



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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2012 SEP -6 PM 1:48

SEP 6 2012
REGION 8
DENVER, CO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

SEP - 6 2012

Ref: 8ENF-W-NP

Mr. Herb Schmitt
Dean Kurtz Construction Company
1651 Rand Road
Rapid City, South Dakota 57709

Re: Closure - Findings of Violation and Order for
Compliance, Docket No. CWA-08-2011-0001

Dear Mr. Schmitt:

The U.S. Environmental Protection Agency (EPA) has reviewed your Notice of Termination granted by the South Dakota Department of Environment and Natural Resources, issued June 26, 2012, for the Access Gates/Perimeter Fence Project at Ellsworth Air Force Base (SDR10E505). EPA has determined that you have satisfactorily completed all of the requirements of EPA's Order for Compliance (Order) issued to you on October 20, 2010. Accordingly, this Order shall now be closed and any obligations you have agreed to perform under this Order shall cease. Please be advised that closure of this Order does not relieve or change your obligations to comply with the Clean Water Act.

If you have any technical questions regarding this matter, the most knowledgeable person on my staff is Seth Draper who can be reached at (303) 312-6763. For any legal questions, please contact Linda Kato, Senior Enforcement Attorney, at (303) 312-6852. Thank you for your timely completion of the requirements of the Order.

Sincerely,

for *Eddie Q. Sierra*
Andrew M. Gaydosh
Assistant Regional Administrator
Office of Enforcement, Compliance and
Environmental Justice

cc: Tina Artemis, Regional Hearing Clerk
Kelli Buscher, SDDENR
Douglas Baldwin, SDDENR
Jennifer Aldrich, USACE
Jerry Stiles, USAF, 28 CES/CEV



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