

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY

1/11/06

I think this is a just action, because this family has a record of thinking that they are above the law of the land. There have been other things that they have done have gotten away with it, these type people make it hard for the rest of us.

He has a partner that has done the same thing, I hope you get him also, his name is Gerald Dirks, Route # 4, Butler, Mo. 64730. he has destroyed wet lands and cleared timber in Section 3, Township 39, Range 32, Bates County, Mo. I hope you look into this also.

In accordance with Section 309(g)(4)(A) of the Clean Water Act (CWA), 33 U.S.C. ' 1319(g)(4)(A), and 40 C.F.R. ' 22.45 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits (Consolidated Rules), the U.S. Environmental Protection Agency (EPA) is providing notice of a proposed Administrative Penalty Assessment against Mr. William Gepford (Respondent), who is a person with an address of 911 Country Club Drive, Butler, Missouri 64730.

Under Section 309(g) of the Clean Water Act, 33 U.S.C. ' 1319(g), the EPA is authorized to issue orders assessing civil penalties for various violations of the Clean Water Act. The EPA may issue such orders after filing a Complaint commencing either a Class I or Class II penalty proceeding. The EPA provides notice of the proposed assessment of a Class II civil penalty pursuant to 33 U.S.C. ' 1319(g)(4)(A). Class II proceedings are conducted under EPA's Consolidated Rules, 40 C.F.R. Part 22. In this case, the EPA is filing a Complaint against Respondent that alleges that the Respondent failed to obtain a permit required pursuant to Section 404 of the CWA, 33 U.S.C. ' 1344, and therefore violated Section 301 of the CWA, 33 U.S.C. ' 1311 on property which the Respondent controlled along the Little Osage River and an unnamed tributary to Little Osage River located just outside of Stotesbury, Vernon County, Missouri, and property along the Osage River near Papinville, Bates County, Missouri. The Complaint proposes a penalty of \$137,500 for the above violations of the Clean Water Act.

The EPA will receive written comments on the proposed Administrative Penalty Assessment for a period of thirty (30) days from the date of publication of this notice. The procedures by which the public may submit written comments on a proposed Class II order or participate in a Class II proceeding, and the procedures by which a respondent may request a hearing, are set forth in the Consolidated Rules. Persons wishing to receive a copy of EPA's Consolidated Rules, review the Complaint, comment upon the proposed penalty assessment, or otherwise participate in the proceeding should contact Kathy Robinson, Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 7, 901 N. Fifth Street, Kansas City, Kansas 66101. Please reference Docket No. CWA-07-2006-0057.

In order to provide opportunity for public comment, EPA will issue no final order assessing a penalty in this proceeding prior to forty (40) days from the date of this notice.

12/12/05 Date

Betty J. Berry for
Leo J. Alderman
Director, Water, Wetlands, and
Pesticides Division
U.S. EPA, Region 7