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2012 APR -2 PM 4: 28

United States Senate

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

WASHINGTON, DC 20510

March 22, 2012

U.S. SENATE
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
SUBCOMMITTEE ON WATER AND WASTEWATER TREATMENT
WASHINGTON, DC 20540
PHONE: 202-512-2400
FAX: 202-512-2401
WWW.SENATE.GOV

Shawn Garvin
Administrator
U.S. EPA REGION 3
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Docket No.s
CWA-03-2012-0092
CWA-03-2012-0093
CWA-03-2012-0094
CWA-03-2012-0095

Dear Administrator Garvin,

I write to you again to echo the many concerns of my constituents regarding EPA's actions against several central Pennsylvania municipalities. Since our last correspondence regarding the city of Lebanon, it has come to my attention that EPA is fining three additional municipalities (York, Manor Township, and Swatara Township) for allegedly failing to comply with their National Pollutant Discharge Elimination System (NPDES) permits issued by the Pennsylvania Department of Environmental Protection (PA DEP). This raises total EPA fines pending against Pennsylvania municipalities to \$128,608. It is my hope that we can find a compromise that allows these fines to be waived.

I appreciate EPA's letter of March, 13 2012 commenting on the fine EPA levied against the city of Lebanon. That said, I feel this letter was an incomplete explanation as to why EPA is taking such aggressive action against Lebanon and did not adequately explain EPA's rationale for assessing such a large penalty. I also appreciate EPA's stated commitment to keeping PA DEP informed of all enforcement activities, though I remain disappointed that EPA failed to provide PA DEP with official copies of enforcement documents until more than 30 days after they had been issued. These actions demonstrate EPA's failure to live up to its commitment to increased transparency as called for by Administrator Jackson in her memo entitled "CWA Action Plan Priorities," dated May 11, 2012.

With this in mind, I respectfully request that EPA reconsider its fines against these four municipalities and provide detailed answers to the following questions:

1. Your previous letter references EPA's "Interim Clean Water Act Settlement Penalty Policy" (Policy) (March 1, 1995). This document lists "economic benefits" of noncompliance as the leading factor in determining the size of a penalty. Did EPA determine that any of the four municipalities received an economic benefit from their alleged violations? If so, please elaborate on how EPA reached this conclusion.
2. Title 33 § 1319 (g) of the United States Code requires EPA to take into account an entity's "ability to pay" before assessing a penalty. How did EPA determine that these

municipalities were financially capable of paying tens of thousands of dollars in penalties?

- a. Specifically, how did EPA account for the financial strains caused by damages from Tropical Storm Lee and other natural disasters in central Pennsylvania in 2011?
 - b. Does EPA recognize that the City of Lebanon will either forgo replacement of a police cruiser or laying off a police officer in order to pay for the fine?
3. In your letter, you note that “EPA also invited Lebanon to propose a green infrastructure project to benefit the Chesapeake Bay, credit for which could potentially be used to further reduce the penalty if the project met certain criteria.” It is my understanding that Lebanon’s proposed project would have benefited the Chesapeake Bay. Despite this fact, EPA chose to deny this project because it was not fully financed by Lebanon and was not located entirely within its MS4 jurisdiction. Can you please state where in EPA’s policy guidelines these criteria are listed as grounds for denying such a project? Has EPA ever used these criteria to deny a project before?
4. Would EPA consider conditionally removing the fines provided that certain benchmarks are met by the municipalities facing these fines?

Please feel free to contact my office at any time to discuss this issue in further detail. I appreciate your consideration and look forward to response.

Sincerely,



Pat Toomey
U.S. Senator.

Cc: Regional Hearing Clerk (RRC00)

March 24, 2012

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Docket Number: CWA-03-2012-0095

Thank you for the opportunity to comment on MS4 requirements.

As the president of the Swatara Watershed Association and a Lebanon County Commissioner, my observation of the impacts of implementation of MS4 involves both environmental and governmental perspectives.

Devastating events occurred in Lebanon County in 2011—an earthquake, a hurricane and a tropical storm called Lee. Water was everywhere, and stands in many low lands to this day. Today, six months after Lee, I visited homes being cleaned out for the first time.

As a County, we have preserved over 16,000 acres of farmland, not just to grow crops, but to preserve our heritage and culture as well as to maintain open space for groundwater recharge. Likewise, we support rail trails and parks for recreation and preservation of open space.

