

U.S. EPA: Charleswood, Inc. to resolve Clean Water Act violations at West Fargo, N.D. residential development

Developer to pay \$37,500 penalty

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(Denver, Colo. – September 22, 2009) The U.S. Department of Justice, on behalf of the U.S. Environmental Protection Agency, has filed a civil complaint and lodged a consent decree against Charleswood, Inc. to resolve alleged violations of the Clean Water Act in West Fargo, N.D.

Charleswood allegedly violated the Act during the development of a residential subdivision by failing to comply with the terms and conditions of the North Dakota Storm Water Construction General Permit. Specifically, Charleswood failed to implement best management practices to reduce the amount of sediment discharged from construction activities. The company also failed to conduct inspections at the required frequency.

“Charleswood's alleged actions compromised water quality by ineffectively managing runoff from construction activities,” said Diane Sipe, Director of EPA Region 8's Water Enforcement program. “EPA will continue to pursue those who violate laws that protect North Dakota's waters.”

Under the consent decree, Charleswood will comply with all storm water requirements for the development, including maintaining permit coverage, implementing an appropriate Storm Water Pollution Prevention Plan, implementing best management practices and conducting inspections at the required frequency. The company will also pay a penalty of \$37,500.

The Clean Water Act storm water regulations, in effect since 1990, were created to protect the nation's surface waters from polluted runoff. Storm water runoff can carry pollutants, such as fertilizers, pesticides, oil and grease, trash and sediment, from construction sites. Without proper management, these pollutants can enter nearby waters and adversely affect animal and plant life.

Developers, contractors and other landowners who plan to conduct construction activities disturbing one acre of land or greater should contact the North Dakota Department of Health at 701-328-5242 to obtain storm water permit coverage. Information on storm water requirements in North Dakota may also be found online at:

<http://www.ndhealth.gov/WQ/Storm/Construction/ConstructionHome.htm>

For more information on the Clean Water Act, visit EPA's compliance web page:

<http://www.epa.gov/compliance/civil/cwa/index.html>