UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

7/1/20

VIA ELECTRONIC MAIL

Ms. Kasie West
Capital Projects Administrator
Horizon Land Management, LLC
2138 Espey Court
Suite 1
Crofton, Maryland 21114
kwest@horizonlm.com

RE: CWA Section 308 Information Requirement

Dear Ms. West:

The United States Environmental Protection Agency ("EPA") hereby requires that Horizon Land Management, LLC ("Horizon") provide certain information regarding the Horizon facilities located at Boones Mobile Estate Wastewater Treatment Plant, 1091 Marlboro Road, Lothian, MD 20711 ("Boones WWTP"); Maryland Manor Mobile Home Park Wastewater Treatment Plant, 4642 Sands Road, Harwood, MD 20776 ("Maryland Manor WWTP"); and Patuxent Mobile Estates Wastewater Treatment Plant, 5380 Sands Road, Lothian, MD 20711 ("Patuxent WWTP"). EPA requires this information as a part of its investigation of Horizon's compliance with the Clean Water Act ("CWA"), 33 U.S.C. § 1251, and the regulations promulgated thereunder.

Compliance with this Information Requirement is mandatory. Failure to respond fully and truthfully to the Information Requirement in accordance with deadlines set forth in the Information Requirement, or to adequately justify such failure to respond, can result in enforcement action by EPA pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. Please note that the provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

Horizon is entitled to assert a business confidentiality claim, covering all or part of the information which this letter requires. Any such claim should be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). In the event that Horizon asserts a claim of business confidentiality with respect to any document, Horizon should provide EPA with a redacted version of the document which does not contain any claimed business confidential

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information and which can be distributed to the public, if requested. EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. Unless a confidentiality claim is asserted at the time the required information is provided, EPA may make this information available to the public without further notice to Horizon.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

EPA is cognizant of potential worker shortages due to the COVID-19 pandemic as well as the travel and social distancing restrictions imposed by both governments and corporations or recommended by the Centers for Disease Control and Prevention to limit the spread of COVID-19. The consequences of the pandemic may affect facility operations and the availability of key staff and contractors. Due to the uncertainty surrounding the COVID-19 public health emergency, we understand that Horizon may not have complete information at this time. In that case, Horizon should provide a partial response within 30 days with all available information and a detailed explanation of the circumstances that prevent Horizon from providing a complete response. Horizon shall then submit a final response when complete information is accessible. If Horizon submits a partial response, please indicate that a complete response will follow.

If you have any factual questions concerning this information request, please contact Jennie Brancho at (215) 814-2087.

Sincerely,

Richard A. Rogers

Digitally signed by Richard A. Rogers
Date: 2020.07.01 13:34:28 -04'00'

Richard A. Rogers, Chief
Water Branch
Enforcement and Compliance Assurance Division

Enclosures

cc: Sharon Talley, MDE (sharon.talley@maryland.gov)
Jennie Brancho, EPA (brancho.jennie@epa.gov)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

In the Matter of:	:	Proceeding under Section 308 of the Clean Water Act, 33 U.S.C. § 1318
Horizon Land Management, LLC 2138 Espey Court Suite 1 Crofton, Maryland 21114	:	
Respondent	:	**INFORMATION REQUIREMENT**

I. STATUTORY AUTHORITY

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Enforcement and Compliance Assurance Division of EPA Region III, who in turn has delegated it to the Chief of the Water Branch. EPA hereby requires Horizon Land Management, LLC ("Horizon", "Respondent") to provide the information specified below.

II. STATUTORY AND REGULATORY BACKGROUND

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the CWA, including but not limited to:

   a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;

   b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;

   c. any requirement under Section 308 of the CWA; and

d. carrying out Sections 305, 311, 402, 404, and 504 of the CWA.

3. Failure to respond as directed to a CWA Section 308 Information Requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

4. You may assert a business confidentiality claim covering all or part of the information submitted in response to this Requirement in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by a business confidentiality claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information submitted when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information.