The City of Lebanon and boroughs are land locked and built out. Don't expect development to occur there, which means no new real estate taxes, the major source of income the PA State Legislature allows municipalities to use to raise revenue to provide services.

Municipalities have to provide police protection, repair roads, maintain parks and the like. To save money, some of the municipalities reduced or eliminated street sweeping. Ironically, MS4 seems to mandate street sweeping. In neighboring Dauphin County, the City of Harrisburg is on the verge of bankruptcy. Studies have concluded that many cities and municipalities will go bankrupt over the coming decade.

So, heavy handed enforcement of MS4 may be counterproductive. If a municipality goes bankrupt, no MS4 guidelines may be implemented.

So, what's the balance? Please allow me to highlight the Lebanon County Conservation District where they work with farmers toward voluntary compliance for conservation plans and such. There are no fines, just feet on the ground—neighbors working with neighbors in a positive manner. Even before MS4, the Conservation District worked to stencil storm water drains with the "Drains to Streams" logos to educate citizens.

In the case of the City of Lebanon, where something like an \$81,000 fine was imposed at a time when they are against their tax ceiling and a new cooperative administration has taken over, why would these fines not be eliminated?

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EPA REGION III, PHILA. PA

March 26, 2012

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

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2012 MAR 30 PM 3:35
REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

RE: Docket Number: CWA-03-2012-0095

Dear EPA Representatives:

As you are aware, the City of Lebanon has been cooperating with the U.S. Environmental Protection Agency (EPA) in the process of obtaining a Section 401 permit for the installation of aeration equipment. The City is sincere in its desire to comply with all requirements of the Clean Water Act and the NPDES-4 Permit and is disappointed to learn that the project was not approved. We are disappointed to learn that the project was not approved, as a way to improve the water quality of the Chesapeake Bay and the Stoever's Dam. We are disappointed to learn that the project was not approved, as a way to improve the water quality of the Chesapeake Bay and the Stoever's Dam.

To continue, it is our understanding that the City was first told that because the City was not funding the project that it could not be considered. Subsequent to updating EPA with information that the City was partially funding the project; EPA responded that the project was not located within the City limits. Stoever's Dam is located partially in the City and the adjoining North Lebanon Township. While it is correct that the actual project would be located in North Lebanon Township, the feeder pond where the City wants to add aeration and the buffer flows directly into the larger pond and dam, which flows into City creeks and streams and ultimately the Chesapeake Bay. This project would represent a definite benefit to the protection of the environment; a project that should be welcomed by EPA.

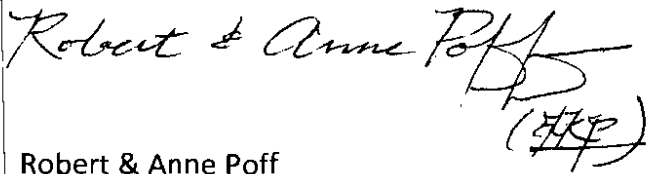
PLS Scan in, email
to me + give originals to
Lydia Guy. Thx Lori

March 26, 2012

In conclusion, we ask that EPA please recognize the economic impact that any monetary penalty would have on the City and further, that EPA approve the City's proposed Green Infrastructure Project that surly will have a positive environmental impact.

If you should have questions, please do not hesitate to contact us.

Very truly yours,

A handwritten signature in cursive script that reads "Robert & Anne Poff". Below the signature, there is a circled stamp that appears to contain the initials "R&A".

Robert & Anne Poff
City Residents
600 Raspberry Lane
Lebanon, PA 17046



Lebanon County Commissioners

Room 207, Municipal Building • 400 South Eighth Street • Lebanon, Pennsylvania 17042-6794
717-228-4427 • Fax 717-274-8094
Website: www.lebcounty.org

Robert J. Phillips
William E. Ames
Jo Ellen Litz
County Commissioners

Jamie A. Wolgemuth
County Administrator
Arienne C. Snelling
County Solicitor

March 23, 2012

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Docket Number: CWA-03-2012-0095

Dear EPA Representatives:

On behalf of the Lebanon County Board of Commissioners, I am writing to request that you please reconsider the EPA's proposed fine against the City of Lebanon.

