

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1**

**Date of Notice:** December 29, 2020

**Public Notice Number:** PN2021-0004

**Comment Period:** 12/29/2020 to 1/28/2021

**Action:** Notice of Proposed Assessment of Class II Civil Penalty and Notice of Opportunity for a Hearing under Section 309(g) of the Clean Water Act (CWA)

Under Section 309(g) of the CWA, 33 U.S.C. §1319(g) the United States Environmental Protection Agency (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), any person who violates certain provisions of the CWA may be administratively assessed a civil penalty of up to \$22,320 per day per violation for each day during which the violation continued, up to a maximum of \$278,995. Proceedings are conducted in accordance with the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits,” 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 30 days after issuance of the public notice.

Pursuant to Section 311(g)(4), EPA is providing public notice of the following proposed administrative penalty assessment:

**Name of Case:** In the LKQ Northeast, Inc.

**Name and Mailing Address of Respondent:**

LKQ Northeast, Inc.  
1120 Lake Street  
Evanston, Illinois 60201

**Name and Address of Facilities or Sites Addressed by Agreement:**

LKQ Northeast, Inc.  
4 Old Douglas Road  
Webster, Massachusetts

LKQ Northeast, Inc.  
1525 Central Street  
Leominster, Massachusetts

LKQ Northeast, Inc.  
58 Sam West Road  
Southwick, Massachusetts

**Description of Business or Activity Conducted by Respondent:**

Auto salvage yards.

**Description of Violation(s) Alleged in Agreement:**

EPA alleges that LKQ Northeast, Inc. failed to comply fully with the stormwater requirements of the Clean Water Act at three of its Massachusetts facilities.

**Proposed Settlement Penalty:** EPA proposes cash penalties of: \$129,425 (Webster facility); \$83,000 (Leominster facility); and \$81,000 (Southwick facility).

**Docket Numbers:** CWA-01-2021-0023 (Webster facility); CWA-01-2021-0024 (Leominster facility); and CWA-01-2021-0025 (Southwick facility).

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

**Name, Mailing Address, and Telephone Number of Regional Hearing Clerk:**

Wanda I. Santiago  
Regional Hearing Clerk  
U.S. EPA, Region 1  
5 Post Office Square - Suite 100  
Mail Code: ORC 04-6  
Boston, Massachusetts 02109-3912  
(617) 918-1113  
Santiago.wanda@epa.gov

**FOR FURTHER INFORMATION:** Copies of Part 22 can be found at:

<https://ecfr.io/Title-40/Part-22>. Persons wishing to review the proposed agreement 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. Due to COVID-19, documents in the public record for the proceeding will be provided electronically.

Because this matter involves a CWA Section 309(g)(2)(B) proceeding that is 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).