



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Phone 800-227-8917  
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EPA REGION VIII  
HEARING CLERK

FEB 12 2013

Ref: 8ENF-W-NP

**SENT VIA REGULAR MAIL**

Brad Manning  
Brad Manning Excavation & Septic Service  
P.O. Box 86  
Miller, South Dakota 57362

Re: Closure of Order for Compliance under  
Section 309 of the Clean Water Act  
Docket No. CWA-08-2012-0001

Dear Mr. Manning:

This letter is to inform you of the U.S. Environmental Protection Agency's (EPA) decision to close the Order for Compliance, Docket No. CWA-08-2012-0001, issued to Brad Manning Excavation & Septic Service on December 12, 2011. The EPA has determined that Brad Manning Excavation & Septic Service has complied with the requirements of the Order and therefore we will close it at this time.

Please be aware that Brad Manning Excavation & Septic Service is still required to comply with the Clean Water Act (Act) and its implementing regulations, specifically the disposal of sewage sludge and regulations pursuant to section 405 of the Act, 33 U.S.C. § 1345, and found at 40 C.F.R. part 503. Violations of the Act may result in a court-imposed injunction and/or penalties of up to \$37,500 per day of violation.

If you have any questions regarding this letter or any other matters pertinent to compliance with the Act, the most knowledgeable people on my staff regarding these matters are Emilio Llamozas, Technical Enforcement, at (303) 312-6407, and Amy Swanson, Enforcement Attorney, at (303) 312-6906. Thank you for your assistance in resolving this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Gwenette C. Campbell".

Gwenette C. Campbell, Unit Chief  
NPDES Enforcement  
Office of Enforcement, Compliance  
and Environmental Justice