As you are aware, the City of Lebanon has been cooperating with the U.S. Environmental Protection Agency (EPA) in order to reduce a penalty assessed to the City for alleged MS-4 violations. The City is sincere in its efforts to maintain compliance with EPA's Clean Water Act and their MS-4 Permit and further, is pleased that a potential fine of \$177,500 was reduced to \$21,600. What is disappointing to us is that EPA is not willing to accept the City's proposed Green Infrastructure Project, as a way to further reduce a monetary penalty against a municipality that is under an Early Intervention Program with the state.

While we understand that the City may not have followed administrative requirements, at no time did the City pollute the Commonwealth's waters or contribute to any environmental catastrophe. We are confused that the City's efforts to totally reduce the penalty by implementing a well-documented Green Infrastructure (GI) project at Stoever's Park, initially proposed by EPA, were unsuccessful.

In conclusion, we ask that EPA please recognize the economic impact that any monetary penalty would have on the City of Lebanon and further, that EPA approve the City's proposed Infrastructure Project which will certainly have a positive environmental impact.

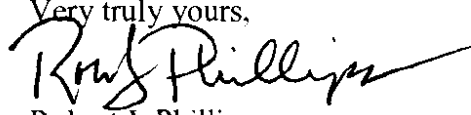
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PHILA. PA

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
Page 2

RE: Docket Number: CWA-03-2012-0095

Thanking you in advance for all considerations.

If you should have questions, please do not hesitate to contact me.

Very truly yours,

Robert J. Phillips
Chairman
Lebanon County Commissioner

RJP/kk

pc: Senator Pat Toomey
Senator Robert P. Casey, Jr.
Congressman Tim Holden, 17th Congressional District
Congressman Charlie Dent, 15th Congressional District
Congressman Jim Gerlach, 6th Congressional District
Mayor Sherry L. Capello, City of Lebanon

SENATE PO BOX 203048
THE STATE CAPITOL
HARRISBURG, PA 17120-3048
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FAX: 717-787-3455

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LEBANON, PA 17042
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FAX: 717-274-7702
TOLL FREE: 877-232-1897

509 WEST PENN AVENUE, SUITE 10
ROBESONIA, PA 17085
610-693-3000
FAX: 810-693-3022

MIKE FOLMER



Senate of Pennsylvania
48TH SENATORIAL DISTRICT

COMMITTEES

COMMUNICATIONS & TECHNOLOGY, CHAIR
STATE GOVERNMENT, VICE CHAIRMAN
EDUCATION
LABOR & INDUSTRY
URBAN AFFAIRS & HOUSING

SENATE POLICY COMMITTEE
SENATE FAMILY CAUCUS
SENATE FIREFIGHTERS &
EMERGENCY SERVICES CAUCUS
SENATE BIO-TECH CAUCUS

PA EHEALTH INITIATIVE BOARD
PA HEALTH INFORMATION EXCHANGE (PHIX)
ADVISORY COUNCIL

E-MAIL: mfolmer@pasen.gov
WEB SITE: www.senatorfolmer.com

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EPA REGION III, PHILA, PA

March 22, 2012

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MAR 26 2012

Shawn Garvin
Administrator
U.S. EPA REGION 3
1650 Arch Street
Philadelphia, PA 19103-

EPA REGION III
OFFICE OF REGIONAL ADMINISTRATOR

*Lydia -
our. mail for
the Lebanon
doctors.*

3-2012-0095

Dear Administrator Garvin

I wanted you to know of
Lebanon City, Pennsylvania
of the permit granted to

EPA's decision to fine
to comply with provisions
13 Program.

This fine will have serio
their own, are already ex
Storm Lee's unpreceden
added burdens imposed

*James
save
x58000*

who, through no fault of
re recession and Tropical
imply do not need new and
ary - fine such as this.

Lebanon City and Mayor Capello have taken every opportunity to work with EPA to resolve any issues there may be with their MS4 program. You yourself have stated in correspondence with Congressman Tim Holden that "Lebanon has taken significant steps toward improvement of its MS4 program." I cannot help but feel this fine will ultimately prove counterproductive to EPA's greater mission of safeguarding human health and the environment as it will simply reduce the amount of capital available to Lebanon to further protect the environment.

I ask you stay this unnecessary and destructive fine and instead concentrate efforts to educate and aid municipalities in how they can better comply with this unfunded federal mandate. I would appreciate your prompt response.

