

**FILED - GR**

July 26, 2022 10:01 AM  
CLERK

U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: mkc / \_\_\_\_\_ SCANNED BY: KB / 7-26

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ASP PLATING COMPANY,  
GARY STEPHEN ROWE, and  
STEPHEN FREDERICK ROWE,

Defendants.

**1:22-cr-105**  
**Paul L. Maloney**  
United States District Judge

**INFORMATION**

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The United States Attorney charges:

**COUNT 1**

(Felony Violation of the Clean Water Act)

On or about March 22, 2021, in Ottawa County, in the Western District of Michigan,  
Southern Division, the defendants,

ASP PLATING COMPANY and  
GARY STEPHEN ROWE,

knowingly violated requirements and limitations implementing Title 40, Code of Federal Regulations, Chapter I, Subchapter N, and imposed in a pretreatment program approved under Title 33, United States Code, Section 1342(b)(8), namely, the pretreatment program requirements and limitations in ASP PLATING COMPANY's Industrial User Permit No. 13 and the Grand Haven-Spring Lake Sewer Authority ("GHSA") sewer authority rules and regulations ("ordinance") that prohibit bypass of the pretreatment system, require notice of batch discharges of waste, and limit the discharge of zinc. The defendants regularly discharged batches of waste and bypassed the pretreatment system without notice to GHSA, and exceeded the daily and monthly permitted limitations on zinc discharge, all in violation of the permit issued by GHSA

and the GHSA ordinance. For example, on March 22, 2021, the defendants discharged a batch of waste containing zinc, measured in a 1.5-hour composite sample to have a concentration of 310 mg/L, which composite sample alone exceeded the daily permitted allowance of 2.58 mg/L.

33 U.S.C. §§ 1311(a), 1319(c)(2)(A)

18 U.S.C. § 2

**COUNT 2**

(Misdemeanor Violation of the Clean Water Act)

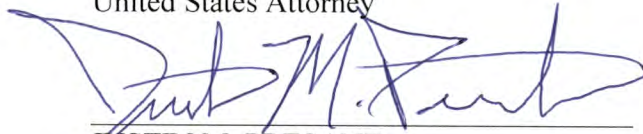
On or about March 22, 2021, in Ottawa County, in the Western District of Michigan,  
Southern Division, the defendant,

STEPHEN FREDERICK ROWE,

negligently violated requirements and limitations implementing Title 40, Code of Federal Regulations, Chapter I, Subchapter N, and imposed in a pretreatment program approved under Title 33, United States Code, Section 1342(b)(8), namely, the pretreatment program requirements and limitations in ASP PLATING COMPANY's Industrial User Permit No. 13 and the Grand Haven-Spring Lake Sewer Authority ("GHSA") sewer authority rules and regulations ("ordinance") that prohibit bypass of the pretreatment system, require notice of batch discharges of waste, and limit the discharge of zinc. The defendant regularly discharged batches of waste and bypassed the pretreatment system without notice to GHSA, and exceeded the daily and monthly permitted limitations on zinc discharge, all in violation of the permit issued by GHSA and the GHSA ordinance. For example, on March 22, 2021, the defendant discharged a batch of waste containing zinc, measured in a 1.5-hour composite sample to have a concentration of 310 mg/L, which composite sample alone exceeded the daily permitted allowance of 2.58 mg/L.

33 U.S.C. §§ 1311(a), 1319(c)(1)(B)  
18 U.S.C. § 2

MARK A. TOTTEN  
United States Attorney



JUSTIN M. PRESENT  
Assistant United States Attorney

Date: July 26, 2022