

Stormwater Enforcement: U.S. Environmental Protection Agency and Deposit, New York Quarry Operator Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Sanford Stone, LLC (“Sanford”) entered into a November 8th Consent Agreement and Final Order (“CAFO”) addressing alleged violations of a Clean Water Act National Pollutant Discharge Elimination System (“NPDES”) stormwater permit. See Docket No. CWA-02-2025-3301.

The CAFO provides Sanford operates the Silver Lake Quarry (“Facility”) which is located in Deposit, New York.

The Facility is stated to discharge stormwater associated with industrial activity within the meaning of Section 502(6) of the Clean Water Act via specified outfalls. The outfalls are point sources within the meaning of Section 502(14) to a navigable water of the United States. The Facility is permitted to undertake such discharge because it obtained (through filing of a Notice of Intent) MSGP coverage.

The Standard Industrial Classification code for the MSGP coverage is 1411 (Dimension Stone). Therefore, the Facility is stated to be regulated under Section J of the MSGP (Mineral Mining and Dressing – Dimension and Crushed Stone and Nonmetallic Minerals).

An EPA representative is stated to have conducted a Compliance Evaluation Inspection of the Facility on April 21, 2022. The inspection is stated to have documented certain non-compliance with the MSGP which included:

- No SWPPP was available at the time of inspection.
- A 2012 SWPPP was incomplete and did not include all of the current operations at the Facility.
- Failure to minimize the potential for spills and leaks.
- Drums of used oil were not labeled as required.
- No spill kits were kept on-site as required.
- Failure to implement Good Housekeeping and failure to properly operate and maintain the Facility.
- Failure to stabilize roadways, stormwater pond berms, saw operations area, quarry tops, and other areas of the Facility.

The CAFO notes that prior to Sanford’s filing of the referenced Notice of Intent, the Facility had a different owner and has MSGP coverage under a different permit.

A civil penalty of \$3,100.00 is assessed.

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