**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 7**

11201 Renner Boulevard

Lenexa, Kansas 66219

**MEMORANDUM**

**SUBJECT**: Evergreen Development, Inc., and Mark Schmidt

Unilateral Administrative Order for Compliance

CWA-07-2022-0042

**FROM**: Shane McCoin, ORC

**TO**: File

In the matter of Evergreen Development, Inc., and Mark Schmidt, CWA-07-2022-0042, we previously filed a Unilateral Administrative Order for Compliance pursuant to Clean Water Act Section 309(a)(3) on August 19, 2022, and it was received by the Regional Hearing Clerk on that date. However, that UAO was never received by Respondent because they did not accept UPS delivery after three failed attempts. Therefore, the Order never became effective and we effectively withdraw it.

On September 27, 2022, EPA issued another (slightly revised) UAO under the same docket number, CWA-07-2022-0042, to Respondents and have requested that it be served on Respondents by personal service by the Lancaster County Sheriff’s Office. This UAO is being filed with the Regional Hearing Clerk today. We will follow up with a Proof of Service filing once received from the Sherriff’s Office.