

Region 3 Public Notice

Dutchland, LLC

**NOTICE OF INTENT TO FILE EXPEDITED SETTLEMENT 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 JFK Boulevard
Philadelphia, Pennsylvania 19103**

Date of Notice: 2/27/24

Permit No.: PAG034074

Docket Number: CWA-03-2024-0046

Comments will be accepted until 04/07/24.

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 3 (EPA Mid-Atlantic Region), is proposing to file an Expedited Settlement Agreement (ESA) and Final Order assessing an administrative civil penalty in the amount of forty thousand dollars (\$40,000.00) against the Respondents named below for alleged violations of Section 301 of the CWA.

RESPONDENT:

Dutchland, LLC

160 PA-41

Gap, Pennsylvania 17524

SUMMARY OF VIOLATIONS: EPA Mid-Atlantic Region alleges the following violations of Section 301 of the CWA, which were discovered during a February 7, 2023 inspection at Dutchland LLC located at 160 PA-41, Gap, PA 17524:

1. Unpermitted discharges from the Facility without authorization by a National Pollutant Discharge Elimination System (NPDES) permit issued pursuant to the CWA

These discharges from the Facility without a NPDES permit constitute a violation of Section 301(a) of the CWA, 33 U.S.C. § 1311.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the ESA and Final Order 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.

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