5. This Information Requirement does not preclude EPA from performing inspections.

III. INSTRUCTIONS

6. Provide a separate narrative response for each question set forth below and for each subpart of each question.

7. Identify each answer with the corresponding number of the question and subpart to which it responds.

8. State the name, address, email address, telephone number, and occupation of each person providing responses, or contributing information to responses, to each request for information below.

9. Provide all documents in your possession which relate to the responses given. With respect to each document, identify the date, author, addressee, current location, and custodian and identify the question or subpart to which it relates.

10. Answer each question to the extent possible. If any question cannot be answered in full, explain why to the extent possible. If your responses are qualified in any manner, please explain.

11. If information or documents unknown or unavailable to you as of the date of your response to this request become known or available to you after submitting your response to the request, you must supplement your response to EPA. Moreover, should you find at any time afer the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide a corrected response.

12. Each submission pursuant to this request must be accompanied by the following certification and must be signed by a representative of Horizon and authorized to respond on behalf of that entity.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations."

Signed: _____
Title: _____
Date: _____

13. All information shall be submitted within thirty (30) days of receipt of this Information Requirement electronically to:

    Jennie Brancho
    Enforcement and Compliance Assurance Division
    United States Environmental Protection Agency, Region III
    1650 Arch Street (3ED32)
    Philadelphia, PA 19103-2029
    Brancho.jennie@epa.gov

    If you are unable to send requested documentation electronically, please contact Jennie Brancho via phone or email to discuss alternate delivery methods. In both your message and written response, please indicate the specific information requested by EPA that you are unable to provide electronically.

14. If you have questions regarding this Information Requirement, you may contact Jennie Brancho of the Enforcement and Compliance Assurance Division at brancho.jennie@epa.gov or (215) 814-2087.

V. INFORMATION REQUIREMENT

The Respondent is hereby required, pursuant to Section 308 of the CWA, 33 U.S.C § 1318, to submit the following information to EPA within thirty (30) calendar days of receipt of this Information Requirement:

Facility: Boones Mobile Estate Wastewater Treatment Plant

15. Provide a narrative description of Boones Mobile Estate Wastewater Treatment Plant, located at 1091 Marlboro Road, Lothian, Maryland 20711 ("Boones WWTP"); operational processes; and water pollution control equipment. Include in your response a site map that includes all outfall locations.

16. Attached is a spreadsheet with effluent exceedances identified in EPA's data systems for the period June 1, 2015 through March 31, 2020 and based on discharge monitoring reports (DMR) submitted by Boones WWTP (Attachment 1). Please identify any additional effluent exceedances for the period of June 1, 2015 through March 31, 2020 not identified on the

spreadsheet and provide a certification as to the accuracy of the spreadsheet and any additions pursuant to Paragraph 12.

17. For each exceedance identified in Paragraph 16, provide a detailed narrative description of the cause of the exceedance and any measure you have taken or intend to take to correct the exceedance or prevent future exceedances. Include completed or scheduled dates for each identified measure. If applicable, include detailed noncompliance notifications submitted to Maryland Department of the Environment ("MDE").

18. Provide copies of any documents identified in or in support of your responses to questions 15-17, including copies of DMRs for violations identified in Paragraph 16.

19. Provide any additional information related to violations that impact the current compliance status at the Boones WWTP, other than those exceedances identified in Paragraph 16.

Facility: Maryland Manor Mobile Home Park Wastewater Treatment Plant

20. Provide a narrative description of Maryland Manor Mobile Home Park Wastewater Treatment Plant, located at 4642 Sands Road, Harwood, Maryland 20776 ("Maryland Manor WWTP"); operational processes; and water pollution control equipment. Include in your response a site map that includes all outfall locations.

21. Attached is a spreadsheet with effluent exceedances identified in EPA's data systems for the period June 1, 2015 through March 31, 2020 and based on discharge monitoring reports (DMR) submitted by Maryland Manor WWTP (Attachment 2). Please identify any additional effluent exceedances for the period of June 1, 2015 through March 31, 2020 not identified on the spreadsheet and provide a certification as to the accuracy of the spreadsheet and any additions pursuant to Paragraph 12.

