



Ronald Fricke - Clean Water Act Public Notice

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In accordance with Section 309(g)(4)(A) of the Clean Water Act (“CWA”), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), the Environmental Protection Agency (EPA) is providing notice of a proposed Administrative Penalty Assessment against Ronald Fricke, regarding alleged violations at the concentrated animal feeding operation, located at 22757 170th Street, Carroll, Carroll County, Iowa 51401.

Under Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g), the EPA is authorized to issue orders assessing civil penalties for various violations of the Clean Water Act. The EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. The EPA provides notice of the proposed assessment of a Class I civil penalty pursuant to 33 U.S.C. § 1319(g)(4)(A). Class I proceedings are conducted under the EPA’s Consolidated Rules, 40 C.F.R. Part 22.

In this case, the EPA alleges that Respondent discharged pollutants into the waters of the United States in violation of Section 301 of the Clean Water Act, 33 U.S.C. §1311. Respondent has reached agreement with the EPA on the terms of a proposed Consent Agreement and Final Order which would resolve this matter. Under the proposed Consent Agreement and Final Order, Respondent will pay a civil penalty of \$25,186. Final approval of the proposed Consent Agreement and Final Order is subject to the requirements of 40 C.F.R. § 22.45.

The EPA will receive written comments on the proposed Administrative Penalty Assessment for a period of thirty (30) days from the date of publication of this notice. All such comments shall be submitted to the Regional Hearing Clerk at the address provided below. The procedures by which the public may submit written comments on a proposed Class I order or participate in a Class I proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. Persons wishing to obtain additional information on the proceeding, receive a copy of the EPA’s Consolidated Rules, review the proposed Consent Agreement and Final Order, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Kathy Robinson, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 11201 Renner Blvd, Lenexa, KS 66219. Please reference Docket No. CWA-07-2017-0219. For technical questions contact Don Hamera, Water Enforcement Branch, at (913) 551-7818, hamera.don@epa.gov, or the above mailing address. Persons with legal questions may contact Clarissa Howley Mills, Office of Regional Counsel, at (913) 551-7743, mills.clarissa@epa.gov, or the above mailing address. In order to provide opportunity for public comment, the EPA will issue no final order assessing a penalty in this proceeding prior to forty (40) days from the date of this notice.

<p>7/17/17 Date</p>	<p>/s/ Jeffery Robichaud Acting Director Water, Wetlands, and Pesticides Division U.S. EPA, Region 7</p>
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How to Comment

Comments due date

08/20/2017

How to comment

Persons wishing to obtain additional information on the proceeding, receive a copy of EPA's Consolidated Rules, review the proposed Consent Agreement/Final Order, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Kathy Robinson, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas, 66219. Please reference Docket No. CWA-07-2017-0219.

Summary

The EPA is providing notice of a proposed Administrative Penalty Assessment against Ronald Fricke, regarding alleged violations at the concentrated animal feeding operation, located at 22757 170th Street, Carroll, Carroll County, Iowa 51401.

Program/Statute: Clean Water Act (CWA)

Applicant/Respondent(s):

Ronald Fricke

22757 170th Street

Carroll, Iowa 51401

Proposed action: Enforcement

Docket ID: CWA-07-2017-0219

You may need Adobe Reader to view files on this page. See EPA's [About PDF page](#) to learn more.

- [Ronald Fricke, proposed Administrative Penalty Assessment \(PDF\)](#) (11 pp, 180 K)

LAST UPDATED ON JULY 25, 2017