



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140



Reply to: ORC-158

May 1, 2008

**SENT VIA CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

Chantell and Michael Sackett  
P. O. Box 425  
Nordman, ID 83848-0368

Re: ***In the Matter of Chantell and Michael Sackett***  
**Administrative Compliance Order, EPA Docket No. CWA-10-2008-0014**

Dear Mr. and Mrs. Sackett:

With this letter, the U.S. Environmental Protection Agency (EPA) is modifying the terms of the administrative compliance order ("Compliance Order") issued to you on November 26, 2007. The Compliance Order requires you to perform specified restoration activities including, but not limited to, removal of unauthorized fill and restoration of the site. Activities under the Compliance Order were modified on April 4, 2008, to account for ground conditions making fill removal and re-planting infeasible. The modified Compliance Order required fill removal to begin on May 1, 2008, and re-planting to be completed on May 30, 2008. The specific elements for all activities in the Compliance Order are detailed in the Scope of Work for a Restoration Work Plan attached to and incorporated into the Compliance Order.

EPA has learned that snow cover and low temperatures continue to persist in the Priest Lake area. Consequently, ground conditions remain unfavorable for fill removal and re-planting at this time. Therefore, EPA is extending the deadlines for fill removal and replacement of the wetland soil to June 2, 2008, and for re-planting the site to July 1, 2008. These revisions change Section 2.2 and Section 2.6 of the Compliance Order and Section II.1., Section II.7., and Section VI.1. of the Scope of Work for a Restoration Work Plan. The complete revised schedule is as follows:

Action	Commencement No Later Than	Completion No Later Than
Fill shall be removed and wetland soil returned	June 2, 2008	June 15, 2008 <sup>1</sup>

1. At least 48 hours prior to commencing removal activity on the Site, Respondents shall provide verbal notification to the EPA representative identified in Paragraph 2.12 of the Order. Within 7 days of completion of the earthmoving work, Respondents shall notify, in writing, the EPA representative identified in Paragraph 2.12 of the Order. The written notification shall include photographs of Site conditions prior to and following earthmoving activities.

EPA or its representative conducts an inspection of Site	As soon as possible after notification	Prior to planting
Re-Planting of the entire Site	June 15, 2008	July 1, 2008 <sup>2</sup>
Monitoring of the entire Site	October 1, 2008	October 31, 2008
Monitoring of the entire Site	June 1, 2009	June 31, 2009
Monitoring of the entire Site	October 1, 2009	October 31, 2009
Monitoring of the entire Site	October 1, 2010	October 31, 2010

Should you have any questions concerning this matter, please have your attorney contact Mr. Ankur Tohan directly at 206-553-1796.

Thank you for your cooperation.

Sincerely,



Richard Parkin  
Acting Director,  
Office of Ecosystems, Tribal, and  
Public Affairs

cc: John Olson (IOO)  
Ankur Tohan (ORC)  
H. Reed Hopper  
Damien Schiff  
Leslie Weatherhead

---

2. Within 7 days of completion of re-planting work, Respondents shall notify, in writing, the EPA representative identified in Paragraph 2.12 of the Order. The written notification shall include photographs of Site conditions prior to and following re-planting.