



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

SEP 30 2013

CERTIFIED MAIL 7012 1010 0001 8097 1761
RETURN RECEIPT REQUESTED

Mr. Mitch Norrell
Norrell & Powers-Norrell, LLC
206 S. Main Street
Lancaster, South Carolina 29720

Re: Consent Agreement and Final Order
Docket No. CWA-04-2013-4522(b)
National Pollutant Discharge Elimination System Permit No.: SC0046892
City of Lancaster, South Carolina

Dear Mr. Norrell:

Enclosed, please find a fully executed copy of the Consent Agreement and Final Order, finalized by the U.S. Environmental Protection Agency Region 4 and the Regional Administrator. Please make note of the provisions under Paragraph IV. Payment.

Should you have any questions or concerns regarding this matter, please contact Mr. Brad Ammons, of my staff, at (404) 562-9769 or via email at ammons.brad@epa.gov. Legal inquiries should be directed to Mr. Bill Bush, Associate Regional Counsel, at (404) 562-9538 or via email at bush.william@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Giattina".

James D. Giattina
Director
Water Protection Division

Enclosure

cc: Mr. David Wilson, P.E.
South Carolina Department of Health and Environmental Control

Ms. Helen Sowell
City of Lancaster

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

IN THE MATTER OF:)
)
THE CITY OF LANCASTER) CONSENT AGREEMENT AND
LANCASTER, SOUTH CAROLINA) FINAL ORDER
)
RESPONDENT.) DOCKET NO. CWA-04-2013-4522(b)
)

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EPA REGION IV
2013 SEP 30 AM 8:45
HEARING CLERK

CONSENT AGREEMENT

I. Statutory Authority

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

2. The authority to take action under Section 309(g)(2)(B) of the CWA, 33 U.S.C. § 1319(g)(2)(B), 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 Protection Division (“Complainant”).

II. Allegations

3. To accomplish the objective of the CWA (defined in Section 101(a) of the CWA, 33 U.S.C. § 1251(a), as 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 an National Pollutant Discharge Elimination System (“NPDES”) permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

4. At all times relevant to this action, the City of Lancaster, South Carolina (“Respondent”), was a municipality duly organized and existing under the laws of the State of South Carolina and, therefore, a “person” within the meaning of Section 502(5) of the CWA, 33 U.S.C. § 1362(5).

