_