

CWA-05-2009-0004

PUBLIC NOTICE

Outlook Cove, LLC
100 Outlook Cove Drive
LaPorte, Indiana 46350

RECEIVED
MAR 18 2010

**REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY**

The U.S. Environmental Protection Agency (USEPA) Region 5, is hereby giving notice of the issuance of an Amended Administrative Complaint to Outlook Cove, LLC (Mr. Gerald M. Fedorchak, Jr., Member and President) and its intention to assess an administrative penalty of \$40,000.00 against Outlook Cove under Section 309(g) of the Clean Water Act, 33 U.S.C. Section 1319(g).

USEPA alleges and is seeking administrative penalties for the past filling of approximately 700 feet of shoreline (or 13,000 square feet) wetlands for amenities to the Outlook Cove condominium development without first obtaining authorization under Section 301 of the Clean Water Act, 33 U.S.C. Section 1311. The wetlands are located along the shoreline of Outlook Cove – part of Pine Lake - in the northeast quarter of the northwest quarter of the northeast quarter of Section 27, Township 37 North, Range 3 West, Center Township, City of LaPorte, LaPorte County, Indiana. USEPA originally filed a complaint in March 2009 against Outlook Cove, LLC and G M Fedorchak & Associates, Inc. G M Fedorchak & Associates, Inc. is being dropped as a defendant.

Interested parties may contact the Agency representative for this action at the following address or by phone to obtain further information or additional copies of USEPA's Amended Complaint:

Mr. Gregory Carlson
USEPA-Region 5 (WW-16J)
77 West Jackson Boulevard
Chicago, Illinois 60604
312-886-0124

Any person wishing to comment on the proposed penalty order within the Amended Complaint must submit comments in writing to the Regional Hearing Clerk at the address listed below within 30 days of the date of this notice. The respondent, Outlook Cove, LLC, may request a hearing within 30 days of receipt of this notice by sending a written request for a hearing to:

Regional Hearing Clerk
USEPA-Region 5 (E-19J)
77 West Jackson Boulevard
Chicago, Illinois 60604

If a hearing is held, those submitting written comments will be advised of the date and time of the hearing and may appear to present evidence on the appropriateness of the proposed penalty assessment. The final administrative penalty order will be issued after the close of the 30 day comment period, unless a hearing is requested or the complaint is withdrawn.

The Administrative Record, including information submitted by the respondent, is on file at the USEPA regional office identified above. The file will be open for public inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday.

Tinka G. Hyde
Director, Water Division
USEPA – Region 5