



Region 7

http://www.epa.gov/region07/laws_regulations/CWA/2009/city_of_joplin_joplin_mo.html
Last updated on Wednesday, August 26th, 2009.

You are here: [EPA Home](#) [Regional 7](#) [Laws & Regulations](#) [CWA](#) City of Joplin, Joplin, MO

City of Joplin, Joplin, MO

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, Issuance of Compliance or Corrective Action Orders, 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 City of Joplin, Missouri, a municipality located at 602 South Main Street, Joplin, Missouri 64801, for alleged violations at the City of Joplin, Missouri Publicly Owned Treatment Works ("POTW") located in Joplin, Missouri.

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. EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. 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 EPA's Consolidated Rules, 40 C.F.R. Part 22.

In this case, EPA alleges that Respondent discharged pollutants from its POTW into waters of the United States without a permit issued pursuant to Section 402 of the CWA, in violation of Section 301 of the CWA, 33 U.S.C. § 1311. Respondent has reached agreement with EPA on the terms of a proposed Consent Agreement/Final Order which would resolve this matter. Under the proposed Consent Agreement/Final Order, the assessed civil penalty is Nine Thousand Four Hundred and Fifty Dollars (\$9450). Respondent will pay Three Thousand Three Hundred and Ninety Four Dollars (\$3394) in cash, and the remainder of the civil penalty will be mitigated through performance by Respondent of a Supplemental Environmental Project. The Supplemental Environmental Project requires Respondent to spend Sixty-five Thousand Dollars (\$65,000) for the installation of duplex submersible turbine pumps with a pressure relief valve and the necessary pressure piping at the Shoal Creek Wastewater Treatment Plant. The Respondent anticipates the project will yield significant water conservation. Final approval of the proposed Consent Agreement/Final Order is subject to the requirements of 40 C.F.R. § 22.45.

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. 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 receive a copy of EPA's Consolidated Rules, review the 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 VII, 901 N. Fifth Street, Kansas City, Kansas 66101. Please reference Docket No. CWA-07-2009-0101. In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to forty (40) days from the date of this notice.

08/12/2009
Date

/s/ Karen A. Flournoy for
William A. Spratlin
Director
Water, Wetlands, and Pesticides Division
U.S. EPA, Region 7