



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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2008 MAR -7 AM 9:56

EPA REGION VIII
HEARING CLERK

MAR - 7 2008

Ref: 8ENF-W

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
#7005-1160-0005-3398-1205

Jeffrey W. Schwarz
Carver Schwarz McNab & Bailey, LLC
Hudson's Bay Centre
1600 Stout Street, Suite 1700
Denver, CO 80202

Re: Request for extension to deadlines in
Administrative Order EPA Docket # CWA-08-
2008-0004

Dear Mr. Schwarz:

I am writing in reply to your February 27, 2008 letter to Thomas Sitz, which you prepared on behalf of your clients, Kenneth L. Schell and Twin Peaks Excavating, Inc., concerning a request to extend the deadlines in EPA's Administrative Order # CWA-08-2008-0004. Your letter requests a one week extension – to March 11, 2008 – to the deadlines for submitting the Restoration Plan for mitigation/restoration in accordance with Section III, Paragraph 5 of the Order and for submission of an access agreement from the City of Lafayette (site owner) in accordance with Section III, paragraph 14 of the Order.

Based on the reasons described in your February 27, 2008 letter, and since your requested one week extension ought not delay work this construction season, we are granting your requested extensions.



If you have any technical questions regarding this matter, the most knowledgeable person on my staff is Kenneth Champagne, Section 404 Enforcement Officer, who can be reached at 303-312-6608. Any legal questions should be directed to Thomas E. Sitz, Enforcement Attorney, at 303-312-6918.

Thank you for your continued cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Gaydosh', with a long horizontal flourish extending to the right.

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

cc: Kenneth L. Schell, Respondent
Scott Franklin, U.S. Army Corps of Engineers
Tina Artemis, EPA, Regional Hearing Clerk