

**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
Hazardous Sites Cleanup Division, Oil and Prevention Branch (3HS61)
1650 Arch Street, Philadelphia, Pennsylvania 19103**

Name of Respondent and Docket Number: Purvis Brothers, Inc. CWA-03-2016-0079

Title of Notice: Proposed penalty of \$46,769.00 against Purvis Brothers, Inc.

Public Comments will be accepted until April 4, 2016

NOTICE: The U.S. Environmental Protection Agency (EPA) Region III today offers for public comment the issuance of a proposed penalty of \$46,769.00 against Purvis Brothers, Inc. (Respondent). The proposed penalty is for violations of Section 311(j) of the Clean Water Act, 33 U.S.C. § 1321(j), and its implementing regulations at 40 C.F.R. Part 112, Oil Pollution Prevention regulations, for Respondent's facility located 321 Mars-Valencia Road, Mars, PA 16046. The public comment period will be open from February 19 to April 4, 2016.

DESCRIPTION: EPA is proposing a penalty for alleged violations found during a Spill Prevention, Control and Countermeasure (SPCC) inspection conducted on June 11, 2014. EPA is alleging the following violations: 1) failure to provide secondary containment for five (5) aboveground storage tanks and two 275 gallon aboveground tanks; 2) failure to inspect rainwater drainage and maintain records of bypassing and drainage events; 3) failure to provide pipe supports designed to minimize abrasion and corrosion and allow for expansion and contraction and inspect aboveground piping regularly; 4) failure to regularly test or inspect aboveground containers for integrity. The combined proposed penalty for these violations is **\$46,769.00**.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the amount or basis of the proposed penalty are invited to submit a statement to the EPA Regional Administrator, attention of the Regional Hearing Clerk (address below), within forty five (45) days of the date of this public notice. All comments received within this forty five - day period will be considered in the formulation of the final order. All comments must include the name, address, and telephone number of the author and concise statement of the basis for any comment and any relevant facts on which it is based. All comments should be addressed to:

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

AVAILABILITY OF INFORMATION: Information relevant to the proposed penalty assessment may be requested through the Regional Hearing Clerk identified above.

FOR ADDITIONAL INFORMATION: Contact the following EPA representatives to learn more about this action.

Wanda Martinez (Martinez.wanda@epa.gov)
Oil & Prevention Branch (3HS61)
U.S. EPA- Region III
1650 Arch Street, Philadelphia, PA 19103
215-814-3434