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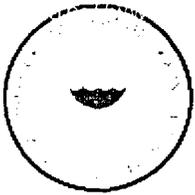
Civil Penalty Order Public Notices

(Posted below are penalties that have been publically noticed i

Public Notice Archives

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Date	Docket Number	In the Matter of	Proposed Penalty
11/28/2007	CWA-07-2007-0080	The City of Smithville, Missouri	\$18,000
11/09/2007	CWA-07-2007-0060	Rockfire Development, Inc., Lawrence, Kansas	\$12,000
11/06/2007	CWA-07-2008-0007	Harlan Van Voorst Feedlot, Sioux County, Iowa	\$43,351
10/25/2007	CWA-07-2008-0001	Drals Corporation Feedlot and Jim Moller, Sac County, Iowa	\$6,300
10/22/2007	CWA-07-2007-0083	The City of Topeka, Topeka, Kansas	\$9,250
10/11/2007	CWA-07-2007-0084	White Birch, LLC, West Des Moines, Iowa	\$5,250
09/27/2007	CWA-07-2007-0073	Paul Koester - Grimes, IA	\$5,050



http://www.epa.gov/region7/laws_regulations/CWA/2007/city_of_smithville_smithville_..._11282007.htm
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CWA Public Notice - City of Smithville, Missouri

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 the City of Smithville, Missouri. ("Respondent").

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 and Respondent have settled this matter before a complaint was filed. 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 EPA's Consolidated Rules, 40 C.F.R. Part 22.

In this case, the Consent Agreement and Final Order alleges that Respondent violated Sections 301(a) and 402 of the CWA, 33 U.S.C. § 1311(a) and § 1342, by failing to comply with the requirements of their National Pollutant Discharge Elimination System (NPDES) Permit No. MO-0055204 for their publicly owned treatment works (POTW) on Lowman Road in Smithville, Missouri, 64089. This City of Smithville, Missouri failed to meet effluent limits required by their NPDES permit, failed to monitor effluent, failed to record information on monitoring of the effluent, and failed to properly operate and maintain the POTW facility. Under the proposed Consent Agreement and Final Order, Respondent will pay a civil penalty of \$18,000. Final approval of the proposed Complaint and 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. 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, 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-07-2007-0080. 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.

11/23/07
Date

/s/ Donald E. Gibbins for
William A. Spratlin

Director, Water, Wetlands, and Pesticides
U.S. EPA, Region VII

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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For William A. Spratlin
Director
Water, Wetlands, and Pesticides Division
U.S. EPA, Region VII