



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-WO

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kurt Bauer
Urban Drainage and Flood Control District
2480 W. 26th Ave. Ste 156-B
Denver, CO 80211

Re: Administrative Order on Consent Closure, EPA Docket No. CWA-08-2013-0024

Dear Mr. Bauer:

The U.S. Environmental Protection Agency (EPA) 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 August 15, 2013. The AOC was issued for allegedly discharging dredged and fill material into Piney Creek near Tower Road in Centennial, Arapahoe 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, on June 21, 2017, as well as a site inspection conducted August 18, 2017, with Richard Borchardt of Urban Drainage and Flood Control District, Jenelle Kreutzer of ERO and Barbara Conklin 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 applicable federal, state, and local laws. The EPA encourages Urban Drainage or any subsequent owners of the site to continue to manage weeds as indicated in the restoration plan and continue to maintain the site by addressing any problems such as erosion, sedimentation, dumping of trash or debris, etc.

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 Linda Kato, Regional Enforcement Counsel, at (303) 312-7149.



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Sincerely,



Stephanie DeJong, Acting Chief
OPA and Wetlands Enforcement Unit
Office of Enforcement, Compliance
and Environment Justice

cc: EPA, Regional Hearing Clerk

John Urbanic, U.S. Army Corps of Engineers (via email)

Brooke Davis, U.S. Army Corps of Engineers (via email)

Joseph McMahan, U.S. Army Corps of Engineers (via email)

Jenelle Kreutzer, ERO Resources Corporation (via email)