

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I**

**Date of Notice:** May 25, 2016

**Public Notice Number:** PN2016-0003

**Comment Period:** May 26, 2016 – June 24, 2016

**Action:** Notice of Proposed Assessment of Class II Civil Penalty and Notice of Opportunity for Hearing under Section 309(g) of the Clean Water Act

Under Section 309(g) of the Clean Water Act, 33 U.S.C. §§ 1319(g), EPA is authorized to assess a civil penalty after providing the person subject to the penalty notice of the proposed penalty and the opportunity for a hearing, and after providing interested persons public notice of the proposed penalty and a reasonable opportunity to comment on its issuance. In Class II proceedings under Section 309(g), any person who violates certain provisions of the Clean Water Act may be administratively assessed a civil penalty of up to sixteen thousand dollars (\$16,000) per day per violation for each day during which the violation continued, up to a maximum of one hundred eighty-seven thousand five hundred dollars (\$187,500). Proceedings are conducted in accordance with the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits,” found at 40 C.F.R. Part 22 (“Part 22”).

The procedures by which the public may submit written comments on a proposed penalty order or participate in a penalty proceeding are set forth in Part 22. The deadline for submitting public comment on a proposed penalty order is thirty (30) days after issuance of public notice.

Pursuant to Section 309(g), EPA is providing public notice of the following proposed administrative penalty assessment:

**In the Matter of:** The Maine Wood Treaters, Inc. CWA-01-2016-0022; EPCRA-01-2016-0023

**Name and Mailing Address of Respondent:**

The Maine Wood Treaters, Inc.  
58 Walker Road, Mechanic Falls, ME 04256

**Name and Address of Facility or Site Addressed by Complaint:**

The Maine Wood Treaters, Inc.  
58 Walker Road, Mechanic Falls, ME 04256

**Description of Business or Activity Conducted by the Respondent:**

The Respondent operates a wood treating facility, which uses various compounds/solutions for the pressure treatment of wood commodities.

**Description of Violations Alleged in Consent Agreement and Final Order:**

Respondent failed to fully implement best management practices, and failed to conduct certain inspection and monitoring requirements under the Maine Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity in violation of the federal Clean Water Act. In addition, Respondent failed to submit and certify Toxic Release Inventory reports for reporting years 2010, 2011 and 2013 in violation of the federal Emergency Planning and Community Right-to-Know Act ("EPCRA").

**Proposed Penalty:** Penalty of \$15,000 based primarily on "ability to pay" of Respondent.

**Name of Case:** In the Matter of: The Maine Wood Treaters, Inc.

**Docket Number:** CWA-01-2016-0022; EPCRA-01-2016-0023

**Date Filed with Regional Hearing Clerk:** N/A

**Name, Mailing Address, and Telephone Number of Regional Hearing Clerk:** Wanda Santiago, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Mail Code ORA18-1, Boston, MA 02109-3912; (617) 918-1113.

FOR FURTHER INFORMATION: Persons wishing to receive a copy of Part 22, review the complaint or other documents filed by the parties in this proceeding, comment upon the proposed penalty assessment, or participate in any hearing that may be held, should contact the Regional Hearing Clerk identified above. Unless otherwise noted, the public record for the

proceeding is located in the EPA Regional Office at 5 Post Office Square, Suite 100, Boston, Massachusetts, and the file will be open for public inspection during normal business hours.

In order to provide opportunity for public comment, EPA will not take final action in this proceeding prior to thirty (30) days after issuance of this notice.