UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

MAR - 8 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

Ms. Anita Kay Hardy
Owner
Fisheries Development – Hagerman Trout Farm
1301 Vista Avenue
Boise, Idaho 83705

Re: Fisheries Development – Hagerman Trout Farm
NPDES Permit Number IDG130017

Dear Ms. Hardy:

On behalf of the U.S. Environmental Protection Agency (EPA), I would like to express my appreciation for your time and cooperation during the June 22, 2015 Clean Water Act (CWA) inspection of Hagerman Trout Farm ("Facility") which was conducted by the Idaho Department of Environmental Quality (IDEQ) on behalf of the EPA. The purpose of the inspection and subsequent EPA administrative file review was to determine the Facility's compliance with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) general permit for *Aquaculture Facilities in Idaho, subject to Wasteload Allocations under Selected Total Maximum Daily Loads*. EPA reviewed your Facility's administrative files from February 2011 through February 2016. The purpose of this letter is to notify you of the results of the IDEQ inspection and EPA administrative file review. At the time of the inspection, the inspector did not note any violations or areas of concern.

On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure A).

REVIEW OF ADMINISTRATIVE FILES

Part II.E.6 of the Permit specifies that receiving water-monitoring results must be submitted to EPA with copies to IDEQ with the DMRs for the month when the monitoring is conducted

During EPA review of DMR data from February 2011 to February 2016, it was found that the Facility was late in submitting seven quarterly Receiving Water Monitoring Reports. These are violations of Part II.E.6 of the Permit. A list of these violations is enclosed (Enclosure B).

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Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure C). If you have any questions concerning this matter, please do not hesitate to contact Raymond Andrews of my staff at (206) 553-4252.

Sincerely,

Edward J. Kowalski
Director

Enclosures

cc: Mr. Stephen Berry
Idaho Department of Environmental Quality
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Mr. David Anderson
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Mr. Dick Bogaard
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