



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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MEMORANDUM

SUBJECT: In the Matter of Panther Development Investments, LLC
Docket No. CWA-08-2015-0022
Combined Complaint and Consent Agreement

FROM: Gwenette C. Campbell, Unit Chief, NPDES Enforcement Unit
Office of Enforcement, Compliance and Environmental Justice

James H. Eppers, Supervisory Attorney, Legal Enforcement Program
Office of Enforcement, Compliance and Environmental Justice

TO: Honorable Elyana R. Sutin, Regional Judicial Officer

[Handwritten signatures and initials]
FOR

With this memorandum, the Office of Enforcement, Compliance and Environmental Justice (ECEJ) is transmitting a combined complaint and consent agreement (CCCA) in the above-referenced matter. We request that you issue a final order approving it, subject to the public notice and comment provisions described below.

The EPA has taken this action under the authority of section 309(g)(1)(A) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g)(1)(A). In the CCCA, the EPA alleges that Panther Development Investments, LLC (Panther) discharged storm water into waters of the United States from the White Oaks Park construction site, from April 1, 2014, through January 1, 2015, and from the Black Eagle Estates construction site, from August 1, 2013, through January 1, 2015, without authorization by any permit issued under the CWA. Upon consideration of the factors set forth in 33 U.S.C. § 1319(g)(3), the EPA has determined that a civil penalty in the amount of \$36,076.79 is appropriate to settle this matter.

The EPA issued a public notice of this proposed settlement on July 16, 2015, pursuant to section 309(g)(4) of the CWA, 33 U.S.C. § 1319(g)(4). ECEJ requests that you defer signature on any final order to allow for ECEJ to address any comments that may have been submitted during the public comment period, which closed on August 18, 2015. However, if no comments are received, ECEJ requests that you issue a final order on August 28, 2015, pursuant to 40 C.F.R. § 22.45(b)(3).



Panther is represented by Andrew D. Levy, Esq., Frank, Weinberg & Black, P.L., 1875 NW Corporate Boulevard., Suite 100, Boca Raton, Florida 33431. His telephone number is (561) 989-0700, and his email address is alevy@fwblaw.net.

The EPA attorney for this matter is Abigail Dean, Enforcement Attorney, at (303) 312-6106.

cc: Andrew D. Levy