



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4

ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JAN 21 2009

**CERTIFIED MAIL** 7008 1140 0002 7576 8792  
**RETURN RECEIPT REQUESTED**

Mr. Mike Hibbett  
Boone County Board of Education  
8330 US 42  
Florence, Kentucky 41042


Re: Consent Agreement and Final Order  
Docket No. CWA-04-2009-4500(b)  
Longbranch High School Campus  
Florence, Kentucky

Dear Mr. Hibbett:

Enclosed please find a fully executed copy of the Consent Agreement and Final Order that has been finalized by the U.S. Environmental Protection Agency and the Regional Judicial Officer. Please make note that you have met all of the provisions under the Final Order. We acknowledge receipt of full payment in the amount of \$7,000.

Should you have any questions or concerns regarding this matter, please contact Ms. Amanda Driskell at (404) 562-9735.

Sincerely,



Douglas F. Mundrick, P.E., Chief  
Water Programs Enforcement Branch  
Water Management Division

Enclosure

cc: Kentucky Department for Environmental  
Protection  
Kentucky Department for Environmental  
Protection-Florence District Office

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4

IN THE MATTER OF:

BOONE COUNTY BOARD OF EDUCATION  
LONGBRANCH HIGH SCHOOL CAMPUS  
UNION, KENTUCKY

CONSENT AGREEMENT AND  
FINAL ORDER

DOCKET NO. CWA-04-2009-4500(b)

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2009 JUN 21 PM 5:07  
RECEIVED CLERK  
EPA REGION 4

CONSENT AGREEMENT

I. Statutory Authority

1. This is a civil penalty proceeding pursuant to Section 309(g)(2)(A) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(2)(A), and 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*, including Subpart I, published at 64 *Fed. Reg.* 40176 (July 23, 1999) and codified at 40 Code of Federal Regulations ("C.F.R.") Part 22.

2. The authority to take action under Section 309(g)(2)(A) of the CWA, 33 U.S.C. § 1319(g)(2)(A), is vested in the Administrator of the United States Environmental Protection Agency ("EPA"). The Administrator has delegated this authority to the Regional Administrator, Region 4, who in turn has delegated this authority to the Director of the Water Management Division, who in turn has delegated this authority to the Chief of the Water Programs Enforcement Branch of EPA, Region 4 ("Complainant").

II. Allegations

3. Boone County Board of Education, is an association formed under the laws of the Commonwealth of Kentucky and is a "person" within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5).

4. At all times relevant to this action, Boone County Board of Education owned and/or operated a construction site known as the Longbranch High School Campus ("Development") located on Longbranch Road in Union, Kentucky.

5. To accomplish the objective of the CWA, defined in Section 101(a) of the CWA, 33 U.S.C. § 1251(a), to restore and maintain the chemical, physical and biological integrity of the nation's waters, Section 301(a) of the CWA, 33 U.S.C. § 1311(a), prohibits the discharge of pollutants by any person into waters of the United States except as in compliance with a National

Pollutant Discharge Elimination System (“NPDES”) permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

6. Section 402 of the CWA, 33 U.S.C. § 1342, establishes an NPDES Permit Program authorizing EPA or authorized states to administer the NPDES Permit Program, including the issuance of NPDES permits allowing for the discharge of pollutants, including storm water, into navigable waters subject to specific terms and conditions. EPA has granted the Commonwealth of Kentucky through the Department for Environmental Protection (“KDEP”) approval to issue NPDES permits pursuant to Section 402(b) of the CWA. KDEP is responsible for the enforcement of Kentucky Revised Statutes Chapter 224 16-0560 and 401 KAR 5-055, Sections 1 and 5, and the approval of coverage upon submission and approval of a Notice of Intent (“NOI”) requesting Permit coverage.

7. KDEP issued a *General KPDES Permit for Storm Water Point Source Discharges, Construction Activities*, Permit No. KYR10 (“Permit”), in accordance with the provisions of the Kentucky Revised Statutes Chapter 224 16-050 and pursuant to 401 KAR 5:055, Sections 1 and 5 and the CWA. The Permit was effective October 1, 2002, and expired September 30, 2007.

8. The Permit is a Kentucky statewide NPDES general permit governing storm water point source discharges associated with construction activities including clearing, grading, and excavation activities except operations that result in the disturbance of less than five (5) acres of total land area which are not part of a larger common plan of development or sale.

