



**UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY REGION III
1615 Arch Street
Philadelphia, Pennsylvania 19103-2029**

June 3, 2022

VIA ELECTRONIC MAIL

Shawn Claar
590 Ridge Road
Imler, Pa 166255
sclaarlogging@aol.com

**Re: Closeout of Administrative Order on Consent
Shawn Claar, 11945 William Penn Road, Kimmel Township, Pa 16655
Bedford County Parcel Tax ID No. F.03-0.00-003
Docket No. CWA-03-2020-0049DW**

Dear Mr. Claar:

On April 8th, 2020, you, as a Respondent, and the United States Environmental Protection Agency, Region III (“EPA”), entered into an Administrative Order on Consent (“AOC”) to address the unauthorized discharge to waters of the United States that occurred on the property you operate, located at 11945 William Penn Road, Kimmel Township, PA 16655, Bedford County Parcel Tax ID No. F.03-0.00-003 (“Site”).

Section 301(a) of the Clean Water Act (CWA), 33 U.S.C. § 1311(a), prohibits discharges to waters of the United States, including dredge or fill material, without a permit from the U.S. Army Corps of Engineers (“Corps”). Specifically, the activities you conducted to construct a new parking and staging area at the Site resulted in the discharge of fill material without a permit to jurisdictional waters of the United States, including approximately 0.60 acres of floodplain wetlands and 25 linear feet of riparian streambanks associated with Boiling Spring Run, a tributary of the navigable Juniata River.

Pursuant to Section III of the AOC, to return to compliance, Respondent was ordered to (1) remove the unauthorized fill material from within the wetland boundary of jurisdictional waters to the depth of pre-fill conditions at the Site, (2) implement all required erosion and sediment control measures in compliance with City, County, and/or Pennsylvania Department of Environmental Protection (“PADEP”) regulations at 25 Pa. Code Chapter 102, and (3) aerate the soil within the fill removal area and apply an appropriate wetland seed mix and straw mulch to the fill removal area.

Upon review of all information submitted with regard to this Site, EPA considers the violations described in the AOC to be resolved and as a result, the enforcement matter has been closed. If you have questions regarding any of the above, please contact Miranda Cento, Enforcement Inspector, Safe Drinking Water Act and Wetlands Section, at (215) 814-3273 cento.miranda.n@epa.gov.

Sincerely,

Richard A. Rogers, Chief
Water Branch
Enforcement & Compliance
Assurance Division