

United States  
Environmental Protection  
Agency



REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

## PUBLIC NOTICE

### DESCRIPTION OF ALLEGED VIOLATIONS AND RELIEF SOUGHT:

The U.S. Environmental Protection Agency (EPA), Region 5, is providing notice under 40 C.F.R. § 22.45 of its intent to file a Proposed Consent Agreement and Final Order (Proposed CAFO) against Brewster Cheese Company for alleged violations of the Clean Water Act (CWA). In December 2015, EPA conducted an inspection at Respondents' manufacturing facility and identified alleged violations of the Clean Water Act based on the findings from that inspection. The Proposed CAFO will resolve Respondents' liability for civil penalties for causing interference and pass through at the Village of Stockton's Publicly Owned Treatment Works due to a release of a large amount of acid-based sanitizing agent. EPA and Respondents have agreed that Respondents will pay a civil penalty of \$56,000 to resolve these alleged violations. EPA has also approved a supplemental environmental project worth \$60,000.

A copy of the Proposed CAFO may be viewed online at: [www.epa.gov/aboutepa/epa-region-5#events](http://www.epa.gov/aboutepa/epa-region-5#events) by clicking on the "Proposed Consent Agreement and Final Order" link on the Region 5 events calendar for the docket number identified above. Alternatively, the Proposed CAFO may be received by contacting the Regional Hearing Clerk at the address below.

**CASE DOCKET NUMBER: CWA-05-2019-0005**

### COMPLAINANT'S NAME AND ADDRESS:

Michael D. Harris  
Acting Division Director  
Enforcement and Compliance Assurance Division  
United States Environmental Protection Agency, Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

### RESPONDENTS' NAMES AND ADDRESSES:

Brewster Cheese Company  
800 Wabash Avenue South  
Brewster, Ohio 44613

**LOCATION OF SITE OR FACILITY:**

Brewster Cheese Company  
300 West Railroad Avenue  
Stockton, Illinois 61085

**OPPORTUNITY FOR COMMENT:**

Section 309(g) of the CWA, 33 U.S.C. § 1319(g), requires that interested persons be given notice of the proposed penalty and a reasonable opportunity to comment on it. Any person who wishes to comment on this proposed CAFO may submit written comments, may attend or present evidence at any hearing scheduled on this matter, or both, by following the procedures in Title 40 of the Code of Federal Regulations, Part 22, Section 45 (40 C.F.R. § 22.45), particularly subpart (c) *comment by a person who is not a party*. This portion of the code of federal regulations may be accessed at <https://www.gpo.gov/fdsys/pkg/CFR-2015-title40-vol1/pdf/CFR-2015-title40-vol1-sec22-45.pdf> or through <http://www.archives.gov/federal-register/cfr/>. You may also wish to review 40 C.F.R. Part 22 to learn more about the procedures and rules of practice governing the administrative assessment of civil penalties.

**Comments should be made in writing to the Regional Hearing Clerk at:**

Docket No. **CWA-05-2019-0005**  
Regional Hearing Clerk  
Mail Code E-19J  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Written comments may be submitted to the Regional Hearing Clerk by email to [whitehead.ladawn@epa.gov](mailto:whitehead.ladawn@epa.gov); by facsimile (fax) to 312-692-2405; or by mail or delivery to the Clerk's address above. Your comments should include the case name, docket number, and your complete mailing address. If you plan to deliver your comments or other documents in person, please call the Regional Hearing Clerk at (312) 886-3713 for further instructions. Comments and documents sent to any EPA employee other than the Regional Hearing Clerk are not assured of consideration in this matter.

Note that the Agency requires your mailing address because we must use the U.S. Postal Service should we need to reply, request additional information, or notify you of a hearing, and to provide a copy of any consent agreement and proposed final order.

**All written comments must be received in the Regional Hearing Clerk's Office no later than 4:30 p.m., Central Time, of the Comment Period End Date shown on the Region 5 events calendar page for this docket number: [www.epa.gov/aboutepa/epa-region-5#events](http://www.epa.gov/aboutepa/epa-region-5#events).**

All documents filed in this proceeding (including documents submitted by the Respondent or by the public) are available for public inspection by appointment only between 9 a.m. and 4:30 p.m. Monday through Friday at the EPA Regional Office. An appointment for such an inspection may be made by calling (312) 886-3713 or by writing the Regional Hearing Clerk at the address above.

If this Proposed CAFO is filed in its present form, no hearing will be held in this matter. If a hearing is held, we will advise any person who (during the public comment period) submitted a written request to participate in a hearing of the date, time, and place of the hearing, which they may attend and present evidence on the appropriateness of the proposed penalty assessment by following the instructions in 40 C.F.R. § 22.45(c)(1).