

# Midatlantic Realty Partners, 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:** May 22, 2020

**DOCKET NUMBER:** CWA-03-2020-0097

**Comments will be accepted until July 1, 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 six thousand six hundred eighty dollars (\$6,680) against the Respondent named below for alleged violations of its National Pollutant Discharge Elimination System (NPDES) permit.

### **RESPONDENT:**

Midatlantic Realty Partners, LLC  
3050 K Street NW  
Washington, DC 20007

### **FACILITY:**

Riverfront Phase II  
71 Potomac Avenue SE  
Washington, DC 20003

**SUMMARY OF VIOLATIONS:** EPA Mid-Atlantic Region alleges the following violations of the Clean Water Act (CWA) and of the National Pollutant Discharge Elimination System (NPDES) permit which were discovered during a June 2019 inspection at Riverfront Phase II. Violations include:

1. Failure to post a notice of coverage under the permit;
2. Failure to properly maintain stormwater controls;
3. Failure to properly implement erosion and sediment control requirements;
4. Failure to properly implement pollution prevention requirements; and an
5. Incomplete stormwater pollution prevention plan.

More specifically, these failures constitute a violation of Section 301(a) of the CWA, 33 U.S.C. §§ 1311(a), and of the NPDES General Permit for Discharges of Stormwater from Construction Activities (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  
Email: [r3\\_hearing\\_clerk@epa.gov](mailto:r3_hearing_clerk@epa.gov)

**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.

Kathleen Root  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency  
1650 Arch St. (3RC40)  
Philadelphia, PA 19103  
Phone: 215-814-2684  
Email: [root.kathleen@epa.gov](mailto:root.kathleen@epa.gov)

Kaitlin McLaughlin  
U.S. Environmental Protection Agency  
1650 Arch Street (3ED32)  
Philadelphia, PA 19103  
Phone: 215-814-2393  
Email: [mclaughlin.kaitlin@epa.gov](mailto:mclaughlin.kaitlin@epa.gov)