

**NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENTS AND OPPORTUNITY TO COMMENT**

**AGENCY:** United States Environmental Protection Agency (EPA)  
Region 2  
290 Broadway  
New York, NY 10007

**RESPONDENT:** United Talmudical Academy of Kiryas Joel, Inc. ("UTA of KJ, Inc.")  
55 Forest Road, Monroe, New York 10950

**SITE/FACILITY:** United Talmudical Academy of Kiryas Joel, Inc. ("UTA of KJ, Inc.") Boys School,  
Bakertown Road, Kiryas Joel, NY 10950

**PERMIT NUMBER:** SPDES Permit No. NYR10Z555

**DOCKET NUMBER:** CWA-02-2016-3310

**PUBLIC NOTICE NO.:** 2016-14

**COMPLAINANT:** Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance  
U.S. EPA, Region 2  
290 Broadway  
New York, NY 10007-1866

**PUBLIC COMMENT PERIOD:** April 4, 2016

**ACTION:** Notice of Proposed Administrative Penalty Assessment and Opportunity to Comment (Expedited Settlement Offer)

**SUMMARY & DESCRIPTION OF VIOLATIONS:** EPA is providing notice of a proposed administrative penalty assessment for alleged violations of the Clean Water Act (Act). EPA is also providing notice of opportunity to comment on the proposed penalty assessment.

Under 33 U.S.C. §1319(g), EPA is authorized to issue Orders assessing civil penalties for various violations of the Act. EPA may issue such Orders after the commencement of a Class I or Class II penalty proceeding. EPA provides Public Notice of the proposed assessment pursuant to 33 U.S.C. §1319(g)(4)(A).

Administrative civil penalty proceedings are conducted under EPA's "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation Termination or Suspension of Permits", 40 CFR Part 22 (Consolidated Rules). The procedures through which the public may submit written comment on a proposed administrative penalty action or participate in an administrative penalty proceeding, and the procedures by which a Respondent may request a Hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on this administrative civil penalty proceeding is thirty (30) days after issuance of this Public Notice.

On February 16, 2016, EPA commenced the following administrative action for the assessment of administrative civil penalties: In the matter of UTA of KJ, Inc., 55 Forest Road, Monroe, NY 10950, Docket No. CWA-02-2016-3310 with a proposed penalty of **\$1,500** for failure to install and/or maintain the stormwater best management practices required under its State Pollution Discharge Elimination System General Permit for Storm Water Discharges from Construction Activity at the UTA of KJ, Inc. Boys School construction site located off of Bakertown Road, Kiryas Joel, New York as required by the stormwater regulations.

**FOR FURTHER INFORMATION:** Persons wishing to receive a copy of EPA's Consolidated Rules, review the Expedited Settlement Agreement or other documents filed in these proceedings, comment upon the proposed

assessments, or otherwise participate in any of the proceedings, should contact Justine Modigliani, Chief, Compliance Section at (212) 637-4268, EPA Region 2, 290 Broadway, 20<sup>th</sup> Floor, New York, New York 10007, Unless otherwise noted, the administrative record for these proceedings is located in the EPA Regional Office identified above, and the files will be made available for public inspection upon request to Justine Modigliani during normal business hours. All pertinent information submitted by the Respondent is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.

EPA has provided the Respondent with an Expedited Settlement Offer in an effort to promptly settle this matter. In order to provide opportunity for public comment, EPA will take no final action in this proceeding prior to thirty (30) days after issuance of this Notice.

**Dated: March 4, 2016**

**Dore LaPosta, Director  
Division of Enforcement and Compliance Assistance**