

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 5
77 W. Jackson Blvd., Chicago, Illinois 60604

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MAR 17 2010

PUBLIC NOTICE

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of Mr. Allen Barry, Mr. Tim Barry d/b/a Allen Barry Livestock

1448 Route 72 East
Leaf River, Illinois 61010

Docket No. CWA-05-2010-0008

The U.S. Environmental Protection Agency, Region 5, hereby gives notice of its proposal to assess a civil penalty of \$75,000.00 against Mr. Allen Barry, Mr. Tim Barry d/b/a Allen Barry Livestock (ABL) for violations of the Clean Water Act. EPA is seeking civil penalties for ABL's failure to meet the requirements of its NPDES permit, and for failure to submit a timely response to an Administrative Order.

Any person wishing to comment on the proposed penalty order must submit written comments to the Regional Hearing Clerk at the address listed below within 30 days of the date of this notice. These comments should identify the case name and docket number referenced above.

Regional Hearing Clerk
EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Only ABL may request a hearing on the proposed penalty order. If a hearing is held, those submitting written comments will be advised of the date and time of the hearing and may appear to present evidence on the appropriateness of the proposed penalty assessment. The EPA will give notice of the final order assessing a penalty to any person who submitted written comments.

A copy of the Administrative Complaint may be obtained from the Regional Hearing Clerk or by contacting Luis Oviedo at (312) 353-9538. All documents filed in this proceeding, including documents submitted by ABL, are available at the USEPA Regional Office at the address listed above. The case docket will be open for public inspection between 9 a.m. and 4 p.m., Monday through Friday.