

## **WCS Construction, 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  
Enforcement & Compliance Assurance Division, Water Branch, NPDES Section (3ED32)  
1650 Arch Street  
Philadelphia, Pennsylvania 19103**

**Date of Notice:** August 9, 2019

**NPDES Permit No.:** DCR12A288 & DCR12A353

**Docket Number:** CWA-03-2019-0075

**Comments will be accepted until September 18, 2019.**

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 eight thousand one hundred dollars (\$8,100) against the Respondent named below for alleged violations of its NPDES permit.

**RESPONDENT:**

WCS Construction, LLC  
3303 Stanton Road  
Washington, DC 20020

**SUMMARY OF VIOLATIONS:** EPA Mid-Atlantic Region alleges the following violations of National Pollutant Discharge Elimination System (NPDES) Construction General Permit No. DCR12A288 & DCR12A353 (Permit), which were discovered during a May 2016 inspection at the Archer Park Construction Project located at 1200 Mississippi Avenue SE, Washington, DC, 20032:

- 1) Failure to effectively manage contaminated or turbid groundwater or stormwater prior to discharge;
- 2) Failure to properly handle or store construction products, materials and wastes; and
- 3) Failure to have a complete Stormwater Pollution Prevention Plan.

These failures constitute a violation of Section 301(a) of the CWA, 33 U.S.C. §§ 1311(a).

**OPPORTUNITY FOR COMMENT:** Persons wishing to comment on the CAFO are invited to submit a statement to the EPA Mid-Atlantic Region Enforcement & Compliance Assurance 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 representatives to learn more about this action.

Aryel Abramovitz  
U.S. Environmental Protection Agency  
1650 Arch Street  
Mail Code: 3ED32  
Philadelphia, PA 19103-2029  
215-814-2396  
[Abramovitz.Aryel@epa.gov](mailto:Abramovitz.Aryel@epa.gov)

Or

Kathleen Root, Esq.  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
1650 Arch Street  
Mail Code: 3RC40  
Philadelphia, PA 19103-2029  
215-814-2684  
[Root.Kathleen@epa.gov](mailto:Root.Kathleen@epa.gov)