22. For each exceedance identified in Paragraph 21, provide a detailed narrative description of the cause of the exceedance and any measure you have taken or intend to take to correct the exceedance or prevent future exceedances. Include completed or scheduled dates for each identified measure. If applicable, include detailed noncompliance notifications submitted to MDE.

23. Provide copies of any documents identified in or in support of your responses to questions 20-22, including copies of DMRs for exceedances identified in Paragraph 21.

24. Provide any additional information related to violations that impact the current compliance status at the Maryland Manor WWTP, other than those exceedances identified in Paragraph 21.

Facility: Patuxent Mobile Estates Wastewater Treatment Plant

25. Provide a narrative description of Patuxent Mobile Estates Wastewater Treatment Plant, located at 5380 Sands Road, Lothian, Maryland 20711 ("Patuxent WWTP"); operational processes; and water pollution control equipment. Include in your response a site map that includes all outfall locations.

26. Attached is a spreadsheet with effluent exceedances identified in EPA's data systems for the period June 1, 2015 through March 31, 2020 and based on discharge monitoring reports (DMR) submitted by Patuxent WWTP (Attachment 3). Please identify any additional effluent exceedances for the period of June 1, 2015 through March 31, 2020 not identified on the spreadsheet and provide a certification as to the accuracy of the spreadsheet and any additions pursuant to Paragraph 12.

27. For each exceedance identified in Paragraph 26, provide a detailed narrative description of the cause of the exceedance and any measure you have taken or intend to take to correct the exceedance or prevent future exceedances. Include completed or scheduled dates for each identified measure. If applicable, include detailed noncompliance notifications submitted to MDE.

28. Provide copies of any documents identified in or in support of your responses to questions 25-27, including copies of DMRs for exceedances identified in Paragraph 26.

29. Provide any additional information related to violations that impact the current compliance status at the Patuxent WWTP, other than those exceedances identified in Paragraph 26.

VI. EFFECTIVE DATE

This INFORMATION REQUIREMENT is effective upon receipt.

Date: _____

Richard A. Rogers Digitally signed by Richard A. Rogers Date: 2020.07.01 13:34:05 -04'00'

Richard A. Rogers, Chief
Water Branch
Enforcement and Compliance Assurance Division

ATTACHMENT 1
Effluent Limit Exceedances Report

MD0050903: BOONES MOBILE ESTATE WWTP, LOTHIAN, MD 20711-2404
Monitoring Period Date Range: 06/01/2015 to 03/31/2020

Monitoring Period Date	Outfall	Parameter Description	Limit Type	DMR Value	DMR Value Unit	Limit Value	Limit Value Unit
1/31/2019	1	Solids, total suspended	MX WK AV	3.718820862	kg/d	3.628117914	kg/d
6/30/2019	1	Solids, total suspended	MX WK AV	3.718820862	kg/d	3.628117914	kg/d
7/31/2019	1	Solids, total suspended	MX MO AV	35.5	mg/L	8	mg/L
7/31/2019	1	Solids, total suspended	MX WK AV	69	mg/L	12	mg/L
7/31/2019	1	Solids, total suspended	MX MO AV	7.986394558	kg/d	2.403628118	kg/d
7/31/2019	1	Solids, total suspended	MX WK AV	15.65986395	kg/d	3.628117914	kg/d
10/31/2019	1	BOD, 5-day, 20 deg. C	MX WK AV	14.2	mg/L	12	mg/L
10/31/2019	1	Solids, total suspended	MX WK AV	44.98866213	kg/d	3.628117914	kg/d
10/31/2019	1	Solids, total suspended	MX MO AV	41	mg/L	8	mg/L
10/31/2019	1	Solids, total suspended	MX MO AV	9.46031746	kg/d	2.403628118	kg/d
10/31/2019	1	Solids, total suspended	MX WK AV	195	mg/L	12	mg/L
11/30/2019	1	Solids, total suspended	MX WK AV	27	mg/L	12	mg/L
11/30/2019	1	Solids, total suspended	MX WK AV	5.718820862	kg/d	3.628117914	kg/d
11/30/2019	1	Solids, total suspended	MX MO AV	21	mg/L	8	mg/L
11/30/2019	1	Solids, total suspended	MX MO AV	4.448979592	kg/d	2.403628118	kg/d
12/31/2019	1	Solids, total suspended	MX MO AV	10.9	mg/L	8	mg/L
12/31/2019	1	Solids, total suspended	MX WK AV	14.7	mg/L	12	mg/L
2/29/2020	1	BOD, 5-day, 20 deg. C	MX WK AV	14.5	mg/L	12	mg/L
2/29/2020	1	Solids, total suspended	MX WK AV	54	mg/L	12	mg/L
2/29/2020	1	Solids, total suspended	MX MO AV	3.954648526	kg/d	2.403628118	kg/d
2/29/2020	1	Solids, total suspended	MX WK AV	11.46485261	kg/d	3.628117914	kg/d
2/29/2020	1	Solids, total suspended	MX MO AV	18.6	mg/L	8	mg/L
3/31/2020	1	Solids, total suspended	MX WK AV	13	mg/L	12	mg/L

