UNITED STATES ENVIRONMENTAL PROTECTION AGENCY **REGION 2**

DATE: FEB 1 4 2012

SUBJECT: Public Notice

FROM: Doughlas McKenna, Chief Water Compliance Branch

TO: Barbara McGarry, Chief Compliance Assistance and Program Support Branch

Please have the attached Public Notice for the Proposed Administrative Penalty Assessments and Opportunity to Comment for New York Athletic Club-Yacht Club (Travers Island) (Docket No. CWA-02-2012-3302) published on the Region 2 water web page.

Attachment

PUBLIC NOTICE:

NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENT AND OPPORTUNITY TO COMMENT

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

<u>ACTION</u>: NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENT AND OPPORTUNITY TO COMMENT

<u>SUMMARY</u>: EPA IS PROVIDING NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENT FOR ALLEGED VIOLATIONS OF THE CLEAN WATER ACT. EPA IS ALSO PROVIDING NOTICE OF OPPORTUNITY TO COMMENT ON THESE PROPOSED PENALTY ASSESSMENT.

UNDER 33 U.S.C. §1319(G), EPA IS AUTHORIZED TO ISSUE ORDERS ASSESSING CIVIL PENALTIES FOR VARIOUS VIOLATIONS OF THE ACT. EPA MAY ISSUE SUCH ORDERS AFTER THE COMMENCEMENT OF A CLASS I OR CLASS II PENALTY PROCEEDING. EPA PROVIDES PUBLIC NOTICE OF THESE PROPOSED ASSESSMENT PURSUANT TO 33 U.S.C. §1319(G)(4)(A).

CLASS I PROCEEDINGS ARE CONDUCTED UNDER EPA'S "CONSOLIDATED RULES OF PRACTICE GOVERNING THE ADMINISTRATIVE ASSESSMENT OF CIVIL PENALTIES AND THE REVOCATION/TERMINATION OR SUSPENSION OF PERMITS", 40 CODE OF FEDERAL REGULATIONS PART 22. THE PROCEDURES THROUGH WHICH THE PUBLIC MAY SUBMIT WRITTEN COMMENT ON A PROPOSED CLASS I INSPECTION DURING NORMAL BUSINESS HOURS. ALL INFORMATION SUBMITTED BY THE RESPONDENT IS AVAILABLE AS PART OF THE ADMINISTRATIVE RECORD, SUBJECT TO PROVISIONS OF LAW RESTRICTING PUBLIC DISCLOSURE OF CONFIDENTIAL INFORMATION.

IN ORDER TO PROVIDE OPPORTUNITY FOR PUBLIC COMMENT, EPA WILL ISSUE NO FINAL ORDER ASSESSING A PENALTY IN THESE PROCEEDINGS PRIOR TO THIRTY (30) DAYS FROM THE DATE SPECIFIED BELOW.

DATED: DORE LAPOSTA, DIRECTOR DIVISION OF ENFORCEMENT AND COMPLIANCE ASSISTANCE

New York Athletic Club-Yacht Club (Travers Island) Docket No.: CWA-02-2012-3302

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