

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1**

**Date of Notice:** March 11, 2016

**Public Notice Number:** PN2016-0001

**Comment Period:** March 14, 2016 – April 12, 2016

**Action:** Notice of Proposed Assessment of Class II Clean Water Act Section 309(g)(2)(B) and 311(b)(6)(B)(ii) Administrative Penalties and Opportunity to Comment

Under Sections 309(g) and 311(b)(6) of the Clean Water Act, 33 U.S.C. §§ 1319(g) and 1321(b)(6), 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) and 311(b)(6)(B)(ii), any person who violates certain provisions of the Clean Water Act may be administratively assessed a civil penalty of up to sixteen thousand dollars (\$16,000) per day per violation for each day during which the violation continued, up to a maximum of one hundred eighty-seven thousand five hundred dollars (\$187,500) for each Count in the Complaint. 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) and 311(b)(6), EPA is providing public notice of the following proposed administrative penalty assessment:

**In the Matter of: Winkle Bus Company of West Haven, Inc., CWA-01-2016-0009**

**Name and Mailing Address of Respondent:**

Winkle Bus Company of West Haven, Inc.  
10 Industry Drive  
West Haven, Connecticut 06516

**Name and Address of Facility or Site Addressed by Complaint:**

Winkle Bus Company of West Haven, Inc.  
10 Industry Drive  
West Haven, Connecticut 06516

**Description of Business or Activity Conducted by the Respondents:**

School bus service facility where school bus fleet is serviced and washed.

**Description of Violation Alleged in Complaint:** (1) discharged untreated wastewater containing pollutants into navigable waters of the United States without authorization; (2) discharged stormwater without having obtained coverage under the Connecticut General Permit for the Discharge of Stormwater Associated with Industrial Activity and (3) failure to prepare and fully implement a Spill Prevention Control and Countermeasure ("SPCC") Plan in accordance with the Oil Pollution Prevention regulations set forth at 40 C.F.R. Part 112.

**Proposed Penalty:** \$31,000

**Name of Case:** In the Matter of: Winkle Bus Company of West Haven, Inc.

**Docket Number:** CWA-01-2016-0009

**Date Filed with Regional Hearing Clerk:** N/A

**Name, Mailing Address, and Telephone Number of Regional Hearing Clerk:** Wanda Santiago, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 1, 5 Post Office Square, Suite 100, Mail Code ORA18-1, Boston, MA 02109-3912; (617) 918-1113.

FOR FURTHER INFORMATION: Persons wishing to receive a copy of Part 22, review the complaint or other documents 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. Unless otherwise noted, the public record for the proceeding is located in the EPA Regional Office at 5 Post Office Square, Suite 100, Boston, Massachusetts, and the file will be open for public inspection during normal business hours.

Because this matter involves CWA Sections 309(g) and 311(b)(6) proceedings that are 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).