



Bull Moose Tube Company - 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 the Bull Moose Tube Company, a business located at 1819 Clarkson Road, Chesterfield, Missouri, 63017, for alleged violations at the facility located at 406 East Industrial Drive, Gerald, Missouri, 63037.

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 II civil penalty pursuant to 33 U.S.C. § 1319(g)(4)(A). Class II proceedings are conducted under the EPA’s Consolidated Rules, 40 C.F.R. Part 22.

In this case, the EPA alleges that Respondent violated the requirements of its National Pollutant Discharge Elimination System permit (General Permit # MO-R203238) in violation of Sections 301 and 402 of the Clean Water Act, 33 U.S.C. §§ 1311 and 1342. The EPA alleges that Respondent failed to conduct and/or report quarterly benchmark monitoring, failed to conduct and/or document corrective actions, failed to implement an adequate Stormwater Pollution Prevention Plan and periodically update the plan, failed to perform and/or document all monthly site inspections, and failed to follow proper sampling procedures. Respondent has reached agreement with the EPA on the terms of a proposed Consent Agreement/Final Order which would resolve this matter. Under the proposed Consent Agreement/Final Order, Respondent will pay a civil penalty of \$11,909. In settlement of this matter, Respondent will also perform a Supplemental Environmental Project (“SEP”). The SEP includes replacement of gravel on a portion of the facility’s surface with concrete in order to improve water quality by reducing the potential for pollutants in stormwater runoff. Final approval of the proposed Consent Agreement/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 II order or participate in a Class II 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/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-07-2017-0135. For

Technical questions contact Seth Draper, Water Enforcement Branch, at draper.seth@epa.gov, at the above mailing address or 913-551-7080. Persons with legal questions may contact Katherine Reitz, Office of Regional Counsel, at reitz.katherine@epa.gov, at the above mailing address or 913-551-7745. 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>7-27-17 Date</p>	<p>/s/ Diane Huffman for Jeffery Robichaud Acting Director Water, Wetlands and Pesticides Division U.S. EPA, Region 7</p>

How to Comment

Comments due date

09/06/2017

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-07-2017-0135.

Summary

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Program/Statute: Clean Water Act (CWA)

Applicant/Respondent(s):

Bull Moose Tube Company
Gerald, Missouri

Proposed action: Public Notice of Clean Water Act Administrative Penalty Settlement

Docket ID: CWA-07-2017-0135

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

- [Bull Moose Tube Company proposed Consent Agreement Final Order \(PDF\)](#) (21 pp, 3 MB)

LAST UPDATED ON AUGUST 7, 2017