

Region 3 Public Notice

City of Salem Wastewater Treatment Plant
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)
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103

Date of Notice: April 17, 2024

Permit No.: WV0020257

Docket Number: CWA-03-2024-0061

Comments will be accepted until May 28, 2024.

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 III (EPA Mid-Atlantic Region), is proposing to file a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty in the amount of twenty-five thousand dollars (\$25,000) against the Respondent named below for alleged violations of their National Pollutant Discharge Elimination System (NPDES) permit.

RESPONDENT:

City of Salem
P.O. Box 352
229 W. Main Street
Salem, WV 26426

SUMMARY OF VIOLATIONS: EPA Mid-Atlantic Region alleges the following violations of NPDES Permit No. WV0020257 (Permit), which were discovered during a 2022 Clean Water Act inspection at the City of Salem Wastewater Treatment Plant located at Old Route 50 East, Salem, WV 26426:

1. Ninety-one effluent limit exceedances for dissolved oxygen, total suspended solids, ammonia, copper, fecal coliform, biochemical oxygen demand, 5-day, biochemical oxygen demand percent removal, and suspended solids percent removal.
2. Failure to submit, on a quarterly basis, written reports detailing what has been performed to identify and eliminate inflow and infiltration.

3. Failure to follow sewage sludge percent solids requirement by sending sludge to landfill that had less than 20 percent solids.

These failures constitute a violation of Section 301(a) of the CWA, 33 U.S.C. §§ 1311(a) and the NPDES permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the (ACTION) 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 either emailed to:

EPA Region 3 Regional Hearing Clerk: r3_hearing_clerk@epa.gov

OR

Mailed/Submitted to:

U. S. Environmental Protection Agency, Region 3
Regional Hearing Clerk – Mail Code 3RC00
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103

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.

Monica Crosby
U.S. Environmental Protection Agency
410-305-3029
crosby.monica@epa.gov

or

Louis Ramalho
Office of Regional Counsel
U.S. Environmental Protection Agency
215-814-2681
ramalho.louis@epa.gov