9. To obtain coverage under the Permit, a signed NOI must be submitted to KDEP forty-eight (48) hours before construction activity begins. Failure to obtain or maintain Permit coverage shall not relieve a discharger from complying with the applicable performance standards. 401 KAR 5:055, Section 1.

10. On April 28, 2006, Respondent submitted a NOI requesting permit coverage to the KDEP.

11. Part II of the Permit incorporates 401 KAR 5:065 Section 1 by reference.

- A. 401 KAR 5:065 Section 1(4) requires the Permittee to take all reasonable steps to minimize or prevent any discharge in violation of the Permit which has a reasonable likelihood of adversely affecting human health or the environment.
- B. 401 KAR 5:065 Section 1(5) of the Permit requires the Permittee to properly operate and maintain at all times all facilities and systems of treatment and control and related appurtenances which are installed or used by the Permittee to achieve compliance with the conditions of the Permit.

- C. 401 KAR 5:065 Section 1(10)(b) of the Permit requires the Permittee to retain records of all monitoring information, copies of all reports required by the Permit, and records of all data used to complete the application for the Permit, for a period of at least three (3) years from the date of the report or application.

12. Part III.D of the Permit requires the Permittee to minimize the presence of hazardous substances or oil in the storm water discharge in accordance with the Best Management Practices ("BMP") Plan.

13. Part IV.C of the Permit requires the Permittee to ensure that no solid materials, including building materials, are discharged to surface waters, except as authorized by a Section 404 Permit.

14. Part IV of the Permit requires the Permittee to modify the BMP Plan within seven (7) days if it proves to be ineffective in controlling the discharge of pollutants, or when there is a change in the design, construction, operation, or maintenance of the site which has a significant effect on the potential for the discharge of pollutants to surface waters, and to implement such modifications within seven (7) days.

15. Part IV.A of the Permit requires the BMP Plan to include, *inter alia*: a clear description of the order of major soil disturbing activities; receiving water name; and a site map indicating the location of control measures, surface waters, and storm water discharge locations.

16. Part IV.B of the Permit requires the BMP Plan to include a clear description of what sediment and erosion control measures will be used and when they will be implemented.

17. Part IV.B(1) of the Permit requires the Permittee to preserve existing vegetation where possible and to stabilize all disturbed areas within fourteen (14) days on areas of the site where construction activities have permanently or temporarily (for twenty-one (21) days or more) ceased.

18. Part IV.B(2) of the Permit requires the Permittee to use silt fences or other equivalent structural practices on all side and down slope borders of the site.

19. Part IV.B.(3) of the Permit requires the Permittee to install management devices during construction to control the pollutants in storm water discharges that will occur after construction has been completed. Velocity dissipation devices shall be placed at discharge locations along the length of any outfall channel as necessary to provide a non-erosive flow so that the original physical and biological characteristics and functions of the receiving waters are maintained and protected. The installation of management devices may be subject to Section 404 of the CWA.

20. Part IV.E of the Permit requires the BMP Plan to include a clear description of the maintenance procedures necessary to keep the control measures in good and effective operating condition.

21. Part IV.F of the Permit requires the Permittee to ensure that qualified personnel shall inspect all storm water control measures, discharge locations, vehicle exits, disturbed areas of the construction site and material storage areas at least once every seven (7) days (and within twenty-four (24) hours of the end of a storm that is 0.5 inches or greater) and areas that have been temporarily or permanently stabilized at least once a month. The Permit requires the Permittee to make a report summarizing the scope of the inspection, names and qualifications of personnel making the inspection, the date of the inspection, major observations relating to the implementation of the BMP Plan, and any corrective actions. The reports shall also be signed in accordance with Part II of the Permit and 40 KAR 5:065, Section 1(11).

22. Part IV.H of the Permit requires the BMP Plan to clearly identify all contractors or subcontractors who will implement each control measure identified in the BMP Plan, and have all contractors and subcontractors sign a certification statement.

23. On October 23, 2007, representatives of EPA, in conjunction with the KDEP, performed a Compliance Storm Water Evaluation Inspection ("CSWEI") at Respondent's Development to evaluate the treatment and disposal of storm water in accordance with the CWA, the regulations promulgated thereunder at 40 C.F.R. § 122.26, and the KDEP Permit.

24. As a result of the CSWEI, EPA, Region 4 has determined that Respondent discharged storm water associated with industrial activity from its Development within the meaning of Section 402(p) of the CWA, 33 U.S.C. § 1342(p), and its implementing regulations.

