



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of: )  
 )  
Kent Hoggan, Frostwood 6 LLC, and ) Docket No. CWA-08-2017-0026  
David Jacobsen, )  
 )  
Respondents. )

**ORDER OF DESIGNATION**

Chief Administrative Law Judge Susan L. Biro, U.S. Environmental Protection Agency, Washington, D.C., is hereby designated as the Administrative Law Judge to preside in this proceeding under Section 309(g) of the Clean Water Act (“CWA”), 33 U.S.C. § 1319(g), and in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. Part 22.

Please note that as provided for in 40 C.F.R. § 22.5(a), **all documents and correspondence filed in this matter shall be filed with the Headquarters Hearing Clerk.** If filings are sent by U.S. mail, they should be sent to the following mailing address: U.S. Environmental Protection Agency, Office of Administrative Law Judges, 1200 Pennsylvania Avenue, N.W., Mail Code 1900R, Washington, DC 20460. If filings are sent by commercial carriers, such as UPS and FedEx, or hand-delivered, they should be sent to the following physical address: U.S. Environmental Protection Agency, Office of Administrative Law Judges, Ronald Reagan Building, Room M1200, 1300 Pennsylvania Avenue N.W., Washington, DC 20004. Alternatively, documents may be filed electronically by submitting them online using the OALJ E-Filing System.<sup>1</sup>

**Privacy Act Statement; Notice of Disclosure of Confidential and Personal Information; Waiver of Confidentiality and Consent to Public Disclosure:** The parties are cautioned that, unless redacted, all information filed with this Tribunal will be made publicly available. Thus, the parties are hereby advised not to file, or to redact (i.e., remove or obscure) where filing is necessary, any Confidential Business Information (“CBI”) or Personally Identifiable Information (“PII”) pertaining to any person. This may include information that, if disclosed to the public, would constitute an unwarranted invasion of personal privacy, such as Social Security numbers, medical records, and personal financial information.

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<sup>1</sup> More information about electronic filing may be found in the Standing Order Authorizing Electronic Filing in Proceedings before the Office of Administrative Law Judges, available on the website for the Office of Administrative Law Judges (“OALJ”) at [www.epa.gov/oalj](http://www.epa.gov/oalj).

**To the extent that any person files or submits any un-redacted Confidential Business Information (“CBI”) or Personally Identifiable Information (“PII”) pertaining to themselves or their client, that person thereby waives any claims to confidentiality and thereby consents to public disclosure by EPA, including posting on the Internet, of all such information they submit. To protect such information against public disclosure, parties must follow the procedures specified on OALJ’s website at [www.epa.gov/oalj](http://www.epa.gov/oalj).**



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Susan L. Biro  
Chief Administrative Law Judge

Dated: June 27, 2018  
Washington, D.C.

In the Matter of *Kent Hoggan, Frostwood 6 LLC, and David Jacobsen*, Respondents.  
Docket No. CWA-08-2017-0026

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order of Designation**, dated June 27, 2018, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



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Mary Angeles  
Paralegal Specialist

Original and One Copy by Hand Delivery to:

Mary Angeles  
Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Ronald Reagan Building, Room M1200  
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Copy by Electronic and Regular Mail to:

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*For Respondents*

Dated: June 27, 2018  
Washington, D.C.