

High Tech Corridor Development, LLC

**NOTICE OF INTENT TO ASSESS ADMINISTRATIVE PENALTY
AND
OPPORTUNITY FOR PUBLIC COMMENT
U.S. ENVIRONMENTAL PROTECTION AGENCY--REGION 3
Water Protection Division, Office of NPDES Permits and Enforcement, NPDES
Enforcement Branch (3WP42)
1650 Arch Street
Philadelphia, Pennsylvania 19103**

Date of Notice: October 5, 2016

General NPDES Permit

DOCKET NUMBER: CWA-03-2016-0216

Comments will be accepted until November 7, 2016.

The U.S. Environmental Protection Agency (EPA), Region III, is proposing an administrative civil penalty against the Respondent named below, for alleged violations at the facility listed below.

RESPONDENT:

High Tech Corridor Development, LLC
600 White Oaks Blvd
Bridgeport, WV 26330

High Tech Corridor Development, LLC is mixed-use commercial operation

SUMMARY OF VIOLATIONS: Respondent violated the Clean Water Act, specifically, Sections 301 and 309(g) of the CWA, 33 U.S.C. §§ 1311 and 1319(g), of the Clean Water Act (CWA), by failing to comply with Section 404 of the CWA in acquiring a permit from the U.S. Army Corps of Engineers prior to initiating work at the Site resulted in discharges to waters of the United States without a permit. The Consent Agreement and Final Order (CAFO) alleges these same violations of Sections 301 and 309 of the CWA, 33 U.S.C. §§ 1311 and 1319. These violations were discovered during a March 23, 2016 Site inspection which revealed work had been done on the Site prior to acquiring a permit.

PROPOSED ADMINISTRATIVE PENALTY: Based on the foregoing and having taken into account the penalty factors set forth in Section 309(g) of the CWA, 33 U.S.C. § 1319(g), EPA Region III proposes to assess an administrative civil penalty against High Tech Corridor Development, LLC in the amount of \$150,000. The total proposed penalty is consistent with 40 C.F.R. Part 19.

OPPORTUNITY FOR COMMENT: Persons wishing to comment on the amount or basis of the proposed assessment are invited to submit a statement to the EPA Regional Administrator, addressed to the attention of the Regional Hearing Clerk (address below), within forty (40) days of the date of this public notice. Comments received within this forty (40) day period will be considered in the formulation of the final penalty assessment order. 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 addressed to:

Regional Hearing Clerk (3RC00)
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

AVAILABILITY OF INFORMATION: Information relevant to the proposed penalty assessment 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 his/her 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 representative to learn more about this action.

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