



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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SENT VIA ELECTRONIC AND REGULAR MAIL

Mr. David M. McLean
Judge Advocate of the Department of Montana
American Legion of Montana
2004 Hamburg Street
Anaconda, Montana 59711

Mr. Joseph Urbani
198 Northstar Lane
Bozeman, Montana 59718

Re: Closure - Administrative Compliance Order
Docket No. CWA-08-2012-0008

Dear Judge Advocate McLean and Mr. Urbani:

After reviewing the completion report for the restoration and removal work performed on March 29, 2012, the U.S. Environmental Protection Agency (EPA) has determined that you have satisfactorily completed all of the requirements of the EPA's Findings of Violation and Administrative Order for Compliance (Order) issued on February 15, 2012. Accordingly, this Order is now considered closed.

The EPA commends your commitment to comply with the Order and willingness to work collaboratively with interested Gallatin County, Montana State and Federal agencies to address the noncompliance. The efforts of all involved make this an excellent example of people working together to resolve a difficult situation positively and efficiently. The EPA also commends the efforts of Mike Harris of Gallatin County Parks, Philip Kedrowski of Redleaf Consulting, and Russell Hone Excavation, Inc., for their assistance in a successful outcome.

The EPA is very supportive of the purpose of the project and its intended benefits. Having successfully complied with the Order, the American Legion may proceed with addressing the property ownership issues, redesigning the project, and resubmitting an application to the Corps, State and County for review. The EPA is available to offer the American Legion technical and compliance assistance upon request to help the organization realize its goal of providing enhanced fishing opportunities for disabled American veterans in compliance with the Clean Water Act.

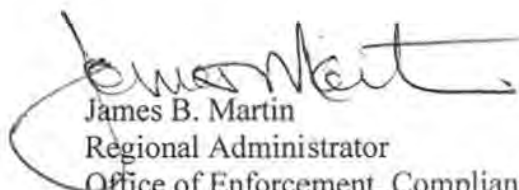


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Please be advised that closure of this Order does not relieve or change your obligation to comply with the Clean Water Act, and all other applicable federal, state, and local laws.

If you have any technical questions regarding this matter, the most knowledgeable person on my staff is Kenneth Champagne, Section 404 Enforcement Officer, who can be reached at (303) 312-6608. For any legal questions, please contact Amy Swanson, Enforcement Attorney, at (303) 312-6906. Thank you for your timely completion of the requirements of the Order.

Sincerely,



James B. Martin
Regional Administrator
Office of Enforcement, Compliance and
Environmental Justice

- cc: Gary White, The American Legion of Montana
Merv Gunderson, The American Legion of Montana
Philip Kedrowski, Redleaf Consulting PLLC
Mike Harris, Gallatin County Department of Conservation and Parks
Sean O'Callaghan, Gallatin County Department of Planning and Community Development
Todd Tillinger, U.S. Army Corps of Engineers
Vicki Sullivan, U.S. Army Corps of Engineers
Jeff Ryan, Montana Department of Environmental Quality
Mike Vaughn, Montana Fish, Wildlife and Parks
John Arrigo, Montana Department of Environmental Quality
Marcie Murnion, Gallatin Conservation District
Russell Hone, Russell Hone Excavation Inc.
Senator John Tester
Senator Max Baucus
Tina Artemis, EPA, Regional Hearing Clerk

