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Adamas Construction and Development Services PLLC and Nathan Pierce - Clean Water Act Public Notice

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In accordance with Section 309(g)(4)(A) of the Clean Water Act (“CWA”), 33 U.S.C. § 1319(g)(4)(A), and 40 C.F.R. § 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Consolidated Rules”), the Environmental Protection Agency (“EPA”) is providing notice of a proposed Administrative Penalty Assessment against Adamas Construction and Development Services, PLLC, a business located at 16550 Cottontail Trail, Shepard, Montana 59079, for alleged violations at the site located at 45.619110°, -106.793563° on the Northern Cheyenne Indian Reservation near Lame Deer, Montana, and Nathan Pierce, an individual and responsible corporate officer of Adamas Construction and Development Services, PLLC.

Under Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g), the EPA is authorized to issue orders assessing civil penalties for various violations of the Clean Water Act. The EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. The EPA provides notice of the proposed assessment of a Class II civil penalty pursuant to 33 U.S.C. § 1319(g)(4)(A). Class II proceedings are conducted under the EPA’s Consolidated Rules, 40 C.F.R. Part 22.

In this case, the EPA’s complaint alleges that Respondents failed to develop and maintain records and failed to provide records in violation of Sections 405 and 308 of the Clean Water Act, 33 U.S.C. §§ 1345 and 1318. The EPA is seeking a penalty of up to \$59,583 for these violations.

Persons wishing to comment on or participate in the proceedings must notify the Regional Hearing Clerk, in writing, pursuant to 40 CFR § 22.45 at the address provided below. The procedures by which the public may comment on or otherwise participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. Persons wishing to obtain additional information on the proceeding, receive a copy of the EPA’s Consolidated Rules, or review the Complaint, should contact Regional Hearing Clerk, U.S. Environmental Protection Agency Region 8, 1595

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Wynkoop Street; Denver, Colorado 80202. Please reference Docket No. CWA-07-2019-0262. For Technical questions contact Erin Kleffner, Enforcement and Compliance Assurance Division, at kleffner.erin@epa.gov, or 913-551-7921. Persons with legal questions may contact Sara Hertz Wu, Office of Regional Counsel, at hertzwu.sara@epa.gov, or 913-551-7316.

<p>10-10-19 Date</p>	<p>/s/ DeAndré Singletary Acting Director Enforcement and Compliance Assurance Division U.S. EPA, Region 7</p>

How to Comment

Comments due date
11/09/2019

How to comment
Persons wishing to obtain additional information on the proceeding, receive a copy of EPA’s Consolidated Rules, review the proposed Consent Agreement/Final Order, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 11201 Renner Boulevard, Lenexa, Kansas, 66219. Please reference Docket No. CWA-07-2019-0262.

Summary

The EPA is providing notice of a proposed administrative penalty assessment against Adamas Construction and Development Services, PLLC and Nathan Pierce.

Program/Statute: Clean Water Act (CWA)

Applicant/Respondent(s):

Adamas Construction and Development Services PLLC and Nathan Pierce
16550 Cottontail Trail
Shepherd, MT 59079

Proposed action: Public Notice of Clean Water Act Complaint**Docket ID:** CWA-07-2019-0262

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- [Adamas Construction and Development Services PLLC and Nathan Pierce Public Notice.\(PDF\) \(12 pp, 2 MB\)](#)

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