

City of Weston, West Virginia

**NOTICE OF INTENT TO ASSESS 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: November 1, 2016

General NPDES Permit No. WV0028088

DOCKET NUMBER: CWA-03-2017-0025

Comments will be accepted until December 10, 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 an administrative civil penalty against the Respondent named below, for alleged violations at the facility listed below.

RESPONDENT:

City of Weston, West Virginia
102 West Second Street
Weston, WV 26452

FACILITY:

City of Weston's Waste Water Treatment Plant

SUMMARY OF VIOLATIONS: Respondent has violated the National Pollutant Discharge Elimination System (NPDES) permit program by: failing to meet discharge limitations and monitoring requirements under its permit; failing to operate and maintain properly the UV light system; failing to operate and maintain properly the dissolved oxygen (DO) probes and aeration system; failing to operate and maintain properly the clarifiers; failure to maintain and operate properly the return activated sludge; and failure to maintain and operate properly the aeration basins. The Consent Agreement and Final Order (CAFO) alleges violations of Sections 301(a) and 402 of the CWA, 33 U.S.C. §§ 1311(a) and 1342. These violations were discovered during an NPDES inspection of Weston's facilities.

PROPOSED ADMINISTRATIVE PENALTY: 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 assess an administrative civil penalty against the

City of Weston. The total proposed penalty to be assessed is \$17,500 and is consistent with 40 C.F.R. Part 19.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the amount or basis of the proposed assessment 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 in the formulation of the final penalty assessment order. 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 proposed penalty assessment 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.

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