

Menu

United States Environmental Protection Agency

EPA in Kansas

Share

Contact Us

Wiebe Farms, Inc - 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 Wiebe Farms, Inc., a beef cattle feeding operation located at 13232 NW Prairie Creek Road in Whitewater, Kansas, for alleged CWA violations at its facility at the same address.

Under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), the EPA is authorized to issue orders assessing civil penalties for various violations of the CWA. 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 confined between 300 and 999 head of beef cattle at its facility and discharged manure and process wastewater through a culvert into waters of the United States without National Pollutant Discharge Elimination System permit authorization, in violation of Section 301 of the CWA, 33 U.S.C. § 1311. Respondent has reached agreement with the EPA on the terms of a proposed Consent Agreement and Final Order (“CA/FO”), which would resolve Respondent’s liability for federal civil penalties as to the CWA violations alleged therein following Respondent’s payment of a \$35,000 civil penalty. Final approval of the proposed CA/FO 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 CA/FO, 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, Kansas 66219. Please reference Docket No. CWA-07-2016-0067. 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>1-17-17 Date</p>	<p>/s/ Karen A. Flourney Director Water, Wetlands and Pesticides Division U.S. EPA, Region 7</p>

How to Comment

Comments due date
02/17/2017

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-07-2016-0067.

Summary

The EPA is providing notice of a proposed Administrative Penalty Assessment against Wiebe Farms, Inc., a beef cattle feeding operation located at 13232 NW Prairie Creek Road in Whitewater, KS, for alleged CWA violations at its facility at the same address.

Program/Statute: Clean Water Act (CWA)

Applicant/Respondent(s):

Wiebe Farms, Inc.
Whitewater, Kansas

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

Docket ID: CWA-07-2016-0067

You will need Adobe Reader to view some of the files on this page. See EPA's About PDF page to learn more.

- [Wiebe Farms, Inc. proposed Consent Agreement Final Order \(PDF\)](#) (11 pp, 1 MB)

Contact Us to ask a question, provide feedback, or report a problem.

Discover.

[Accessibility](#)
[EPA Administrator](#)
[Budget & Performance](#)
[Contracting](#)
[Grants](#)
[No FEAR Act Data](#)
[Privacy and Security](#)

Connect.

[Data.gov](#)
[Inspector General](#)
[Jobs](#)
[Newsroom](#)
[Open Government](#)
[Regulations.gov](#)
[Subscribe](#)
[USA.gov](#)
[White House](#)

Ask.

[Contact Us](#)
[Hotlines](#)
[FOIA Requests](#)
[Frequent Questions](#)

Follow.

LAST UPDATED ON JANUARY 18, 2017

