



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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Ref: 8ENF-W

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED
#7008-3230-0003-0731-3729

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 attorney's June 15, 2010, letter submitted on your behalf, EPA is agreeing to modify the deadline in Paragraph 30 of Section III of the February 10, 2010 Administrative Order for Compliance (Order). The new deadline to submit the restoration plan to EPA is now **July 30, 2010**.

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: Tina Artemis, EPA, 8RC
Paul Zogg, Esq., Law Office of Paul Zogg
Amanda M. Atencio, Atencio Engineering, Inc.
Van Truan, U.S. Army Corps of Engineers

