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

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
Nebraska Department of Roads)
) AMENDMENT TO FINDINGS
) OF VIOLATION/
and) ORDER FOR COMPLIANCE
) ON CONSENT
Hawkins Construction Company)
)
Respondents) Docket No. CWA -07-2007-0040
)
)
)
Proceedings under Section 309(a) of the)
Clean Water Act, 33 U.S.C. § 1319(a))

AMENDMENT

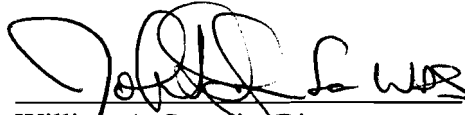
Pursuant to Paragraph 39 of the FINDINGS OF VIOLATION/ ORDER FOR COMPLIANCE ON CONSENT, Docket No. CWA -07-2007-0040 (Mitigation Order), by mutual agreement, the Parties hereby agree to amend the Mitigation Order. All provisions of the original Mitigation Order remain in full force and effect except the first and second sentences of Paragraph 27 which shall be replaced as set forth below and shall be incorporated into the Mitigation Order and become effective upon signature of all Parties.

Replacement Sentences in Paragraph 27

Respondents agree that they shall submit to EPA copies of the easements covering the ten acres described in Paragraph 26a herein, file stamped by the relevant county's Register of Deeds no later than September 23, 2008. Failure to submit file-stamped copies of conservation easements by September 23, 2008 or failure to submit file-stamped copies of the easements that contain the provisions set forth in Attachment 2, shall be considered a violation of this Order on Consent.

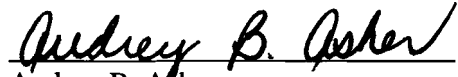
***In the Matter of Nebraska Department of Roads and Hawkins Construction Company
Docket No. CWA-07-2007-0040***

6/13/08
Date



William A. Spratlin, Director
Water, Wetlands, and Pesticides Division
U. S. Environmental Protection Agency Region VII

June 12, 2008
Date



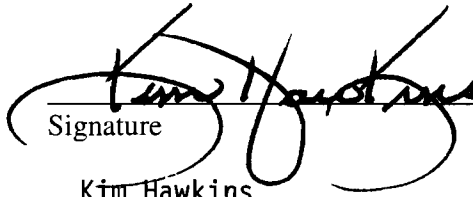
Audrey B. Asher
Senior Assistant Regional Counsel
U. S. Environmental Protection Agency Region VII

In the Matter of Nebraska Department of Roads and Hawkins Construction Company
Docket No. CWA-07-2007-0040

The undersigned representative of Hawkins Construction, Company certifies that he or she is authorized to enter into this Amendment to Order for Compliance on Consent and to execute and legally bind Hawkins Construction Company to the terms and conditions of this Amendment to Order for Compliance on Consent and meets the requirements for authorized signatory found in 40 C.F.R. § 122.22.

For Respondent Hawkins Construction Company

5/28/08
Date

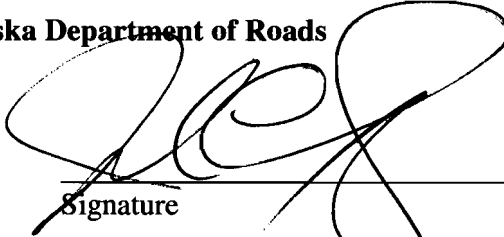

Signature
Kim Hawkins
Name printed
President
Title printed

In the Matter of Nebraska Department of Roads and Hawkins Construction Company
Docket No. CWA-07-2007-0040

The undersigned representative of the Nebraska Department of Roads certifies that he or she is authorized to enter into this Amendment to Order for Compliance on Consent and to execute and legally bind the Nebraska Department of Roads to the terms and conditions of this Amendment to Order for Compliance on Consent and meets the requirements for authorized signatory found in 40 C.F.R. § 122.22.

For Respondent Nebraska Department of Roads

May 28, 2008
Date


Signature

John L. Craig
Name printed

Director
Title printed

IN THE MATTER OF Nebraska Department of Roads and Hawkins Construction Company,
Respondents
Docket No. CWA-07-2007-0040

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the Amendment to Findings of Violation/Order for Compliance on Consent was sent this day in the following manner to the addressees:

Copy hand delivered to
Attorney for Complainant:

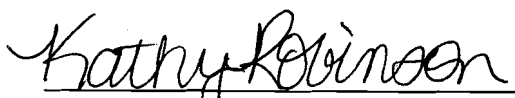
Audrey B. Asher
Senior Assistant Regional Counsel
Region VII
United States Environmental Protection Agency
901 N. 5th Street
Kansas City, Kansas 66101

Original by Certified Mail Return Receipt to:

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P.O. Box 94759
Lincoln, Nebraska 68509-4759

Dated: 1/16/08


Kathy Robinson
Hearing Clerk, Region 7