

**John Driggs Company
Recycled Aggregates, LLC
8700 Ashwood Drive
Capitol Heights, MD**

**NOTICE OF INTENT TO FILE ADMINISTRATIVE PENALTY COMPLAINT AND NOTICE OF OPPORTUNITY TO
REQUEST A HEARING
AND
OPPORTUNITY FOR PUBLIC COMMENT**

**U.S. ENVIRONMENTAL PROTECTION AGENCY REGION III
Water Protection Division, Office of NPDES Permits and Enforcement, NPDES Enforcement Branch (3WP42)
1650 Arch Street
Philadelphia, Pennsylvania 19103**

Date of Notice: January 15, 2016
NPDES Permit No.: DCR05AA06
Docket ID: CWA-03-2016-0040
Program/Statute: Clean Water Act (CWA)

Comments will be accepted through February 15, 2016

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g), notice is hereby given that the U.S. Environmental Protection Agency (EPA), Region III, is proposing to file an Administrative Penalty Complaint (APO) assessing an administrative civil penalty against the Respondents named below, for alleged violations related to discharges of stormwater associated with industrial activity to waters of the United States in the District of Columbia.

RESPONDENTS:

John Driggs Company
8700 Ashwood Drive
Capitol Heights, MD 20743

Recycled Aggregates, LLC
8700 Ashwood Drive
Capitol Heights, MD 20743

SUMMARY OF VIOLATIONS: EPA Region III alleges that John Driggs Company and Recycled Aggregates, LLC, 8700 Ashwood Drive, Capitol Heights, MD failed to obtain the necessary National Pollutant Discharge Elimination System (NPDES) Multi Sector General Permit (MSGP) for stormwater discharges associated with industrial activity that is located at 1721 S. Capitol St SW, in Washington, DC.

PROPOSED CONSENT AGREEMENT AND FINAL ORDER: Based on the foregoing and having taken into account the penalty factors set forth in Section 309(g) of the CWA, 33 U.S.C. § 1319(g), EPA Region III proposes to file the APO requiring the payment of a \$54,000.00 penalty.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the amount of the penalty or legal or factual basis for the proposed APO are invited to submit a statement to the EPA Regional Administrator, addressed to the attention of the Regional Hearing Clerk (address below), within thirty (30) days of the date of this public notice. Comments received within this thirty (30) day period will be considered. All comments must include the name, address, and telephone number of the writer and a concise statement of the basis for any comment and any relevant facts on which it is based.

All comments shall be addressed to:

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

AVAILABILITY OF INFORMATION: Information relevant to the APO may be requested through the Regional Hearing Clerk.

REGISTRY OF INTERESTED PERSONS: Any person interested in a particular case or group of cases may leave his/her name, address, and telephone number on a registry of interested persons which will be maintained in each file. The list of names will be maintained as a means for persons with an interest in the case to contact others with the same interest.

FOR FURTHER INFORMATION. Interested parties may contact the following EPA representative to learn more about this action.

Kelly Gable
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029
215-814-2471
gable.kelly@epa.gov