

City of Allentown, Pennsylvania

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: May 25, 2018
NPDES Permit No.: PA-0063665
DOCKET NUMBER: CWA-03-2018-0103

Comments will be accepted until July 4, 2018.

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g) AND 40 CFR § 22.45, notice is hereby given that the U.S. Environmental Protection Agency Region III (EPA Mid-Atlantic Region), is proposing to file a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty in the amount of fifty thousand dollars (\$50,000) against the Respondent named below for alleged violations of its NPDES permit.

RESPONDENT:
City of Allentown
641 South Tenth St
Allentown, Pennsylvania 18103

SUMMARY OF VIOLATIONS: EPA Mid-Atlantic Region alleges the following violations of *National Pollutant Discharge Elimination System (NPDES)*, *Municipal Separate Storm Sewer System Permit No. PA-0063665 (MS4 Permit)*: 1) failure to annually report information on industries; 2) failure to fully maintain and implement a stormwater management program; 3) failure to provide a description of a comprehensive program to monitor and control pollutants from industrial facilities; 4) failure to conduct preventative maintenance inspections of all stormwater management facilities on a triennial basis; and 5) failure to conduct operation and maintenance of all municipal facilities.

These failures constitute a violation of Section 301(a) of the CWA, 33 U.S.C. §§ 1311(a). These violations were discovered during an NPDES inspection of Respondent's MS4 in December 2014.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the amount of the proposed penalty are invited to submit a statement to the EPA Region 3 Water Protection Division Director, 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 Consent Agreement 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.

Rebecca Crane

U.S. Environmental Protection Agency
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Philadelphia, PA 19103-2029
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