

US EPA ARCHIVE DOCUMENT

PUBLIC NOTICE**Notice of Proposed Administrative Penalty Assessment
and Opportunity to Comment**

RESPONDENT: JGJJG LLC
388 Broadhollow Road
Farmingdale, NY 11735

SITE/FACILITY: 77 Jersey Street
West Babylon, NY 11704

PERMIT NUMBER: Not applicable

DOCKET NO.: SDWA-02-2017-8902

PUBLIC NOTICE NO.: 2017-17

COMPLAINANT: Kathleen Anderson, Acting Director
Division of Enforcement and Compliance Assistance
U.S. EPA, Region 2
290 Broadway
New York, NY 10007-1866

PUBLIC COMMENT PERIOD: 30 days from May 12, 2017

SUMMARY & DESCRIPTION OF VIOLATION: The United States Environmental Protection Agency (“EPA”) is providing notice of a proposed Consent Agreement and Final Order (“CA/FO”) for violations of Section 1423(b) of the Safe Drinking Water Act (“SDWA or Act”).

Part C of the SDWA specifically mandates regulation of the underground injection of fluids through wells to ensure that the quality of underground sources of drinking water is protected. Section 1422 of the SDWA requires the EPA to administer Underground Injection Control (“UIC”) programs in states that do not have approved UIC programs. New York has not acquired primacy over the UIC program pursuant to 40 C.F.R. Part 147 and, therefore, the EPA administers the program in New York.

The proposed CA/FO addresses a Class V UIC well that is owned and/or operated by JGJJG LLC 388 Broadhollow Road, Farmingdale, NY 11735 (Respondent).

Respondent, owns and/or operates an on-site sanitary waste system at the site/facility identified above which is a Class V UIC well large capacity cesspool. Pursuant to 40 C.F.R. § 144.88(a), large capacity cesspools were required to be closed by April 5, 2005. The respondent must close the large capacity cesspool. An option for closure is to upgrade the on-site sanitary waste system to include treatment.

RELIEF SOUGHT: Respondent shall: pay a civil penalty of \$1,000 and close the large capacity cesspool in accordance with federal, state and local requirements. Respondent has agreed to pay the penalty and is taking necessary steps to resolve the violation.

FOR FURTHER INFORMATION: Karen Maples, EPA Region 2, 290 Broadway, 20th Floor, New York, New York 10007 (212) 637-3247.

Persons wishing to receive a copy of EPA's Consolidated Rules, or review documents filed in these proceedings, comment upon the proposed assessments, or otherwise participate in any of the proceedings, should contact the person named above. Unless otherwise noted, the administrative record for these proceedings is located in the EPA Regional Office identified above, and the files will be open for public inspection during normal business hours. All pertinent information submitted by the Respondent is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.

