

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8
1595 Wynkoop; Denver, CO 80202-1129**

**PUBLIC NOTICE OF PROPOSED ADMINISTRATIVE PENALTY ASSESSMENT AND
OPPORTUNITY TO COMMENT ON CWA COMPLAINT**

Action: EPA is providing notice of a proposed administrative penalty assessment and the opportunity to comment on the proposed assessment (complaint) for alleged violations of the Clean Water Act at the Autumn Ridge Apartments located at 2251, 2351, 2401, and 2451 36th Avenue South in Grand Forks, North Dakota.

Summary: EPA is authorized by section 309(g)(2) of the Clean Water Act ("CWA"), 33 U.S.C. § 1319(g)(2), to issue an order assessing a civil administrative penalty for any violation of certain provisions of CWA, after providing (1) an opportunity for the person to be assessed the penalty to request a hearing to contest the penalty, and (2) notification to the public of its rights to submit written comments and to participate in any hearing. The deadline for the public to submit comments is thirty days after issuance of this notice.

On December 31, 2008, EPA commenced a civil administrative action by filing a complaint against the Respondents identified below, alleging a violation of the CWA and its regulations. Pursuant to section 309(g)(4) of the CWA, EPA hereby notifies the public of EPA's proposed penalty assessment against:

INREIT Properties, LLLP
216 South Broadway
Suite 202
Minot, ND 58701

and

Goldmark Development Corporation
1707 Gold Drive South, Suite 200
P.O. Box 3024
Fargo, ND 58103

EPA Docket Number: CWA-08-2009-0004

Proposed penalty in the Complaint: \$25,000.00

Alleged violations: (1) Failure to apply for and obtain permit coverage for storm water discharges from construction activities and (2) discharge of pollutants without a permit into waters of the United States.

Please submit any written comments to:

Tina Artemis

Regional Hearing Clerk (8RC)
EPA Region 8
1595 Wynkoop St.
Denver, CO 80202-1129
Telephone: (303) 312-6765

FOR FURTHER INFORMATION: Persons wishing to receive a copy of the complaint or other documents in this proceeding (such as the regulations in 40 C.F.R. part 22, which establish procedures for the hearing), or to comment upon the proposed penalty assessment or upon any other aspect of the matter, should contact the Regional Hearing Clerk identified above. No action will be taken by EPA to finalize a settlement in this matter until 30 days after this public notice.