



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1120  
Phone 800-227-8917  
<http://www.epa.gov/region08>

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FILED  
EPA REGION VIII  
HEARING CLERK

Ref: 8ENF-WO

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Christopher and Linda Janowski  
4 Silver Lakes Drive  
Lawson, CO 80436

Re: Administrative Order on Consent Closure, EPA Docket No. CWA-08-2009-0012

Dear Mr. and Mrs. Janowski:

The U.S. Environmental Protection Agency is providing you this written notification of the closure of the EPA administrative order on consent (AOC) referenced above that was issued to you on April 22, 2009. The AOC was issued for allegedly filling Silver Creek, Silver Lake and their adjacent wetlands, located in Section 25, Township 3 South, Range 74 West, Lawson, Clear Creek County, Colorado. This was done without an appropriate section 404 permit, a violation of section 301 of the Clean Water Act. Based on information contained in the case file, including the annual monitoring report submitted on your behalf by ERO Resources Corporation, as well as a site inspection conducted July 7, 2017, with you, Clint Henke of ERO and Barbara Conklin and Monica Heimdal of EPA, the EPA has determined that compliance with the requirements outlined in the AOC and approved restoration plan has been achieved. Accordingly, the AOC is now considered closed. Please be advised that closure of this AOC does not relieve or change your obligation to comply with the Clean Water Act and all other applicable federal, state, and local laws.

I appreciate the efforts you have made to resolve this matter. If you have any technical questions, please contact Barbara Conklin, Section 404 Enforcement Officer, at (303) 312-6619. For any questions of a legal nature, please contact Amy Swanson, Senior Enforcement Attorney, at (303) 312-6906.

Sincerely,

Barbara Conklin  
Wetlands and OPA Enforcement Unit  
Water Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

cc: EPA, Regional Hearing Clerk  
Nick Franke, U.S. Army Corps of Engineers (via email)  
Clint Henke, ERO Resources Corporation (via email)  
Richard Chong, U.S. Army Corps of Engineers (via email)  
Tim Vogel; Clear Creek County Site Development Dept.  
John Urbanic, U.S. Army Corps of Engineers (via email)