

## **American Hardwoods Industries, LLC**

### **NOTICE OF INTENT TO FILE CONSENT AGREEMENT AND FINAL ORDER ASSESSING ADMINISTRATIVE PENALTY 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: February 4, 2016**

**NPDES Permit No.: VAR051703**

**DOCKET NUMBER: CWA-03-2016-0060**

**Comments will be accepted until March 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 a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty against the Respondent named below, for alleged violations of its NPDES permit.

#### **RESPONDENT:**

American Hardwoods Industries, LLC  
567 N. Charlotte Avenue  
Waynesboro, Virginia 22980-2856

#### **FACILITY:**

Augusta Lumber  
4307 Plank Road  
North Garden, VA 22959

**SUMMARY OF VIOLATIONS:** EPA alleges that American Hardwoods Industries (AHI) was violating the Virginia general permit by failing to develop and implement a complete stormwater pollution prevention plan (SWPPP) at the AHI facility, failing to maintain all best management practices included in the SWPPP in effective operating condition, failing to conduct annual comprehensive site compliance evaluations and to incorporate recommendations into the SWPPP, failing to document all quarterly visual inspections of storm water discharges associated with industrial activities, and failing to prohibit nonstorm water discharges

**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 CAFO requiring the payment of a \$35,800.00 penalty. The CAFO both commences and concludes these proceedings. As a result of EPA's enforcement action, American Hardwoods has made several enhancements to its industrial stormwater program.

**OPPORTUNITY FOR COMMENT:** Persons wishing to comment on the amount of the penalty or legal or factual basis for the proposed CAFO are invited to submit a statement to the EPA Regional Administrator, addressed to the attention of the Regional Hearing Clerk (address below), within forty (40) days of the date of this public notice. Comments received within this forty (40) 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 should 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 CAFO 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.

Joy Gillespie  
U.S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103-2029  
215-814-2793  
[gillespie.joy@epa.gov](mailto:gillespie.joy@epa.gov)