

US EPA ARCHIVE DOCUMENT

PUBLIC NOTICE**Administrative Complaint, Findings of Violation, Notice of proposed Assessment of a Civil Penalty, and Notice of Opportunity to Request a Hearing**

RESPONDENT: Kolmar Laboratories
20 West King Street
Port Jervis, New York 12771

SITE/FACILITY: Kolmar Laboratories
20 West King Street
Port Jervis, New York 12771

PERMIT NUMBER: Not applicable

DOCKET NO. CWA-02-2018-3301

PUBLIC NOTICE NO. 2018-7

COMPLAINANT: Dore LaPosta, 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 publication date

SUMMARY & DESCRIPTION OF VIOLATION: EPA is providing notice of a proposed administrative penalty assessment for alleged violations of the Clean Water Act (CWA). EPA is also providing notice of opportunity to comment on the proposed administrative complaint filed on April 3, 2018, with the Regional Hearing Clerk.

Under 33 U.S.C. § 1319(g), EPA is authorized to issue orders assessing civil penalties for various violations of the CWA. EPA may issue such orders after the commencement of a Class I or Class II penalty proceeding. EPA provides public notice of the proposed assessment pursuant to 33 U.S.C. §1319(g)(4)(A).

Administrative civil penalty proceedings are conducted under EPA's "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders and the Revocation, Termination or Suspension of Permits," 40 C.F.R. Part 22 (Consolidated Rules). The procedures through which the public may submit written comment on a proposed administrative penalty action or participate in a Class I proceeding, and the procedures by which a Respondent may request a hearing, are set forth in the Consolidated Rules. The deadline for submitting public comment on this administrative penalty proceeding is thirty (30) days

after issuance of the Public Notice.

The Complaint addresses violations of the general pretreatment regulations found at Kolmar Laboratories' facility located at 20 West King Street, Port Jervis, NY 12771, where it operates, among other things, pharmaceutical manufacturing operations. Respondent failed to comply with reporting requirements in accordance with 40 C.F.R. § 403.12(e). EPA is seeking a proposed penalty of \$ 11,000. EPA has provided Respondent with a settlement offer of \$2,200 in an effort to promptly settle this matter.

FOR FURTHER INFORMATION: Karen Maples, EPA Region 2, 290 Broadway, 16th Floor, New York, New York 10007, (212) 637-3247.

Persons wishing to receive a copy of EPA's Consolidated Rules of Practice, 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 made available for public inspection upon request to the person listed above during normal business hours. All pertinent information submitted by the Respondents is available as part of the administrative record, subject to provisions of law restricting public disclosure of confidential information.