

# STATE OF COLORADO

Bill Ritter, Jr., Governor  
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Located in Glendale, Colorado

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8100 Lowry Blvd.  
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Colorado Department  
of Public Health  
and Environment

Mr. Alan Pogue  
Icenogle, Norton and Seter, PC  
1331 17th Street, Suite 500  
Denver, CO 80202

June 27, 2008

Certified Mail Number: 7005 1820 0000 3208 1852

**RE: Centerra Properties West, LLC / Order for Civil Penalty, Number: SP-080627-2**

Dear Mr. Pogue:

Centerra Properties West, LLC is hereby served with the enclosed Order for Civil Penalty ("Penalty Order"). This Penalty Order is issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given to the Division by §25-8-608(2) of the *Colorado Revised Statutes*. Payment of the imposed civil penalty should be made in accordance with the methods referenced in the Penalty Order and Compliance Order on Consent Number: SC-0080520-1.

If you or representatives of Centerra Properties West, LLC have any questions regarding the Penalty Order or the payment method, please do not hesitate to contact Mike Harris of this office at (303) 692-3598 or by electronic mail at [michael.harris@state.co.us](mailto:michael.harris@state.co.us).

Sincerely,

Scott Klarich, Unit Manager  
Enforcement & Clean Water Compliance Assurance Unit  
Compliance Assurance and Data Management Section  
WATER QUALITY CONTROL DIVISION

cc: Larimer County Department of Health and Environment

ec: Aaron Urdiales, EPA Region VIII  
Cary Pilon, Engineering Section, CDPHE  
Kathy Dolan, Permits Section, CDPHE  
Dick Parachini, Outreach and Assistance Unit, CDPHE

MS-3 File

Enclosure(s)



**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**  
**DIVISION OF ADMINISTRATION**  
**WATER QUALITY CONTROL DIVISION**

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**ORDER FOR CIVIL PENALTY**

**NUMBER: SP-080627-2**

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**IN THE MATTER OF:   CENTERRA PROPERTIES WEST, LLC &  
                                  TIC – THE INDUSTRIAL COMPANY d/b/a  
                                  ERS CONSTRUCTORS – PIPELINE DIVISION OF TIC  
                                  CDPS PERMIT NO. COR-030000  
                                  CERTIFICATION NO. COR-036582  
                                  LARIMER COUNTY, COLORADO**

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This matter having come to my attention as the Designee of the Executive Director of the Colorado Department of Public Health and Environment, upon petition for imposition of a civil penalty by the Water Quality Control Division's Compliance Assurance and Data Management Section, I hereby impose a civil penalty in the amount of Twenty Thousand Eight Hundred Dollars (\$20,800.00) against Centerra Properties West LLC and TIC – The Industrial Company for the violations cited in the Compliance Order on Consent between Centerra Properties West, LLC, TIC – The Industrial Company and the Division, which was executed on May 20, 2008 (the "Consent Order"). A copy of the Consent Order is attached hereto as Exhibit A and is incorporated herein by reference. The civil penalty shall be paid within thirty (30) calendar days of the date of this Order for Civil Penalty as set forth in the Consent Order.

*"Method of payment shall be by certified or cashier's check drawn to the order of the 'Colorado Department of Public Health and Environment,' and delivered to:*

*Michael Harris  
Colorado Department of Public Health and Environment  
Water Quality Control Division  
Mail Code: WQCD-CADM-B2  
4300 Cherry Creek Drive South  
Denver, Colorado 80246-1530"*

Dated this 27<sup>th</sup> day of June, 2008.

  
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Steven H. Gunderson, Director  
Water Quality Control Division

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT