

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8
1595 Wynkoop Street, Denver, Colorado 80202-1129**

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

Action: The EPA is providing notice of the opportunity to comment on a proposed Combined Complaint and Consent Agreement (CCCA). The agreement relates to alleged biosolids violations of the Clean Water Act (CWA) and its implementing regulations at the City of Burlington wastewater treatment facility (WWTF) in Burlington, Colorado. The City of Burlington WWTF is approximately one mile south of I-70 on County Road 49, Burlington, Colorado 80807.

Summary: 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 (Respondent) 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. The deadline for the public to submit comments is 30 days after issuance of this notice.

The EPA and the City of Burlington have agreed to enter into a CCCA to resolve the EPA's alleged violations of the biosolids requirements listed below. The City of Burlington has agreed to pay a civil penalty of \$30,000.00 to resolve its civil penalty liability for these claims. Pursuant to section 309(g)(4) of the CWA, the EPA hereby notifies the public of the opportunity to comment on this proposed penalty assessment.

EPA Docket Number for CCCA: CWA-08-2015-0024

Alleged violations: (1) Failure to Monitor Pollutant Concentrations; (2) Failure to Monitor for Pathogen Reduction; (3) Failure to Monitor for Vector Attraction Reduction; (4) Failure to Develop and Retain Records; (5) Failure to Submit a Closure Plan; (6) Failure to Monitor Ground Water; (7) Failure to Meet Pathogen Requirements; (8) Failure to Meet Vector Attraction Reduction Requirements; and (9) Failure to Ensure Compliance.

PUBLIC COMMENTS

Written comments on the CCCA are encouraged and will be accepted at the address listed below for a period of 30 days after the publication of this notice. Written comments submitted by the public as well as information submitted by Respondent will be available for public review, subject to the provisions of law restricting the disclosure of confidential information. Any person submitting written comments has a right to participate in a hearing, if one is held. The CCCA is available for review between 9:00 a.m. and 4:00 p.m. at the address listed below and on the internet at: <http://yosemite.epa.gov/oa/rhc/epadmin.nsf>.

Please submit written comments to:

Tina Artemis (8RC)
Regional Hearing Clerk
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, Colorado 80202-1129
Telephone: (303) 312-6765

FOR FURTHER INFORMATION: Persons wishing to receive a copy of the CCCA or other documents in this proceeding (such as the regulations in 40 C.F.R. part 22, which establish procedures for litigating administrative penalty claims), or to comment upon the proposed penalty assessment or upon any other aspect of the matter, should contact the Regional Hearing Clerk identified above. No action will be taken by the EPA to finalize a settlement in this matter until 40 days after this public notice.