

Received this Summons on the 15 day of November 2004, _____. On the 21 day of Nov. 2004, I served the Summons and a copy of all attachments thereto on Roger E. Harders.

BY:

Personal Service at

354 W. 4th St Wahoo, Ne

Residence Service by leaving with _____, a person of suitable age and discretion residing at _____

Signed this 22 day of November 2004.

FEES:

Service & Return \$ 15.00

Mileage 2.50

Copy _____

Total \$ 17.50

Sheriff of Saunders County
State of Nebraska

By: [Signature]
Deputy

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
901 NORTH FIFTH STREET
KANSAS CITY, KANSAS 66101

04 SEP 24 AM 9:14
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)

Roger Harders,)

Respondent)

Proceedings under Section 309(g) of the)
Clean Water Act, 33 U.S.C. § 1319(g))

COMPLAINT AND NOTICE OF
OPPORTUNITY FOR HEARING

Docket No. CWA-07-2004-0331

COMPLAINT

Jurisdiction

1. This is an administrative action for the assessment of civil penalties instituted pursuant to Section 309(g) of the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (CWA), 33 U.S.C. § 1319(g), and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22.

2. This Complaint serves as notice that the United States Environmental Protection Agency (EPA) has reason to believe that Respondent has violated Sections 301 and 404 of the CWA, 33 U.S.C. § 1311 and § 1344, and regulations promulgated thereunder.

Parties

3. The authority to take action under Section 309(g) of the CWA, 33 U.S.C. § 1319(g), is vested in the Administrator of EPA. The Administrator has delegated this authority to the Regional Administrator, EPA, Region 7, who in turn has delegated it to the Director of the Water, Wetlands and Pesticides Division of EPA, Region 7 (Complainant).

4. Respondent, Roger Harders, is a private individual residing at 1775 County Road M, Wahoo, Nebraska 68066.