

Region 3 Public Notice

Frederick-Winchester Service Authority and Frederick County Sanitation Authority dba Frederick Water

NOTICE OF INTENT TO FILE CONSENT AGREEMENT AND FINAL ORDER ASSESSING ADMINISTRATIVE PENALTY AND OPPORTUNITY FOR PUBLIC COMMENT

**U.S. ENVIRONMENTAL PROTECTION AGENCY MID-ATLANTIC REGION
Enforcement & Compliance Assurance Division (3ED32)
1600 John F. Kennedy Blvd.
Philadelphia, Pennsylvania 19103**

Date of Notice: April 3, 2024

Permit No.: VA0080080

Docket Number: CWA-03-2024-0036

Comments will be accepted until May 13, 2024.

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g) AND 40 CFR § 22.45, notice is hereby given that the U.S. Environmental Protection Agency Region III (EPA Mid-Atlantic Region), is proposing to file a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty in the amount of twelve thousand one hundred dollars (\$12,000) against the Respondents named below for alleged violations of their National Pollutant Discharge Elimination System (NPDES) permit.

RESPONDENT:

Frederick-Winchester Service Authority
9 West Piccadilly Street
Winchester, VA 22601

Frederick County Sanitation Authority
dba Frederick Water
315 Tasker Road
Stephens City, VA 22655

SUMMARY OF VIOLATIONS: EPA Mid-Atlantic Region alleges the following violations of NPDES Permit No. VA0080080 (Permit), which were discovered during a 2021 information request action at the Crooked Run Wastewater Treatment Plant located at 130 Crappie Court, Front Royal, VA 22630:

1. Sixty effluent limit exceedances for nitrogen, chloride, and biochemical oxygen demand.

These failures constitute a violation of Section 301(a) of the CWA, 33 U.S.C. §§ 1311(a) and the NPDES permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the (ACTION) are invited to submit via email a statement to the EPA Mid-Atlantic Region Enforcement and Compliance Assurance Division Director. This statement should be emailed directly to the Regional Hearing Clerk (email below) within 40 days of the date of this public notice. Comments received within this 40-day period will be considered. All comments must include the name, address, and telephone number of the writer and a concise statement of the basis for any comment and any relevant facts on which it is based.

All comments should be emailed to:

EPA Region 3 Regional Hearing Clerk: r3_hearing_clerk@epa.gov

AVAILABILITY OF INFORMATION: Information relevant to the Consent Agreement may be requested through the Regional Hearing Clerk.

REGISTRY OF INTERESTED PERSONS: Any person interested in a particular case or group of cases may leave their name, address, and telephone number on a registry of interested persons which will be maintained in each file. The list of names will be maintained as a means for persons with an interest in the case to contact others with the same interest.

FOR FURTHER INFORMATION: Interested parties may contact the following EPA representatives to learn more about this action.

Monica Crosby
U.S. Environmental Protection Agency
215-814-5659
crosby.monica@epa.gov

or

Promy Tabassum
Office of Regional Counsel U.S. Environmental Protection Agency
215-814-2665
tabassum.promy@epa.gov