



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

January 22, 2009

Chief Administrative Law Judge
U. S. Environmental Protection
Agency - (Mail Code 1900L)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

RE: BBS Builders & Development Company, LLC
Docket No: CWA-04-2008-4535
Proposed Penalty Payment: \$57,000

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HEATHER OLENN

Dear Judge Biro:

In pursuant to Section 309(g)(2)(B) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g)(2)(B), and 40 C.F.R. Part 22, the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits." The above referenced matter is hereby referred to you for assignment of an Administrative Law Judge.

The parties to this proceeding are represented by:

Ms. Susan Hansen
Associate Regional Counsel
U.S. Environmental Protection Agency
Office of Environmental Accountability Division
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

and

Mr. Sherwood Lucas
1325 Pope Road
Dunn, NC 28334-5869

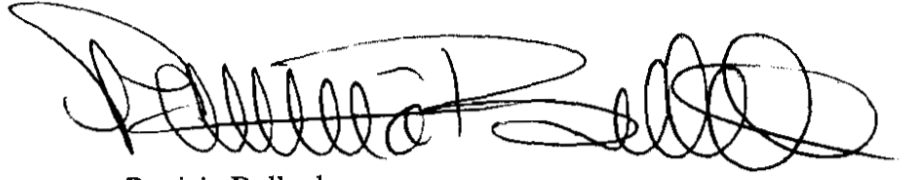
Mr. James V. McLamb
BBS Builder & Development Company, LLC
4367 U.S. 301 North
Dunn, North Carolina 28334

Internet Address (URL) • <http://www.epa.gov>

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Copies of all documents received to date in this matter are enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia Bullock', with a large, sweeping flourish at the end.

Patricia Bullock
Regional Hearing Clerk