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Stormwater Enforcement: U.S. Environmental Protection Agency and Lancaster, Massachusetts, Construction Site Owner Enter into Consent Agreement

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The United States Environmental Protection Agency ("EPA") and U-Haul Co. of Western Massachusetts, Inc., ("U-Haul") entered into a March 14th Consent Agreement and Final Order ("CAFO") addressing an alleged violation of the Clean Water Act. See Docket No.: CWA-01-2022-0007.

The CAFO provides that U-Haul is the owner and operator of a construction site in Lancaster, Massachusetts ("Site").

U-Haul is alleged to have discharged stormwater from the Site during wet-weather events from July 1, 2021, through September 30, 2021. Such discharge is alleged to have entered an unnamed wetland and brook flowing into Fort Pond. Fort Pond is stated to be a waters of the United States as defined in Section 502(7) of the Clean Water Act.

The discharge is alleged to have occurred without authorization by any permit issued pursuant to the Clean Water Act in violation of Section 301. 33 U.S.C. § 1311.

U-Haul neither admits nor denies any of the CAFO's specific factual allegations.

A civil penalty of \$18,000 is assessed.

A copy of the CAFO can be downloaded [here](#).