

United States
Environmental Protection Agency
Region 5

77 West Jackson Boulevard
Chicago, Illinois 60604-3590

PUBLIC NOTICE

Sun Chemical Corporation and Cathay Deep Well Disposal, LLC 4901 Evans Avenue, Valparaiso, Indiana 46383

Docket No. SDWA-05-2026-0001

The U.S. Environmental Protection Agency, Region 5, is providing notice of its intent to issue a Consent Agreement and Final Order (CAFO) that assesses a civil penalty of \$58,000 to Sun Chemical Corporation and Cathay Deep Well Disposal, LLC (Respondents) under the authority of Section 1423(c)(1) of the Safe Drinking Water Act (SDWA), 42 U.S.C. §300h-2(c)(1).

The CAFO will resolve Respondent's liability for only the civil penalty for only EPA's allegations contained therein that Respondent failed to comply with the SDWA, 42 U.S.C. §300h, requirements of its Underground Injection Control (UIC) Permit Nos. IN-127-1I-C007 and IN-127-1I-C008 (Permits), and the UIC regulations at Title 40 of the Code of Federal Regulations Part 144 at its Class I injection wells in Porter County, Indiana. Specifically, EPA alleges in the CAFO that Respondents failed to install and maintain certain monitoring equipment, complete required monitoring and reporting, and maintain permit limitations for operation, and accepted hazardous waste for injection without authorization.

A copy of the proposed CAFO may be viewed online at: www.epa.gov/aboutepa/epa-region-5#events by clicking on the "Proposed Consent Agreement and Final Order" link on the Region 5 events calendar for the docket number identified above. Alternatively, you may request a copy of the CAFO by contacting the Regional Hearing Clerk at the address listed below.

OPPORTUNITY FOR COMMENT: EPA is providing public notice of the proposed settlement pursuant to Section 1423(c)(3) of SDWA, 42 U.S.C. §300h-2(c)(3) and 40 C.F.R. 22.45(b).

Any person who wishes to comment on this proposed CAFO or participate in any proceedings may do so pursuant to 42 U.S.C. § 300h-2(c)(3) and by following the procedures described in 40 C.F.R. § 22.45, particularly Subpart (c) *comment by a person who is not a party*. "Any person wishing to participate in any hearing held must notify the Regional Hearing Clerk via email or in other writing within the public notice period and provide his name, complete mailing address, and state that he wishes to participate in the proceeding." See 40 C.F.R. § 22.45(c)(1). This portion of the code of federal regulations may be accessed at <https://www.gpo.gov/fdsys/pkg/CFR-2015-title40-vol1/pdf/CFR-2015-title40-vol1-sec22-45.pdf> or through <http://www.archives.gov/federal-register/cfr/>. You may also wish to review 40 C.F.R. Part 22 to learn more about the procedures and rules of practice governing the administrative assessment of civil penalties.

EPA requests that all written comments be sent via email to: the Regional Hearing Clerk at r5hearingclerk@epa.gov

If you are unable to submit written comments by email, please contact the Regional Hearing Clerk at (312) 886-9868.

Your comments should include the case name and docket number listed above, and your full name and complete mailing address. Comments and documents sent to any EPA employee other than the Regional Hearing Clerk are not assured of consideration in this matter. Note that EPA requires your mailing address to use the U.S. Postal Service should we need to reply, request additional information, or notify you of a hearing, and/or to provide a copy of any final order.

All written comments must be received in the Regional Hearing Clerk's Office no later than 11:59pm, Central Time, of the Comment Period End Date (February 26, 2026) shown on the Region 5 events calendar page for this docket number: www.epa.gov/aboutepa/epa-region-5#events.

All documents filed in this proceeding (including documents submitted by the Respondent or by the public) are available electronically on the EPA website: <http://yosemite.epa.gov/oa/rhc/epaadmin.nsf>.

Should EPA decide to propose issuance of a Final Order after considering any comments received, EPA will send a copy of the Consent Agreement and proposed Final Order to any persons who submitted written comments during the public comment period. Commenters may refer to: (1) 40 C.F.R. § 22.45(c)(4) for information on petitioning the Regional Administrator to set aside the Consent Agreement and proposed Final Order on the basis that material evidence was not considered; and/or (2) 42 U.S.C. § 300h-2(c)(6) for information on filing an appeal with the appropriate United States District Court.