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

Mr. John Klim, Chief
Engineering Services
Veterans Administration, Huntington Medical
1540 Spring Valley Drive
Huntington, West Virginia 25704

Re: Information Requirement Pursuant to Section 308 of the Clean Water Act

Dear Mr. Klim:

Enclosed is an Information Requirement issued to the Veterans Administration, Huntington (VA Huntington). The United States Environmental Protection Agency ("EPA") is authorized under Section 308 of the Clean Water Act ("CWA" or the "Act"), 33 U.S.C. § 1318, to require reports and other information necessary to carry out the purposes of the Act. You should read the Information Requirement carefully as it provides instructions and deadlines for certain information to be provided to EPA.

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 Act, 33 U.S.C. § 1319. Please be further advised that the provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

You may assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no claim of confidentiality accompanies the information required herein when it is received, EPA may make the information available to the public without further notice to you.

This Information Requirement is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35 (See 5 C.F.R. § 1320.3(c)). Should you have any questions pertaining to this matter, please contact Peter Gold at (215) 814-5236.

Sincerely,

David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Permits and Enforcement
Water Protection Division

cc: Joe Hickman, WV DEP

Enclosure

In The Matter of:	:	INFORMATION REQUIREMENT
Veterans Administration Huntington	:	Proceeding Under Section 308 of the Clean Water Act, 33 U.S.C. § 1318
Respondent	:	

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 or Act), 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 Water Protection Division of EPA Region III who in turn has delegated it to the Associate Director of the Office of National Pollutant Discharge Elimination System (NPDES) Permits and Enforcement. EPA hereby requires Respondents to provide 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, 404, and 504 of the CWA.

3. You may, if you desire, assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. Part 2, Subsection B.

Information covered by such a 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 required herein 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. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. *See* C.F.R. Section 1320.3(c).

III. INSTRUCTIONS

4. 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 indicate on each document produced in response to this Information Requirement, or in some other reasonable manner, the number of the question or subpart to which it corresponds.

5. Provide a separate narrative response for each question contained in this Information Requirement and for each subpart of each question. Precede each answer with the corresponding number of the question to which it responds.

6. Provide the name, address, telephone number, and occupation of each person providing responses to any questions contained in this Information Requirement, as well as each person consulted in the preparation of the response on behalf of Respondents, to these demands for information.

7. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the questions, and provide a true and correct copy of each document if not provided in response to another specific question.

8. If tabulation is required, provide the required information in tabular form in hard copy and also in tabular form in an electronic spreadsheet file of Microsoft Excel format.

9. To the extent information required herein was previously provided to EPA by the Respondents, there is no need to provide it again, but rather identify the information and the date it was previously provided.

10. If required information or documents are not known or are not available at the time of your response to this Information Requirement, but later become known or available, Respondents must supplement its response to EPA. Moreover, should Respondents find at any time after submission of its response that any portion is or becomes false, incomplete, or misrepresents the facts; Respondents must provide EPA with a corrected response as soon as possible.

11. All submissions provided pursuant to this Information Requirement shall be signed and dated by Respondents to include the following certification:

"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 on 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 knowing violations."

Signed _____
Title _____
Date _____

12. Submit a copy of your response to the following individual:

Mr. Peter Zysia Gold
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

IV. DEFINITIONS

14. The terms "document" and "documents" shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b) each copy which has any writing, notation, or the like on it; c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.

15. The term "identify" with respect to a natural person means to provide that person's name, address, telephone number, title, and relationship to Respondent. The term "identify" with respect to a business entity means to provide that entity's name, address, and relationship to the Respondent, and to provide the name, address, telephone number, and title of an individual who can provide information related to, and on behalf of, the entity.

V. REQUEST FOR INFORMATION

16. AND NOW, this 15th day of February, 2016, Respondent is hereby directed, pursuant to Section 308 of the Act, 33 U.S.C. Section 1318, to provide the following information and reports, and maintain records as directed:

17. Please provide the EPA with the previous two annual reports that the VA Huntington submitted the West Virginia Department of Environmental Protection's Division of Water and Waste Management for compliance with Part IV.D of VA Huntington's 2009 Municipal Separate Storm Sewer System General Permit.

VI. EFFECTIVE DATE

This INFORMATION REQUIREMENT is effective upon receipt. Information responsive to this Information Requirement shall be submitted to EPA within thirty (30) calendar days upon receipt of this Information Requirement.

Date: 2/15/16

David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Compliance and Enforcement
Water Protection Division