



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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Ref: 8ENF-W

**CERTIFIED MAIL:**  
**RETURN RECEIPT REQUESTED**  
**#7008-3230-0003-0731-3675 and**  
**VIA FAX: (719) 746-2981**

MAR 02 2010

Robert Pfaffenhauser  
P.O. Box 843  
Walsenburg, Colorado 81089

Re: Findings of Violation and Administrative  
Order for Compliance,  
Docket No. CWA-08-2010-0006

Dear Mr. Pfaffenhauser:

Per your conversation with my staff on February 26, 2010, EPA is agreeing to modify the deadlines in Paragraphs 27 and 29 of Section III of the February 10, 2010, Administrative Order for Compliance (Order). The new deadline to respond to EPA in writing of your intent to fully comply with the Order and to provide EPA with a statement of your consultant's qualifications is now **March 12, 2010**. This modification to Paragraphs 27 and 29 of the Order does not change your responsibility to meet any of the other deadlines specified in this Order.

Additionally, please be advised that section 309(d) of the CWA, 33 U.S.C. § 1319(d), authorizes civil penalties of up to \$37,500 per day for each violation of an order issued by the Administrator of EPA under section 309(a) of the CWA, 33 U.S.C. § 1319(a).

Thank you for your cooperation in this matter. If you have any questions on technical issues under the Order, please contact Kenneth Champagne at (303) 312-6608. If you or your attorney have legal questions in this matter, please contact Thomas Sitz, EPA Attorney, at 303-312-6918.

Sincerely,

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

cc: Regional Hearing Clerk



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