25. During the CSWEI, EPA inspectors observed the following:

- A. Respondent failed to take all reasonable steps to minimize or prevent any discharge in violation of the Permit which has a reasonable likelihood of adversely affecting human health or the environment in accordance with Part II [Reference to 401 KAR 5:065, Section 1(4)] of the Permit. Sediment discharges were observed leaving at the sedimentation pond outfall. These sediment discharges entered Longbranch Creek.
- B. Respondent failed to properly operate and maintain at all times all facilities and systems of treatment and control and related appurtenances which are installed or used by the Permittee to achieve compliance with the conditions of the Permit in accordance with Part II [Reference to 401 KAR 5:065, Section 1(50)]. Perimeter silt fencing was down at the entrance of Street B, breached by sediment discharges, allowing sediment into Longbranch Road. Perimeter silt fencing was missing at the entrance of Street C. Silt fencing on the southeastern perimeter of the site was

breached, allowing water to leave the site. Perimeter silt fencing was also missing from the southern portion of the site and from the western side of the site behind the high school. The sedimentation pond did not appear to be properly designed as evidenced by the high velocity discharge at the outfall. Soil stockpiles near the future softball field, as well as the site of the future softball field itself, were not stabilized. Rock outlet protection was not properly designed at the sedimentation pond outlet allowing the outfall discharge to erode the surrounding area. Overall, there was improper storm drain inlet protection installation and/or maintenance allowing for sediment accumulation in and around the inlets.

- C. Respondent failed to retain records of all monitoring information, copies of all reports required by the Permit, and records of all data used to complete the application for the Permit, for a period of at least three (3) years from the date of the report or application in accordance with Part II [Reference to 401 KAR 5:065, Section 1(10)(b)]. There were no inspection reports available at the time of inspection.
- D. Respondent failed to minimize the presence of oil in the storm water discharge and ensure that no solid materials, including building materials, are discharged to surface waters in accordance with Part III.D and Part IV.C of the Permit. Piles of construction debris, building materials, cardboard boxes, and other miscellaneous materials located on Street C and Street B were not contained or protected from storm water run-off. A fuel tank located along Street B directly adjacent to a storm drain inlet was not contained or protected from storm water run-off.
- E. Respondent failed to modify the BMP Plan within seven (7) days when it proved to be ineffective in controlling the discharge of pollutants, or when there was a change in the design, construction, operation, or maintenance of the site which had a significant effect on the potential for the discharge of pollutants to surface waters, and to implement such modifications within seven (7) days in accordance with Part IV of the Permit. The BMP Plan denoted triple rows of sediment fencing on the eastern side of the site that were not present. An additional outfall on the southern portion of the site near the future softball field was not identified on the BMP Plan. Stock soil piles were located on the southern portion of the site and were not identified on the BMP Plan. The sedimentation pond observed was identified as a temporary sediment trap on the BMP Plan. The concrete drainage channel was identified as a temporary sediment trap on the BMP Plan.
- F. Respondent failed to include in the BMP Plan, *inter alia*: a clear description of the order of major soil disturbing activities; receiving water

name; and a site map indicating the location of control measures, surface waters, and storm water discharge locations in accordance with Part IV.A of the Permit.

- G. Respondent failed to include in their BMP Plan a clear description of what sediment and erosion control measures would be used, when they would be implemented, and the maintenance procedures necessary to keep the control measures in good and effective operating condition in accordance with Part IV.B and Part IV.E of the Permit. The BMP Plan was not updated to reflect the sediment and erosion control measures that were in place at the time of the inspection. There was no schedule of BMP implementation or adequate maintenance procedures to keep control measures in good and effective operating condition.
- H. Respondent failed to preserve existing vegetation where possible and to stabilize all disturbed areas within fourteen (14) days on areas of the site where construction activities had permanently or temporarily (for twenty-one (21) days or more) ceased in accordance with Part IV.B.(1) of the Permit. Soil stockpiles on the southern portion of the site near the future softball field needed to be stabilized. There were areas where seeding had occurred, however, not all areas were properly seeded as denoted in the BMP Plan. The site of the future softball field, future stadium track, and future baseball field were not fully seeded as shown in the BMP Plan. Also, there were areas on the eastern side of the site where the seeding did not fully stabilize the area, as indicated by the observed washed out areas.
- I. Respondent failed to use silt fences or other equivalent structural practices on all side and down slope borders of the site in accordance with Part IV.B.(2) of the Permit. Perimeter silt fencing on the site was down, breached by water and sediment, and missing in some areas.
- J. Respondent failed to install management devices during construction to control the pollutants in storm water discharges that will occur after construction has been completed in accordance with Part IV.B.(3) of the Permit. There were no velocity dissipation devices at the outfall locations.
- K. Respondent failed to conduct inspections of all storm water control measures, discharge locations, and disturbed areas of the Development in accordance with Part IV.F of the Permit. There were no inspection reports available during the inspection. Inspection reports dated May 6, 2006 through November 24, 2006, were submitted to EPA on November 29, 2007. There were no inspection reports for the time period after November 24, 2006.

