

**Construction Specialties, Inc.**

**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 (3ED32)  
1650 Arch Street  
Philadelphia, Pennsylvania 19103**

**Date of Notice:** December 6, 2019

**DOCKET NUMBER:** CWA-03-2020-0058

**Comments will be accepted until January 15, 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 forty thousand dollars (\$40,000) against the Respondent named below for alleged violations of its Industrial User Requirements.

**RESPONDENT:**

Construction Specialties, Inc.  
6696 Route 450  
P.O. Box 380  
Muncy, PA 17756

**SUMMARY OF VIOLATIONS:** Construction Specialties, Inc. is required to comply with the pretreatment standards issued under Section 307 of the Clean Water Act, 33 U.S.C. § 1317 and the Code of Federal Regulations section 40 C.F.R. § 433.17. EPA Mid-Atlantic Region alleges that Construction Specialties, Inc. did the following:

- hauled waste containing pollutants into a publicly owned treatment works on multiple occasions, including hauling of industrial wastewater with chromium, nickel, or copper over the daily maximum concentrations and monthly average concentrations permissible;
- failed to notify EPA of said discharges within 24 hours of discovery of the discharges; and
- failed to repeat sampling and analysis within 30 days after becoming aware of the discharges.

**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 Mid-Atlantic Region proposes to assess an administrative civil penalty against Construction Specialties, Inc. in the amount of \$40,000. The total proposed penalty is consistent with 40 C.F.R. Part 19.

**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 forty (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 their 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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