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Public Notice: Safe Drinking Water Act Complaint and Opportunity for Hearing; Eric Hauck, Acton Holding Trust, Acton, CA

Publish Date: March 13, 2023

Summary

EPA is authorized under Sections 1423(c) and 1445(a) of the Safe Drinking Water Act (the “Act”), 42 U.S.C. Parts 300h-2(c), 300j-4(a), to assess civil administrative penalties against any person who fails to comply with the requirements of regulations enacted in accordance with Section 1422(c) of the Act, 42 U.S.C. Part 300h-1(c). This action under Section 1423(c) is conducted in accordance with the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits” (“Consolidated Rules”), set forth at 40 C.F.R. Part 22.

In accordance with Section 1423(c)(3)(B) of the Act, 42 U.S.C. § 300h-2(c)(3)(B), and 40 C.F.R. § 22.45(b), EPA is hereby providing public notice of, and opportunity to comment on, this **Administrative Complaint** <<https://epa.gov/ca/uic-09-2023-0029-administrative-complaint-matter-eric-hauck-individually-and-trustee-acton>> in the following matter:

In the Matter of Eric Hauck, Individually and as Trustee of the Acton Holding Trust – Docket No. UIC-09-2023-0029

Complainant: Amy C. Miller-Bowen, Director, Enforcement and Compliance Assurance Division, U.S. EPA, Region 9, 75 Hawthorne Street, San Francisco, CA 94105

How to Comment

Comments Due: April 12, 2023

Name, Mailing Address, Telephone Number, and Email of Regional Hearing Clerk

Ponly Tu, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 9
75 Hawthorne Street (ORC-1)
San Francisco, CA 94105 (415)
972-3919
r9hearingclerk@epa.gov

Instructions for Submitting Comments

Please provide the following information along with your comments and submit them in accordance with Part 22: Your full name, mailing address, telephone number, email address, the Docket Number (UIC-09-2023-0029), and a

Respondent: Eric Hauck, Acton Holding Trust for the property located at: 3740 Smith Ave, Acton, California 93510 (APN: 3208-026-048)

Description of Business or Activity Conducted by the Respondent:
Cactus Creek Mobile Home Park

Alleged Violations: EPA alleges that Respondent owned or operated two large capacity cesspools in violation of the large capacity cesspool ban that took effect on April 5, 2005. 40 C.F.R. § 144.88.

Proposed Order and Penalty: \$337,725

Date Filed with Regional Hearing Clerk: February 15, 2023

For More Information

Persons wishing to receive a copy of the Consolidated Rules, review the documents filed by the parties in this proceeding, comment upon the **Administrative Complaint** <<https://epa.gov/ca/uic-09-2023-0029-administrative-complaint-matter-eric-hauck-individually-and-trustee-acton>> or participate in any hearing that may be held, may contact the Regional Hearing Clerk identified above. Please note that the federal regulations are available online at the Code of Federal Regulations (CFR) website. Unless otherwise noted, the public record for the proceeding is located at the office of the Regional Hearing Clerk (address above) and the file will be open for public inspection during normal business hours.

Applicants or Respondents

Eric Hauck, Individually and as Trustee of the Acton Holding Trust

Docket Numbers

- UIC-09-2023-0029

concise statement of the basis for and relevant facts supporting any comment for the case to which you are commenting.

Persons wishing to comment on this case, including comments on the amount or basis of the proposed penalty, are invited to submit a statement to the EPA Regional Administrator, attention of the Regional Hearing Clerk (address above), within 30 days of the date of this public notice. We encourage electronic submittals of comments in addition to any hard copy submissions, but if you are unable to submit electronically or need other assistance, please reach out to the Regional Hearing Clerk via email at r9hearingclerk@epa.gov or via telephone at (415) 972-3919.

If you need assistance in a language other than English or if you are a person with disabilities who needs a reasonable accommodation at no cost to you, please reach out to the Regional Hearing Clerk by email or telephone.

All comments received within this 30-day period will be considered prior to the issuance of the final order. See 40 C.F.R. § 22.45(b). If the 30th day of the comment period falls on a Saturday, Sunday or federal holiday, the deadline shall be extended to the next business day. See 40 C.F.R. § 22.7(a).