

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 8
1595 Wynkoop Street, Denver, CO 80202-1129

**PUBLIC NOTICE OF PROPOSED COMBINED COMPLAINT AND CONSENT
AGREEMENT AND OPPORTUNITY TO COMMENT**

Summary: The EPA is providing notice of the opportunity to comment on a proposed Expedited Settlement Agreement (Agreement). The Agreement settles allegations by the EPA that Kanyon Specialty Contractors, Inc., has violated a permit issued pursuant to the Clean Water Act (CWA) (permit number NDR108508) at the 2nd Avenue West Frontage Road Realignment project in Williston, North Dakota.

Background: The EPA alleges that Kanyon Specialty Contractors, Inc., has failed to have a complete and updated stormwater pollution prevention plan (SWPPP) and site map, failed to conduct all required self-inspections, failed to keep all inspection records on-site with the SWPPP, failed to ensure staff are trained, and failed to implement required stormwater controls to minimize discharges of sediment and other pollutants into waters of the United States. Kanyon Specialty Contractor, Inc., has agreed to pay a civil administrative penalty of \$5,100 to resolve its civil penalty liability for these alleged violations.

The addresses of the EPA and Kanyon Specialty Contractors, Inc., are listed below.

Kanyon Specialty Contractors Inc.: Kanyon Specialty Contractors, Inc., 12274 26F Street, Watford City, North Dakota is identified in the Agreement as the Respondent.

EPA: EPA Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202-1129. The EPA is identified in the Agreement as the Complainant.

The EPA is authorized by section 309(g) of the CWA, 33 U.S.C. § 1319(g), to issue an order assessing a civil administrative penalty for violations of certain CWA requirements, after providing (1) an opportunity for the person to be assessed the penalty to request a hearing to contest the penalty, and (2) notification to the public of its rights to submit written comments and to participate in any hearing.

PUBLIC COMMENTS

The EPA encourages the public to comment on the Agreement. The EPA will accept comments at the address listed below for a period of forty (40) days after the publication of this notice. Any person submitting written comments has a right to participate in a hearing, if one is held. The CCCA will be available for review at <http://yosemite.epa.gov/oa/rhc/epaadmin.nsf> and between 9:00 a.m. and 4:00 p.m. on business days at the address listed below.

Please submit written comments to:

Melissa Haniewicz (8RC)
Regional Hearing Clerk
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
Telephone: (303) 312-7059

Please also reference the EPA Docket Number for this matter: [insert]

FOR FURTHER INFORMATION: Any person wishing (1) to comment upon the proposed penalty assessment or upon any other aspect of this matter or (2) to obtain any other information on this proceeding should contact the Regional Hearing Clerk identified above.