

U.S. ENVIRONMENTAL PROTECTION AGENCY - REGION 5

PUBLIC NOTICE

Hintz Excavating & Blacktop
Tim and Walter Hintz, Owners
P.O. Box 39
Adams, Wisconsin 53910

RECEIVED
APR 09 2010

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

Docket No.
CWA-05-2010-0009

The U.S. Environmental Protection Agency (U.S. EPA), Region 5, is hereby giving notice of its proposal to assess a civil penalty of \$72,000 against Hintz Excavating & Blacktop for violations of the Clean Water Act. U.S. EPA is seeking civil penalties for the this contractor firm for filling of approximately 5.6 acres of wetlands abutting an unnamed tributary to Buckner Creek, located southeast of the intersection of Badger Avenue and 4th Drive in the Town of Colburn, Adams County, Wisconsin.

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.

Regional Hearing Clerk
U.S. EPA, Region 5 (E-19J)
77 West Jackson Boulevard
Chicago, Illinois 60604

Only the respondent Hintz Excavating & Blacktop 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 assessments. The U.S. EPA will give notice of the final order assessing penalties to any person who submitted written comments.

A copy of the Administrative Complaint, Notice of Proposed Assessment of Class II Administrative Penalty and Notice of Opportunity to Request Hearing may be obtained from the Regional Hearing Clerk or by contacting Greg Carlson at (312) 886-0124. All documents filed in this proceeding, including documents submitted by the respondents, are available at the U.S. EPA 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.

Tinka G. Hyde
Director, Water Division
U.S. EPA, Region 5