Sincerely,
Mike Folmer
Mike Folmer

MF:fs:fb



Lebanon County Commissioners

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March 23, 2012

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Docket Number: CWA-03-2012-0095

Dear EPA Representatives:

On behalf of the Lebanon County Board of Commissioners, we are writing to you regarding the EPA's proposed fine against the City of Lebanon.

As you are aware, the City of Lebanon has been cited by the Environmental Protection Agency (EPA) in order to respond to alleged MS-4 violations. The City is sincere in its efforts to comply with the EPA's Clean Water Act and their MS-4 Permit and further reduce the potential fine of \$177,500 was reduced to \$21,600. What is disappointing to us is that EPA is not willing to accept the City's proposed Green Infrastructure Project, as a way to further reduce a monetary penalty against a municipality that is under an Early Intervention Program with the state.

While we understand that the City may not have followed administrative requirements, at no time did the City pollute the Commonwealth's waters or contribute to any environmental catastrophe. We are confused that the City's efforts to totally reduce the penalty by implementing a well-documented Green Infrastructure (GI) project at Stoever's Park, initially proposed by EPA, were unsuccessful.

In conclusion, we ask that EPA please recognize the economic impact that any monetary penalty would have on the City of Lebanon and further, that EPA approve the City's proposed Infrastructure Project which will certainly have a positive environmental impact.

*Lydia -
for docket
CWA-03-2012-
0095
(with letters)
Thanks
Cynthia Saxe
x5806*

REGIONAL HEARING CLERK
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30th
Anniversary
1982 - 2012



ROBERT L. BEERS, R.A., A.I.A.
ROBERT P. HOFFMAN, R.A., A.I.A.
SCOTT L. SHONK, R.A., A.I.A. LEED AP
PETER D. KEREKGYARTO, R.A., A.I.A. LEED AP
TIMOTHY M. SCHWEAR, Assoc. A.I.A.

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March 26, 2012

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To continue, it is our understanding that the City may not have followed administrative requirements, however, at no time did the City pollute the Commonwealth's waters or contribute to any environmental catastrophe. We are confused that the City's efforts to totally reduce the penalty by implementing a Green Infrastructure (GI) project initially proposed by EPA were unsuccessful. The City proposed to install an aeration fountain at a feeder pond located at Stoever's Dam and install a riparian buffer around the perimeter of the feeder pond. Stoever's Dam is a City-owned and operated park. It is our further understanding that the City was first told that because the City was not funding the project that it could not be considered. Subsequent to updating EPA with information that the City

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FACILITY COMPLIANCE

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EPA REGION III, PHILA. PA

WASHINGTON, DC 20540

March 22, 2012

U.S. SENATE
COMMUNICATIONS SECTION
WASHINGTON, DC 20540
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FAX: 202-512-2454
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Shawn Garvin
Administrator
U.S. EPA REGION 3
1650 Arch Street
Philadelphia, PA 19103-2029

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municipalities were financially capable of paying tens of thousands of dollars in penalties?

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Please feel free to contact my office at any time to discuss this issue in further detail. I appreciate your consideration and look forward to response.

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U.S. Senator.

March 24, 2012

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U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

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So, what's the balance? Please allow me to highlight the Lebanon County Conservation District where they work with farmers toward voluntary compliance for conservation plans and such. There are no fines, just feet on the ground—neighbors working with neighbors in a positive manner. Even before MS4, the Conservation District worked to stencil storm water drains with the “Drains to Streams” logos to educate citizens.

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Annual Estimated Costs of Municipal MS4 Program Chart (For Year March 10th-March 9th)
- the cost to implement and maintain the MS4 Program

Personnel Training and Education	Public Education	Administration	Complaint Investigations	Enforcement	Penalties	Total Annual Cost \$
\$600.00	\$500.00	\$500.00	\$200.00	\$150.00	N/A	\$23,210.00
\$221.00	\$619.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$7,240.00
\$200.00	\$2,000.00	\$1,500.00	\$0.00	\$0.00	\$0.00	\$48,630.00
	\$300.00	\$1,900.00				\$7,100.00
	\$300.00	\$2,500.00				\$12,985.00
	\$300.00	\$2,200.00				\$13,900.00
	\$300.00	\$2,500.00				\$10,600.00
	\$300.00	\$1,600.00				\$3,900.00
\$500.00	\$2,000.00	\$15,991.00	\$200.00			\$26,891.00
\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$276,200.00
\$6,521.00	\$11,619.00	\$34,691.00	\$5,400.00	\$5,150.00	\$5,000.00	\$430,656.00



Lebanon County Commissioners

Room 207, Municipal Building • 400 South Eighth Street • Lebanon, Pennsylvania 17042 6794
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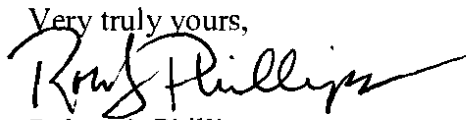
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U.S. EPA, Region III
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If you should have questions, please do not hesitate to contact me.

