

Notice of Proposed Administrative Penalty Assessments and Opportunity to Comment

AGENCY: Environmental Protection Agency (EPA)

ACTION: Notice of Proposed Administrative Penalty Assessments and Opportunity to Comment

SUMMARY: EPA is providing notice of proposed administrative penalty assessments for alleged violations of the Clean Water Act. EPA is also providing notice of opportunity to comment on the proposed penalty assessments.

Under 33 U.S.C. §1319(g), EPA is authorized to issue an order assessing civil penalty for various violations of the Act. EPA may issue such order after the commencement of a Class I and/or Class II penalty proceeding. EPA provides public notice of the proposed assessments pursuant to 33 U.S.C. §1319(g)(4)(a).

Class I and/or Class II proceedings are conducted under EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties or the Revocation and Suspension of Permits (CROP), pursuant to 40 CFR Part 22. The procedures through which the public may submit written comments on a proposed Class I and/or Class II order or participate in a Class I and/or Class II proceeding, and the procedures by which a Respondent may request a hearing, are set forth in the CROP. The deadline for submitting public comment on a proposed Class I and/or Class II order is thirty (30) days after issuance of public notice.

On the date identified below, EPA commenced the following Class I proceedings for the assessment of penalties:

**In the matter of PRASA Vega Alta Wastewater Treatment Plant, located at State Road 690, Km. 2.0, Vega Alta, Puerto Rico; Docket No. CWA-02-2005-3420; filed on September 27, 2005 with Regional Hearing Clerk Karen Maples, U.S. EPA, Region II, 290 Broadway, New York, New York 10007-1866, (212) 637-3110; proposed penalty: \$43,000.00, for failure to provide proper Operation and Maintenance, discharging pollutants at a location other than the discharge point authorized by the Facility's NPDES Permit, failing to conduct monitoring and maintain records, and failure to comply with effluent limitations, in violation of Section 301 of the Clean Water Act, 33 U.S.C. §1311.**

FOR FURTHER INFORMATION: persons wishing to receive a copy of the CROP, 40 CFR Part 22, review the Complaints or other documents filed in the proceedings, comment upon a proposed assessment, or otherwise participate in any of the proceedings, should contact the Regional Hearing Clerk identified above. Unless otherwise noted, the administrative records for the proceedings are located in the EPA Regional Office identified above, and the files will be open for public inspection during normal business hours. All information submitted by the Respondents are available as part of the administrative records, subject to provisions of law restricting public disclosure of confidential information. In order to provide opportunity for public comments, EPA will issue no final orders assessing penalties in these proceedings prior to 30 days from the date specified below.

Dated: March 24, 2006

Carl-Axel P. Soderberg, Director

Caribbean Environmental Protection Division