- L. Respondent failed to clearly identify all contractors or subcontractors who will implement each control measure identified in the BMP Plan, and have all contractors and subcontractors sign a certification statement in accordance with Part IV.H of the Permit.

26. Therefore, Respondent has violated Sections 301 and 402(p) of the CWA, 33 U.S.C. §§ 1311 and 1342(p), by failing to comply with the KDEP Permit, and also for discharges not authorized by the Permit.

### **III. Stipulations and Findings**

27. Complainant and Respondent have conferred for the purpose of settlement pursuant to 40 C.F.R. § 22.18 and desire to resolve this matter and settle the allegations described herein without a formal hearing. Therefore, without the taking of any evidence or testimony, the making of any argument, or the adjudication of any issue in this matter, and in accordance with 40 C.F.R. § 22.13(b), this Consent Agreement and Final Order ("CA/FO") will simultaneously commence and conclude this matter.

28. For the purposes of this CA/FO, Respondent admits the jurisdictional allegations set out above and neither admits nor denies the factual allegations set out above.

29. Respondent hereby waives its right to contest the allegations set out above and its right to appeal the Final Order accompanying this Consent Agreement.

30. Respondent consents to the assessment of and agrees to pay the civil penalty as set forth in this CA/FO and consents to the other conditions set forth in this CA/FO.

31. By signing this CA/FO, Respondent certifies that the information it has supplied concerning this matter was at the time of submission, and is, truthful, accurate, and complete for each such submission, response and statement. Respondent realizes that there are significant penalties for submitting false or misleading information, including the possibility of fines and/or imprisonment for knowing submission of such information.

32. EPA reserves the right to assess and collect any and all civil penalties for any violation described herein to the extent that any information or certification provided by Respondent was materially false or inaccurate at the time such information or certification was provided to EPA.

33. Complainant and Respondent agree to settle this matter by their execution of this CA/FO. The parties agree that the settlement of this matter is in the public interest and that this CA/FO is consistent with the applicable requirements of the CWA.



#### **IV. Payment**

34. Pursuant to Section 309(g)(2)(A) of the CWA, 33 U.S.C. § 1319(g)(2)(A), and 40 C.F.R. Part 19, and considering the nature of the violations and other relevant factors, EPA has determined that **Seven Thousand Dollars (\$7,000)** is an appropriate civil penalty to settle this action.

35. Respondent shall submit payment of the penalty specified in the preceding paragraph within thirty (30) days of the effective date of this CA/FO via a cashier's or certified check, payable to the order of "Treasurer, United States of America." The check shall reference on its face the name of Respondent and the Docket Number of this CA/FO. Such payment shall be tendered to:

U.S. Environmental Protection Agency  
Fines and Penalties  
Cincinnati Finance Center  
P.O. Box 979077  
St. Louis, Missouri 63197-9000

36. At the time of payment, Respondent shall send a separate copy of the check, and a written statement that payment has been made in accordance with this CA/FO, to the following persons at the following addresses:

Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

and

Mary Mattox  
U.S. Environmental Protection Agency, Region 4  
Water Programs Enforcement Branch  
Water Management Division  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

37. The penalty amount specified above shall represent civil penalties assessed by EPA and shall not be deductible for purposes of federal taxes.

38. Pursuant to 40 C.F.R. Part 13 and 31 U.S.C. § 3717 et seq., if EPA does not receive payment of the penalty assessed by this CA/FO in full by its due date, interest shall accrue on the unpaid balance from the due date through the date of payment at an annual rate equal to the rate of the current value of funds to the United States Treasury as prescribed and

published by the Secretary of the Treasury. If all or part of the payment is overdue, EPA will assess a late-payment handling charge of \$15.00, with an additional delinquent notice charge of \$15.00 for each subsequent thirty (30) day period. EPA will also assess on a monthly basis an up to six percent (6%) per annum penalty on any principal amount not paid within ninety (90) days of the due date.