Very truly yours,

Robert J. Phillips
Chairman
Lebanon County Commissioner

RJP/kk

pc: Senator Pat Toomey
Senator Robert P. Casey, Jr.
Congressman Tim Holden, 17th Congressional District
Congressman Charlie Dent, 15th Congressional District
Congressman Jim Gerlach, 6th Congressional District
Mayor Sherry L. Capello, City of Lebanon

SENATE PO BOX 203048
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101 MUNICIPAL BUILDING
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FAX: 717-274-7702
TOLL FREE: 877-222-1997

509 WEST PENN AVENUE, SUITE 10
ROBESONIA, PA 15511
610-693-3100
FAX: 610-693-3112

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REGIONAL HEARING CENTER
EPA REGION III, PHILADELPHIA, PA

MIKE FOLMER



Senate of Pennsylvania
48TH SENATORIAL DISTRICT

COMMITTEES
COMMUNICATIONS & TECHNOLOGY, CHAIR
STATE GOVERNMENT, VICE CHAIRMAN
EDUCATION
LABOR & INDUSTRY
URBAN AFFAIRS & HOUSING
SENATE POLICY COMMITTEE
SENATE FAMILY CAUCUS
SENATE FIREFIGHTERS &
EMERGENCY SERVICES CAUCUS
SENATE BIO-TECH CAUCUS
PA EHEALTH INITIATIVE BOARD
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E-MAIL: mfolmer@pasen.gov
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EPA. REGION III
OFFICE OF REGIONAL ADMINISTRATOR

Re: Docket No.: CWA-03-2012-0095

Dear Administrator Garvin:

I wanted you to know of my deep concerns and strong opposition to EPA's decision to fine Lebanon City, Pennsylvania \$21,600 in penalties for allegedly failing to comply with provisions of the permit granted to them under the Pennsylvania General Permit-13 Program.

This fine will have serious consequences to the City and its residents who, through no fault of their own, are already experiencing great financial hardships due to the recession and Tropical Storm Lee's unprecedented flood damage. The citizens of Lebanon simply do not need new and added burdens imposed upon them through a punitive – and unnecessary – fine such as this.

Lebanon City and Mayor Capello have taken every opportunity to work with EPA to resolve any issues there may be with their MS4 program. You yourself have stated in correspondence with Congressman Tim Holden that "Lebanon has taken significant steps toward improvement of its MS4 program." I cannot help but feel this fine will ultimately prove counterproductive to EPA's greater mission of safeguarding human health and the environment as it will simply reduce the amount of capital available to Lebanon to further protect the environment.

I ask you stay this unnecessary and destructive fine and instead concentrate efforts to educate and aid municipalities in how they can better comply with this unfunded federal mandate. I would appreciate your prompt response.

Sincerely

Mike Folmer

MF:fs:fb



Lebanon County Commissioners

Room 207, Municipal Building • 400 South Eighth Street • Lebanon, Pennsylvania 17042-6794
717-228-4427 • Fax 717-274-8094
Website: www.lebcounty.org

Robert J. Phillips
William E. Ames
Jo Ellen Litz
County Commissioners

Jamie A. Wolgemuth
County Administrator
Adrienne C. Snelling
County Solicitor

March 23, 2012

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Docket Number: CWA-03-2012-0095

Dear EPA Representatives:

On behalf of the Lebanon County Board of Commissioners, I am writing to you regarding the EPA's proposed fine against the City of Lebanon.

As you are aware, the City of Lebanon has been cooperating with the U.S. Environmental Protection Agency (EPA) in order to reduce a penalty assessed to the City for alleged MS-4 violations. The City is sincere in its efforts to maintain compliance with EPA's Clean Water Act and their MS-4 Permit and further, is pleased that a potential fine of \$177,500 was reduced to \$21,600. What is disappointing to us is that EPA is not willing to accept the City's proposed Green Infrastructure Project, as a way to further reduce a monetary penalty against a municipality that is under an Early Intervention Program with the state.

