

# **Riverfront Investment Partners I, LLC**

## **NOTICE OF INTENT TO FILE CONSENT AGREEMENT AND FINAL ORDER ASSESSING ADMINISTRATIVE PENALTY AND OPPORTUNITY FOR PUBLIC COMMENT**

### **U.S. ENVIRONMENTAL PROTECTION AGENCY MID-ATLANTIC REGION**

**Water Protection Division, Office of NPDES Permits and Enforcement, NPDES Enforcement Branch (3WP42)  
1650 Arch Street  
Philadelphia, Pennsylvania 19103**

**Date of Notice:** September 21, 2018

**NPDES Permit No.:** DCR12A240

**Docket Number:** EPA-03-2018-0108

**Comments will be accepted until October 31, 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 forty-five thousand dollars (\$45,000) against the Respondent named below for alleged violations of its NPDES permit.

#### **RESPONDENT:**

Riverfront Investment Partners I, LLC  
3050 K Street, NW, Suite 125  
Washington, DC 20007

**SUMMARY OF VIOLATIONS:** EPA Mid-Atlantic Region alleges the following violations of National Pollutant Discharge Elimination System (NPDES), Construction General Permit No. DCR12A240 (Permit): 1) Failure to Post Notice of Permit Coverage; 2) Failure to Implement Maintenance Requirements; 3) Failure to Provide Natural Buffers or Equivalent Sediment Controls; 4) Failure to Protect Drain Inlets; 5) Failure to Store, Handle and Dispose of Construction Products, Materials and Wastes; 6) Failure to Inspect at the Proper Frequency; 7) Failure to Complete Corrective Action Reports; and 8) Failure to Have the SWPPP Available On-Site.

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 MRP Capitol River Front construction site in May 2016.

**OPPORTUNITY FOR COMMENT:** Persons wishing to comment on the amount of the proposed penalty are invited to submit a statement to the EPA Mid-Atlantic Region Water Protection Division Director, addressed to the attention of the Regional Hearing Clerk (address below), within 40 days of the date of this public notice. Comments received within this 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, Mid-Atlantic Region  
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.

Aryel Abramovitz  
U.S. Environmental Protection Agency  
1650 Arch Street  
Mail Code: 3WP42  
Philadelphia, PA 19103-2029  
215-814-2396  
[Abramovitz.Aryel@epa.gov](mailto:Abramovitz.Aryel@epa.gov)

Or

Bonnie Pugh  
U.S. Environmental Protection Agency  
1650 Arch Street  
Mail Code: 3RC20  
Philadelphia, PA 19103-2029  
215-814-2680  
[Pugh.Bonnie@epa.gov](mailto:Pugh.Bonnie@epa.gov)