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Citizen Suit/Clean Water Act Enforcement: Environmental Integrity Project Notice of Intent to Sue York County, Pennsylvania, Food Processing Facility

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The Environmental Integrity Project (“EIP”) sent a June 29th Notice of Intent to Sue (“NOI”) to Hanover Foods Corporation (“HFC”) alleging violations of the federal Clean Water Act and Pennsylvania’s Clean Streams Law.

The alleged violations relate to HFC’s food processing facility (“Facility”) located in York County, Pennsylvania.

The Facility is stated to produce canned, glass packed, and frozen vegetable goods (beans, potatoes, beets, and tomatoes).

The NOI states that the Facility generates industrial wastewater. Such wastewater is stated to be treated at an on-site industrial wastewater treatment plant. The wastewater is stated to be discharged to Penn Township’s municipal wastewater treatment plant and to Oil Creek.

The food processing operations are stated to generate non-contact cooling water and process wastewater.

The NOI alleges the following violations:

- Violations of Effluent Concentration Limitations of the 2015 Permit
- Violations of Effluent Load Limitations of the 2015 Permit
- Chronic Failures to Properly and Timely Report under the 2015 Permit
- Failure to Properly Operate and Maintain Facilities under the 2015 Permit
- Violations of Chesapeake Bay Schedule Reporting Requirements and Chesapeake Bay Nutrient Reporting Requirements of the 2015 Permit
- Violations of Temperature Compliance Schedule Reporting Requirements and Effluent Limitations of the 2015 Permit
- Unauthorized Discharge of Substances that Result in Observed Deposits in, or Produce an Observed Change in the Color or Turbidity of, the Receiving Water
- Violations of Effluent Load Limitations and Flow Limitations of the 2016 Pretreatment Permit and Flow Limitations of the 2021 Pretreatment Permit

EIP proposes to file suit pursuant to Clean Water Act Sections 505(a)(1) and (b)(1)(A) in the United States District Court for the Middle District of Pennsylvania for such alleged violations after 60 days of providing the NOI.

A copy of the NOI can be downloaded [here](#).