



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

2008 JUL -8 PM 3:57

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EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-W

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**#7005-1160-0005-3398-1274**

Dennis Fewless, Director  
Division of Water Quality  
North Dakota Department of Health  
918 East Divide Avenue, 4th Floor  
Bismarck, ND 58501-1947

Re: First Amended Administrative Complaint  
and Notice of Opportunity for Hearing  
Docket No. CWA-08-2008-0009

Dear Mr. Fewless:

This letter refers to the Notice of Proposed Assessment of Class II Civil Penalty against Northeast Ridge Development Company, which the United States Environmental Protection Agency ("EPA") initially sent to you on March 5, 2008. This case was amended and filed on May 23, 2008, to also include David J. Paulson as a Respondent. EPA filed the amended complaint pursuant to section 309(g), 33 U.S.C. § 1319(g), of the Clean Water Act ("CWA") to begin the process to administratively assess a Class II civil penalty of \$85,000 against the Respondents for violations of the CWA. Although the section 404 program is not a CWA authorized program in North Dakota, we are providing you an opportunity to comment on this amended complaint, pursuant to CWA section 309(a), 33 U.S.C. § 1319(a).

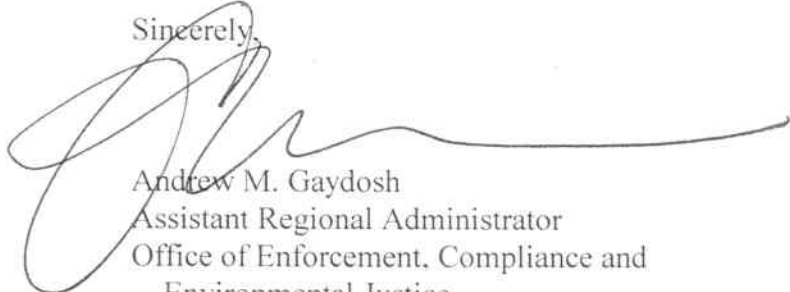
You or your staff may request a conference within thirty (30) days of receiving this letter. The conference may be in person or by telephone and may cover any matters relevant to the proposed assessment.



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If you have any questions, the most knowledgeable person on my staff for legal issues is Sheldon H. Muller, Enforcement Attorney, who can be reached at 303-312-6916. The most knowledgeable person on my staff for technical issues is Kenneth Champagne, Section 404 Enforcement Officer, who can be reached at 303-312-6608.

Sincerely,



Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance and  
Environmental Justice

Enclosure:

1. Amended Administrative Complaint