[SEQ CHAPTER \h \r 1]**PUBLIC NOTICE**
U. S. ENVIRONMENTAL PROTECTION AGENCY, REGION 4
WATER PROTECTION DIVISION
CLEAN WATER ENFORCEMENT BRANCH
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, S.W.
ATLANTA, GEORGIA 30303

DATE: **PUBLIC NOTICE No. CWA-04-2014-4507(b)**

Notice of Proposed Issuance of
Consent Agreement and Final Order

The U.S. Environmental Protection Agency (EPA), Region 4, proposes to issue a Consent Agreement and Final Order (CAFO), Docket No. CWA-04-2014-4507(b), that assesses an administrative penalty of $20,550.00 to the ABC Coke Division of the Drummond Company, Inc.(Respondent), Birmingham, Alabama, under the authority of Section 309(g)(2)(A) of the Clean Water Act (CWA), 33 U.S.C. §1319(g)(2)(A).

The EPA alleges that the Respondent violated Sections 301(a) of the CWA, 33 U.S.C. §1311(a), and the National Pollutant Discharge Elimination System Permit No. AL0003417 (Permit), by discharging to a location not authorized by an NPDES Permit and failing to comply with the effluent limitation requirements of the Permit. The violations occurred at the ABC Coke Division Plant, located at Railroad Street in Birmingham, Alabama.

Any person wishing to comment on any aspect of the proposed CAFO Docket No. CWA-04-2014-4507(b) may submit such comments in writing to the Regional Hearing Clerk at U.S. EPA, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, Georgia, 30303. Comments must be submitted within 30 days of the date of this notice. Please include the Public Notice Number and the Docket Number with any submitted comments.

More information about this enforcement action can be found on the EPA Region 4 Website at: [HYPERLINK "http://www.epa.gov/region4/water/wpeb/npdes_states.html"].

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), the EPA cannot resolve or settle this CAFO until ten days after the close of the public comment period in accordance with 40 C.F.R. § 22.45 (b) and (c).

FOR FURTHER INFORMATION: Persons wishing to receive a copy of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. Part 22, which apply to this matter, or comment upon the proposed penalty assessment, should contact the Regional Hearing Clerk identified above. Unless otherwise noted, the public record for this action is located in the EPA Regional Office at 61 Forsyth Street, S.W., Atlanta, Georgia, and the file will be open for public inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday.