

## **EPA proposes fines against Anchorage Alaska Developer for Clean Water Act Violations**

Contact Information: Ankur Tohan, (206) 553-1796, tohan.ankur@epa.gov or Tony Brown, (206) 553-1203, brown.anthony@epa.gov

(Anchorage, Alaska) The U.S. Environmental Protection Agency (EPA) has commenced an administrative penalty action against Anthony Lerma for violations of the federal Clean Water Act (CWA). The violations occurred at Lerma's construction site located at 5151 Lake Otis and East 52nd Avenue in Anchorage, Alaska. Under the CWA, EPA may assess administrative civil penalties within a range up to \$157,500.

EPA alleges that Lerma violated the National Pollutant Discharge Elimination System (NPDES), Storm Water Construction General Permit (CGP). CGP authorization is required for discharges of storm water from any construction site with at least one acre of disturbed land. Violations included:

- failure to prepare and implement an adequate Storm Water Pollution Prevention Plan (SWPPP);
- failure to have adequate storm water control measures;
- failure to conduct inspections; and
- failure to properly implement stabilization measures.

"Storm water runoff from construction sites can significantly harm water quality," said Marcia Combes, Alaska Operations Office Director for EPA. "Managing storm water responsibly at construction sites should be a key part of every developer's site plan."

The receiving water for the storm water discharges from the Site is Campbell Creek. Campbell Creek is a tributary of Campbell Lake. Campbell Creek and Campbell Lake are "navigable waters" and are waters of the United States.

The NPDES permit program, established under the CWA, controls water pollution by regulating sources that discharge pollutants to waters in the United States.

For more about EPA's storm water discharge permitting program, visit:

[http://cfpub1.epa.gov/npdes/home.cfm?program\\_id=6](http://cfpub1.epa.gov/npdes/home.cfm?program_id=6)