

Forrester Construction Co.

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: April 8, 2020

DOCKET NUMBER: CWA-03-2020-0072

Comments will be accepted until May 18, 2020.

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g) AND 40 CFR § 22.45, the U.S. Environmental Protection Agency Region 3 (EPA Mid-Atlantic Region) hereby gives notice that it is proposing to file a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty in the amount of twenty thousand dollars (\$20,000) against the Respondent named below for alleged violations of its National Pollutant Discharge Elimination System (NPDES) permit.

RESPONDENT:

Forrester Construction Co.
12231 Parklawn Drive
Rockville, MD 20852

FACILITY:

Millennium Project Arlington National Cemetery

SUMMARY OF VIOLATIONS: EPA Mid-Atlantic Region alleges the following violations of the Clean Water Act (CWA) and of the Virginia Pollutant Discharge Elimination System (VPDES) which were discovered during a September 2016 inspection at Millennium Project Arlington National Cemetery. Violations include:

1. Failure to maintain erosion and sediment controls, including silt fences, curb inlet protections, microbiretention, and a sediment basin;
2. Failure to implement pollution prevention measures; and
3. Failure to maintain the temporary soil stabilization requirements.

More specifically, these failures constitute a violation of Section 301(a) of the CWA, 33 U.S.C. §§ 1311(a), and of the VPDES General Permit for Discharges of Stormwater from Construction Activities No. VAR10 (Permit)

OPPORTUNITY FOR COMMENT: If you wish to comment on the CAFO 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. EPA will consider comments received within this forty (40) day period in the formulation of the final penalty assessment order. All comments must include the name, address, and telephone number of the writer and concise statement of the basis for any comment and any relevant facts on which it is based.

Address all comments to:
Regional Hearing Clerk (3RC00)
U.S. EPA, Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

AVAILABILITY OF INFORMATION: You may request Information relevant to the proposed penalty assessment through the Regional Hearing Clerk.

REGISTRY OF INTERESTED PERSONS: If you are interested in a particular case or group of cases, you may leave your 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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