39. Pursuant to Section 309(g)(9) of the CWA, 33 U.S.C. § 1319(g)(9), failure by Respondent to pay the penalty assessed by the CA/FO in full by its due date may subject Respondent to a civil action to collect the assessed penalty plus interest (at currently prevailing rates from the effective date of this CA/FO), attorney's fees, costs for collection proceedings and a quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to twenty percent (20%) of the aggregate amount of such penalty and nonpayment penalty which are unpaid as of the beginning of such quarter. In any such collection action, the validity, amount and appropriateness of the penalty and of this CA/FO shall not be subject to review.

#### **V. General Provisions**

40. This CA/FO shall not relieve Respondent of its obligation to comply with all applicable provisions of federal, state, or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state, or local permit. Other than as expressed herein, compliance with this CA/FO shall not be a defense to any actions subsequently commenced pursuant to federal laws and regulations administered by EPA.

41. Nothing in this CA/FO shall be construed as prohibiting, altering, or in any way limiting the ability of the United States to seek any other remedies or sanctions available by virtue of Respondent's violation of this CA/FO or of the statutes and regulations upon which this CA/FO is based, or for Respondent's violation of any federal or state statute, regulation or permit.

42. Except as otherwise set forth herein, this CA/FO constitutes a settlement by Complainant and Respondent of all claims for civil penalties pursuant to the CWA with respect to only those violations alleged in this CA/FO. Except as otherwise set forth herein, compliance with this CA/FO shall resolve the allegations of violations contained herein. Nothing in this CA/FO is intended to nor shall be construed to operate in any way to resolve any criminal liability of Respondent, or other liability resulting from violations that were not alleged in this CA/FO. Other than as expressed herein, Complainant does not waive any right to bring an enforcement action against Respondent for violation of any federal or state statute, regulation or permit, to initiate an action for imminent and substantial endangerment, or to pursue criminal enforcement.

43. Each undersigned representative of the parties to this CA/FO certifies that he or she is fully authorized to enter into the terms and conditions of this CA/FO and to execute and legally bind that party to it.

44. This CA/FO applies to and is binding upon Respondent and its officers, directors, employees, agents, successors and assigns.

45. Any change in the legal status of Respondent, including but not limited to any transfer of assets of real or personal property, shall not alter Respondent's responsibilities under this CA/FO.

46. Each party shall bear its own costs and attorneys fees in connection with the action resolved by this CA/FO.

47. In accordance with 40 C.F.R. § 22.5, the individuals below are authorized to receive service relating to this proceeding.

For Complainant:

Susan Hansen  
Associate Regional Counsel  
Office of Environmental Accountability  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960  
(404) 562-9700

For Respondent:

Gerald F. Dusing, Esq.  
Adams, Stepler, Woltermann & Dusing, PLLC  
40 W. Pike Street  
Covington, Kentucky 41012-0861  
(859) 394-6200

Mike Blevins, Assistant Superintendent  
Boone County Board of Education  
8330 US 42  
Florence, Kentucky 41042  
(859) 282-2369

48. The parties acknowledge and agree that this CA/FO is subject to the requirements of 40 C.F.R. § 22.45(c)(4), which provides a right to petition to set aside a consent agreement and proposed final order based on comments received during the public comment period.

49. Pursuant to Section 309(g) of the CWA, 33 U.S.C. § 1319(g), and 40 C.F.R. § 22.38(b), Complainant represents that the Commonwealth of Kentucky was provided a prior opportunity to consult with Complainant regarding this matter.

**VI. Effective Date**

50. The effective date of this CA/FO shall be the date on which the CA/FO is filed with the Regional Hearing Clerk.

**AGREED AND CONSENTED TO:**

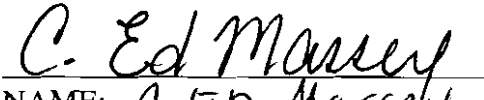
**For COMPLAINANT, U.S. ENVIRONMENTAL PROTECTION AGENCY:**



Date: 12/9/08

Douglas F. Mundrick, P.E.  
Chief, Water Programs Enforcement Branch  
Water Management Division  
U.S. EPA, Region 4

**For RESPONDENT:**



Date: 11/13/08

NAME: C. ED Massey

TITLE: Chairperson

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4

IN THE MATTER OF:

BOONE COUNTY BOARD OF EDUCATION  
LONGBRANCH HIGH SCHOOL CAMPUS  
UNION, KENTUCKY

CONSENT AGREEMENT AND  
FINAL ORDER

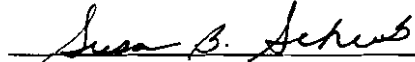
DOCKET NO. CWA-04-2009-4500(b)

**FINAL ORDER**

In accordance with 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*, including Subpart I, 40 C.F.R. Part 22, and authorities delegated to me, the foregoing Consent Agreement is hereby approved and incorporated by reference into this Final Order. Pursuant to Section 309(g)(2)(A) of the CWA, 33 U.S.C. § 1319(g)(2)(A), Respondent is hereby ordered to comply with the terms of the foregoing Consent Agreement.