While we understand that the City may not have followed administrative requirements, at no time did the City pollute the Commonwealth's waters or contribute to any environmental catastrophe. We are confused that the City's efforts to totally reduce the penalty by implementing a well-documented Green Infrastructure (GI) project at Stoever's Park, initially proposed by EPA, were unsuccessful.

In conclusion, we ask that EPA please recognize the economic impact that any monetary penalty would have on the City of Lebanon and further, that EPA approve the City's proposed Infrastructure Project which will certainly have a positive environmental impact.

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REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

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REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

March 26, 2012

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RECEIVED
2012 MAR 30 PM 3:35
REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

RE: Docket Number: CWA-03-2012-0095

Dear EPA Representatives:

As you are aware, the City of Lebanon has been cooperating with the U.S. Environmental Protection Agency (EPA) in order to reduce a penalty assessed to the City for alleged MS-4 violations. The City is sincere in its efforts to maintain compliance with EPA's Clean Water Act and their MS-4 Permit and further, is pleased that a potential fine of \$177,500 was reduced to \$21,600. What is disappointing to us is that EPA is not willing to accept the City's proposed Green Infrastructure Project, as a way to further reduce a monetary penalty against a municipality that is under an Early Intervention Program with the state.


To continue, it is our understanding that the City may not have followed administrative requirements, however, at no time did the City pollute the Commonwealth's waters or contribute to any environmental catastrophe. We are confused that the City's efforts to totally reduce the penalty by implementing a Green Infrastructure (GI) project initially proposed by EPA were unsuccessful. The City proposed to install an aeration fountain at a feeder pond located at Stoever's Dam and install a riparian buffer around the perimeter of the feeder pond. Stoever's Dam is a City-owned and operated park. It is our further understanding that the City was first told that because the City was not funding the project that it could not be considered. Subsequent to updating EPA with information that the City was partially funding the project; EPA responded that the project was not located within the City limits. Stoever's Dam is located partially in the City and the adjoining North Lebanon Township. While it is correct that the actual project would be located in North Lebanon Township, the feeder pond where the City wants to add aeration and the buffer flows directly into the larger pond and dam, which flows into City creeks and streams and ultimately the Chesapeake Bay. This project would represent a definite benefit to the protection of the environment; a project that should be welcomed by EPA.

March 26, 2012

In conclusion, we ask that EPA please recognize the economic impact that any monetary penalty would have on the City and further, that EPA approve the City's proposed Green Infrastructure Project that surly will have a positive environmental impact.

If you should have questions, please do not hesitate to contact us.

Very truly yours,

Robert & Anne Poff

(R&A P)

Robert & Anne Poff
City Residents
600 Raspberry Lane
Lebanon, PA 17046

30th
Anniversary
1982 - 2012



ROBERT L. BEERS, R.A., A.I.A.
ROBERT P. HOFFMAN, R.A., A.I.A.
SCOTT L. SHONK, R.A., A.I.A. LEED AP
PETER D. KEREKGYARTO, R.A., A.I.A. LEED AP
TIMOTHY M. SCHWEAR, Assoc. A.I.A.

RECEIVED

MAR 28 2012

EPA REGION III
SPECIAL REGIONAL ADMINISTRATOR

22 March 2012

The Honorable Shawn Garvin, Administrator
Environmental Protection Agency Region 3
1650 Arch Street
Philadelphia, PA 19103

Dear Administrator Garvin,

I am writing to respectfully request that the fine recently levied by the EPA on Lebanon, Pa be expunged. The City, under new administration, has made every good faith effort to comply with the EPA requirements and has pledged to continue to do so.

Our community has been severely affected by Tropical storm Lee with over 1,300 homes experiencing water above the first floor and 56 homes have been condemned. My own home sustained serious and costly damage with a buckled basement wall. Our tax payers can simply not have additional burdens levied upon them.

I hope that careful evaluation of the situation and the good faith efforts involved by our officials will result in the cancellation of this fine.

Thank you very much.

Sincerely,

Robert P. Hoffman, AIA

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EPA REGION III, PHILA. PA