



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10
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Seattle, WA 98101

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June 14, 2004

Reply To
Attn Of: ORC-158

William Sherlock, Attorney at Law
Hutchinson Cox
777 High Street, Suite 100
Eugene, OR 97401

Re: Gilbert Agee and Agee Construction Co., Douglas County, OR
Docket No. CWA-10-2002-070 (CAFO)

Dear Mr. Sherlock:

This letter acknowledges that the U.S. Environmental Protection Agency (EPA) has received and reviewed the Supplemental Environmental Project (SEP) Completion Report required by paragraph 3.12 of the Consent Agreement and Final Order (CAFO) filed in the matter referenced above. EPA received the SEP Report in November 2003. We regret the delay in responding to the SEP Report.

The SEP Completion Report documents that Mr. Agee has provided the labor and equipment towards construction of the Hockman Wetland Enhancement Project in Douglas, Oregon and that the cost of the construction exceeded the \$12,000 amount required in paragraph 3.11(a) of the CAFO. In addition, a final penalty payment of \$3,657 was submitted to the U.S. Treasury in October 2003, completing payment of the \$4,000 penalty agreed to in Section 3.3.

Therefore, all of the requirements of the CAFO have been met and the EPA enforcement file in this matter will now be closed.

Please contact me at 206-553-1810, with any questions concerning this matter. Thank you for your cooperation in resolving this matter.

Sincerely,

Deborah E. Hilsman
Assistant Regional Counsel

cc: Carol Kennedy, Regional Hearing Clerk
Yvonne Vallette, OOO