U.S. ENVIRONMENTAL PROTECTION AGENCY

Date: 1/24/09

  
\_\_\_\_\_  
Susan B. Schub  
Regional Judicial Officer

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the attached **CONSENT**

**AGREEMENT AND FINAL ORDER** in the matter of **Boone County Board of Education**, Docket

No. CWA-04-2009-4500(b) (filed with the Regional Hearing Clerk on 1-21-09, 2008, was served on 1-21-09, 2008, in the manner specified to each of the persons listed below.

By hand-delivery:

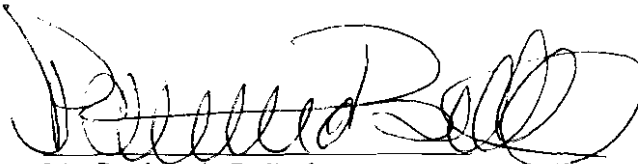
Susan Hansen  
Associate Regional Counsel  
Office of Environmental Accountability  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

By certified mail,  
return receipt requested:

Gerald F. Dusing, Esq.  
Adams, Stepler, Woltermann & Dusing, PLLC  
40 W. Pike Street  
Covington, Kentucky 41012-0861  
(859) 394-6200

Mike Blevins, Assistant Superintendent  
Boone County Board of Education  
8330 US 42  
Florence, Kentucky 41042  
(859) 282-2369

Mr. Jeff Cummins  
Acting Director, Division of Enforcement  
Kentucky Department for Environmental Protection  
14 Reilly Road  
Frankfort, Kentucky 40601



Ms. Patricia A. Bullock  
Regional Hearing Clerk  
Sam Nunn Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960  
(404) 562-9511

**EPA ACCOUNTS RECEIVABLE CONTROL NUMBER FORM**

**TO BE COMPLETED BY THE ORIGINATING OFFICE:**

(Attach a copy of the final order and transmittal letter to Defendant/Respondent)

This form was originated by: Mary Mattox on 12/4/08  
(Name) (Date)

in the WPD/CWEB/West NPDES Enforcement Section at (404) 562- 9733  
(Office) (Telephone Number)

Non-SF Judicial Order/Consent Decree  
USAO COLLECTS

Administrative Order/Consent Agreement  
FMO COLLECTS PAYMENT

SF Judicial Order/Consent Decree  
DOJ COLLECTS

Oversight Billing - Cost Package required:  
Sent with bill

Not sent with bill

Other Receivable

Oversight Billing - Cost Package not required

This is an original debt

This is a modification

PAYEE: \_\_\_\_\_  
(Name of person and/or Company/Municipality making the payment)

The Total Dollar Amount of the Receivable: \$ 7,000  
(If installments, attach schedule of amounts and respective due dates. See Other side of this form.)

The Case Docket Number: CWA-04-2009-4500(b)

The Site Specific Superfund Account Number: \_\_\_\_\_

The Designated Regional/Headquarters Program Office: Water Protection Division

**TO BE COMPLETED BY LOCAL FINANCIAL MANAGEMENT OFFICE:**

The IFMS Accounts Receivable Control Number is: \_\_\_\_\_ Date \_\_\_\_\_

**DISTRIBUTION:**

A. **JUDICIAL ORDERS:** Copies of this form with an attached copy of the front page of the **FINAL JUDICIAL ORDER** should be mailed to:

- |  |                              |
|--|------------------------------|
| 1. Debt Tracking Officer<br>Environmental Enforcement Section<br>Department of Justice RM 1647<br>P.O. Box 7611, Benjamin Franklin Station<br>Washington, D.C. 20044 | 2. Originating Office (EAD)  |
|  | 3. Designated Program Office |

B. **ADMINISTRATIVE ORDERS:** Copies of this form with an attached copy of the front page of the Administrative Order should be to:

- |                           |                              |
|---------------------------|------------------------------|
| 1. Originating Office     | 3. Designated Program Office |
| 2. Regional Hearing Clerk | 4. Regional Counsel (EAD)    |