ATTACHMENT 2
Effluent Limit Exceedances Report

MD0024333: MARYLAND MANOR WWTP, HARWOOD, MD 20776
Monitoring Period Date Range: 06/01/2015 to 03/31/2020

Monitoring Period Date	Outfall	Parameter Description	Limit Type	DMR Value	DMR Value Unit	Limit Value	Limit Value Unit
10/31/2019	1	pH	MINIMUM	6.3	SU	6.5	SU
10/31/2019	1	Solids, total suspended	MX WK AV	61	mg/L	45	mg/L
12/31/2019	1	Solids, total suspended	MX WK AV	307	mg/L	45	mg/L
12/31/2019	1	Solids, total suspended	MX MO AV	15.78684807	kg/d	10.430839	kg/d
12/31/2019	1	Solids, total suspended	MX WK AV	52.25396825	kg/d	15.41950113	kg/d
12/31/2019	1	Solids, total suspended	MX MO AV	92.75	mg/L	30	mg/L
2/29/2020	1	Solids, total suspended	MX MO AV	36.5	mg/L	30	mg/L
2/29/2020	1	Solids, total suspended	MX WK AV	20.81632653	kg/d	15.41950113	kg/d
2/29/2020	1	Solids, total suspended	MX MO AV	18.09070295	kg/d	10.430839	kg/d
3/31/2020	1	Solids, total suspended	MX MO AV	41.75	mg/L	30	mg/L
3/31/2020	1	Solids, total suspended	MX MO AV	21.89115646	kg/d	10.430839	kg/d
3/31/2020	1	Solids, total suspended	MX WK AV	72	mg/L	45	mg/L
3/31/2020	1	Solids, total suspended	MX WK AV	37.75510204	kg/d	15.41950113	kg/d

ATTACHMENT 3
Effluent Limit Exceedances Report

MD0024694: PATUXENT MHC, LLC, LOTHIAN, MD 20711
Monitoring Period Date Range: 06/01/2015 to 03/31/2020

Monitoring Period Date	Outfall	Parameter Description	Limit Type	DMR Value	DMR Value Unit	Limit Value	Limit Value Unit
10/31/2019	1	Oxygen, dissolved (DO)	MINIMUM	3.8	mg/L	5	mg/L
11/30/2019	1	Oxygen, dissolved (DO)	MO AV MN	5.2	mg/L	5.5	mg/L
11/30/2019	1	Oxygen, dissolved (DO)	MINIMUM	3.1	mg/L	5	mg/L
11/30/2019	1	pH	MINIMUM	6.3	SU	6.5	SU
12/31/2019	1	Oxygen, dissolved (DO)	MINIMUM	3.7	mg/L	5	mg/L
2/29/2020	1	E. coli	MO GEOMX	200.5	MPN/100mL	126	MPN/100mL
3/31/2020	1	BOD, 5-day, 20 deg. C	MX WK AV	49.4	mg/L	45	mg/L
3/31/2020	1	E. coli	MO GEOMX	200.5	MPN/100mL	126	MPN/100mL