

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1**

Date of Notice: October 18, 2021

Public Notice Number: PN-000001

Comment Period: 10/18/2021 to 11/17/2021

Action: Notice of Proposed Assessment of Class II Clean Water Act Section 309(g) Administrative Penalty and Opportunity to Comment

Under Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g), the United States Environmental Protection Agency (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)(2)(B), any person who violates certain provisions of the Clean Water Act may be assessed an administrative civil penalty of up to \$22,584 per day per violation for each day during which the violation continued, up to a maximum of \$282,293. 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) of the Clean Water Act and 40 C.F.R. § 22.45, EPA is providing public notice of the following proposed administrative penalty assessment:

Name of Case: In the Matter of Greenleaf Foods, SPC

Name and Mailing Address of Respondent:

Greenleaf Foods, SPC (d/b/a Lightlife Foods)
153 Industrial Blvd
Turners Falls, MA 01376

Name and Address of Facility or Site Addressed by Consent Agreement:

Greenleaf Foods, SPC (d/b/a Lightlife Foods)
153 Industrial Blvd
Turners Falls, MA 01376

Description of Business or Activity Conducted by the Respondent: Respondent operates a soy-based food products manufacturing facility.

Description of Violations Alleged in Consent Agreement: In this case, EPA alleges that Greenleaf Foods, SPC (d/b/a Lightlife Foods) (the “Respondent”) discharged industrial process wastewaters into the Town of Montague, Massachusetts Publicly Owned Treatment Works in violation of the federal hydrogen ion concentration (“pH”) specific prohibition pretreatment standard of 5.0 Standard Units found at 40 C.F.R § 403.5(b)(2) between September 2019 and August 2021. Respondent has reached agreement with EPA on the terms of a proposed Consent Agreement and Final Order that would resolve this matter.

Proposed Settlement Penalty: EPA proposes a cash penalty of \$252,000.

Name of Case: In the Matter of: Greenleaf Foods, SPC

Docket Number: CWA-01-2022-0001

Name, Mailing Address, and Telephone Number of Regional Hearing Clerk:

Wanda I. Santiago
Regional Hearing Clerk
U.S. EPA, Region 1
5 Post Office Square - Suite 100
Mail Code: ORC 04-6
Boston, MA 02109-3912
(617) 918-1113
R1_Hearing_Clerk_Filings@epa.gov or Santiago.Wanda@epa.gov

We strongly encourage you to contact the Regional Hearing Clerk using either email address provided above or by calling her at (617) 918-1113. Please reference Docket No. CWA-01-2022-0001 in any comments submitted.

FOR FURTHER INFORMATION: The public record for the proceeding is available upon request. A copy of Part 22 can be found at: <https://ecfr.io/Title-40/Part-22>. Persons wishing to review the Consent Agreement and Final Order 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. Comments must be submitted to the Regional Hearing Clerk by **11/17/2021**. Due to the COVID-19 public health emergency, documents in the public record for the proceeding will be available electronically.

Because this matter involves a CWA Section 309(g) proceeding that is proposed to be simultaneously commenced and settled under 40 C.F.R. § 22.13(b), this matter will not be resolved or settled until ten (10) days after the close of the public comment period in accordance with 40 C.F.R. § 22.45(b) and (c).