

West Virginia Department of Transportation, Division of Highways (WV DOH)

Charleston, West Virginia

**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: August 25, 2016

NPDES Permit No.: WV0110625

DOCKET NUMBER: CWA-03-2016-0166

Comments will be accepted until October 4, 2017

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 of twenty-three thousand dollars (\$23,000) against the Respondent named below, for alleged violations of its NPDES permit.

RESPONDENT:

West Virginia Department of Transportation, Division of Highways
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305

SUMMARY OF VIOLATIONS: EPA Region III alleges that the Division of Highways (WV DOH) failed to adhere to its permit by failing to submit all of its annual stormwater management reports, failing to update its post construction stormwater management best management practices inventory and failing to develop and implement pollution prevention and good housekeeping practices at WV DOH maintenance facilities.

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.

Peter Gold
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029
215-814-5236
gold.peter@epa.gov