

**PUBLIC NOTICE**

**Maple Ridge Sewer Service, Inc.**

38700 Verdin Street NW  
Stanchfield, Minnesota 55080  
RHC Docket No. CWA-05-2010-0003

**RECEIVED**  
FEB 03 2010  
REGIONAL HEARING CLERK  
USEPA  
REGION 5

The U.S. Environmental Protection Agency (U.S. EPA), Region 5, is providing this notice of an Administrative Complaint proposing that a \$1,000 civil penalty be assessed by the Administrator against Maple Ridge Sewer Service (Respondent) for violations of the Clean Water Act. Prefiling negotiations between Region 5 staff and Respondent have resulted in a settlement of this civil penalty action, which, in part, requires that Respondent pay \$500 to resolve this action. U.S. EPA, Region 5, has filed an Administrative Complaint against Respondent, and, at the same time, lodged a proposed Consent Agreement and Final Order (CAFO) by which U.S. EPA intends to resolve the action.

This dollar amount to be assessed by the proposed CAFO would settle civil violations alleging the Respondent failed to prepare and maintain records regarding land application of domestic septage. The alleged violations are of environmental significance because without adequate records, the U.S. EPA is not able to determine the compliance status of individual septage haulers.

A copy of the Administrative Penalty and proposed CAFO may be viewed on-line at <http://www.epa.gov/region5/publicnotices/index.htm> by clicking on the "complaint (PDF)" and/or the "Proposed CAFO (PDF)" links at the Public Notices home page for the docket number identified above. Alternatively, copies of the Administrative Complaint and the proposed CAFO may be obtained by contacting the Regional Hearing Clerk at the address listed below.

**OPPORTUNITY FOR COMMENT:** Section 309(g) of the CWA, 33 U.S.C. ' 1319(g) requires that interested persons be given notice of the proposed penalty and a reasonable opportunity to comment on it.

Any person who wishes to comment on the Administrative Complaint and proposed CAFO may submit written comments, may attend or present evidence at any hearing scheduled on this matter, or both, by following the procedures in Title 40 of the Code of Federal Regulations, Part 22, Section 45 (40 C.F.R. 22.45) particularly subpart (c) *Comment by a person who is not a party*. This portion of the code of federal regulations may be accessed at <http://www.gpoaccess.gov/cfr/retrieve.html> . A link to this site is also

available at <http://www.epa.gov/region5/publicnotices/index.htm>, which is the site at which this notice, the associated complaint, and proposed CAFO are also posted. The link is entitled "Code of Federal Regulations: Retrieve by CFR Citation". You may also wish to review 40 C.F.R. Part 22 generally to learn more about the procedures and rules of practice governing the administrative assessment of civil penalties.

**Comments should be made in writing, addressed to the Regional Hearing Clerk at:**

Docket No. CWA-05-2010-0003  
Regional Hearing Clerk  
Mail Code E-19J  
U.S. EPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Written comments may be submitted to the Regional Hearing Clerk electronically, by mail, or by delivery to the Clerk's address above. Your comments should include the case name, docket number, and your complete mailing address. If you plan to use FAX or a messenger service to deliver your comments or other documents, please call the Regional Hearing Clerk at (312) 886-3713 for further instructions to insure delivery.

To submit comments electronically, go to the website:

<http://epa.gov/region5/publicnotices/>, click the "Submit a Comment Online" phrase in the first paragraph, and complete the blanks. Note that the Agency requires your regular mailing address, since we must use the U.S. Postal Service to fulfill our response obligations. If you wish to include any kind of attachments with your comment, please mail them instead to the Regional Hearing Clerk in hard copy (with a copy of the e-mail), so that we are certain to receive your documents in an unaltered, complete, and readable form.

Regardless of how you submit them, **all written comments must be received in the Regional Hearing Clerk's Office no later than 4:30 p.m., Central Time, of the "Comment Period End Date:" shown on the Public Notices home page for this docket number:** <http://www.epa.gov/region5/publicnotices/index.htm>

Comments and documents sent to any U.S. EPA employee other than the Regional Hearing Clerk are not assured of consideration in this matter.

All documents filed in this proceeding (including documents submitted by the respondent or by public commenters) are available for public inspection by appointment only between 9 a.m. and 4:30 p.m. Monday through Friday at the U.S. EPA Regional Office. An appointment for such an inspection may be made by calling (312) 886-3713 or by writing the Regional Hearing Clerk at the address above.

Only the Respondent may request a hearing on the proposed penalty order. If a hearing is held, we will advise commenters who (during the public comment period) submitted a

written request to participate in a hearing of the date, time, and place of the hearing, which they may attend and present evidence on the appropriateness of the proposed penalty assessment by following the instructions in 40 C.F.R. 22.45(c)(1).

The U.S. EPA will send a copy of the fully executed Consent Agreement and Final Order assessing a penalty to any persons who submitted written comments or attended a hearing, provided they give us their current mailing address.

Only those persons who, prior to the close of this public comment period, submit either written comments or a written request to participate in any hearing held in this matter preserve a right to petition the Regional Administrator to set aside the filed Consent Agreement and Final Order on the basis that material evidence was not considered, as described in 40 C.F.R. 22.45(c)(4).