

Clark Construction Group, LLC
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)
1650 Arch Street
Philadelphia, Pennsylvania 19103

Date of Notice: February 25, 2021

Permit No.: General Permit NOI coverage under DCR10003C

Docket Number: CWA-03-2021-0002

Comments will be accepted until April 6, 2021.

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g) AND 40 CFR § 22.45, the U.S. Environmental Protection Agency Region III (EPA Mid-Atlantic Region), hereby gives notice that it is proposing to file a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty in the amount of twenty-six thousand dollars (\$26,000.00) against the Respondent named below for alleged violations of its NPDES permit.

RESPONDENT:

Clark Construction Group, LLC
7500 Old Georgetown Road
Bethesda, MD 20814

SUMMARY OF VIOLATIONS: EPA Mid-Atlantic Region alleges the following violations of National Pollutant Discharge Elimination System (NPDES) Construction General Permit No. DCR10003C (Permit), which were discovered during a 2019 inspection at the Square 696 facility located at 88 K Street SE Washington, DC:

1. failure to post notice of coverage under the Permit;
2. failure to complete corrective action reports;
3. failure to keep a Stormwater Pollution Prevention Plan as required by the Permit;
4. failure to properly maintain stormwater controls;
5. failure to properly implement pollution prevention controls.

These failures constitute violations of Sections 301 and 402 of the Clean Water Act, 33 U.S.C. §§ 1311 and 1342.

OPPORTUNITY FOR COMMENT: If you wish to comment on the CAFO, submit via email a statement to the EPA Mid-Atlantic Region Enforcement & Compliance Assurance Division Director. Email this statement 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:

Regional Hearing Clerk
U.S. EPA, Mid-Atlantic Region
R3_Hearing_Clerk@epa.gov

AVAILABILITY OF INFORMATION: You may request information relevant to the Consent Agreement and Final Order 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.

Amanda Pruzinsky
U.S. Environmental Protection Agency
215-814-5456
Pruzinsky.Amanda@epa.gov

or

Nina Rivera
Office of Regional Counsel
U.S. Environmental Protection Agency
215-814-2667
Rivera.Nina@epa.gov