



Steve Hammers, President

HAMMERS CONSTRUCTION, INC.

1411 Woolsey Heights, Colorado Springs, Colorado 80915

(719) 570-1599 FAX (719) 570-7008

SPECIALIZING IN DESIGN / BUILD

Date: May 29, 2008

To: Colorado Department of
Public Health and Environment
Compliance Assurance and Data Management Section
Storm Water Quality Division
4300 Cherry Creek Dr. South
Denver, Co. 80246-1530

Attention: Karen Tidwell

Re: Service of Notice of Violation/Cease and Desist Order, Number: SO-080513-1

Dear Karen Tidwell

This letter is in response to Service of Notice of Violation/Cease and Desist Order,
Number: SO-080513-1

Reference: Failure to Implement and /or Maintain Best Management Practices to Protect
Storm water Runoff Page 4 of 9 Item 17.

- Item 17 a. Nov. 20-21 2006 Re-graded and surface roughed disturbed area.
Nov. 23, 2006 Re-seeded disturbed area.
Nov. 24, 2006 Mulched disturbed area and repaired silt fencing.
Nov. 28, 2006 Replaced straw bale barriers.
- b. Straw waddles were installed around temporary stockpiles.
During installation of sewer and water lines Nov. 20, 2006.
- c. Nov. 29, 2006 Removed existing damaged silt fencing.
Re-graded and rough surfaced disturbed area.
Re-seeded disturbed area and installed temporary sediment traps.
Re-installed new silt fencing.
- d. Installed silt fencing and rough surfaced adjacent to service road along Sand
Creek channel.
Installed temporary sediment trap.
Seeded and mulched disturbed area and installed straw bale barriers.
Installed temporary diversion dike.

- e. Installed straw waddle @ inlet of storm drain.
Removed existing silt fence and rough surfaced disturbed area.
Installed double and triple silt fencing.
Installed temporary sediment trap
Re-seeded and mulched disturbed area.
Install series of straw bale barriers.
- f. Removed existing silt fencing.
Re-graded and installed new silt fencing.
Rough surfaced disturbed area and re-seeded and mulched.
- g. Cleaned curb and gutters and power swept streets.
Silt fenced perimeter of lot.
Rough surfaced disturbed area and re-seeded and mulched.
Installed temporary sediment trap on north west corner of lot.

Hammers Construction made a formal request for a hearing on May 27, 2008 sent by certified mail. This was done on the recommendation of Mike Harris in case the state still feels that Hammers Construction has failed to implement and maintain best management practices to protect storm water run off. Hammers Construction has also hired an outside Consultant, Larry Lee with Raw Land Detailing to provide help in surveillance and maintenance of our Storm Water Management Plans.

“ I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true , accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Jeremy Hammers
General Manager

Claremont Development Inc.

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October 5, 2006

Kathleen Rosow
Environmental Protection Specialists
Industrial Permits Unit
Water Quality Control Division

Re: CDPS Permit No. COR03 S148

Dear: Kathleen Rosow

This letter is in response to your letter dated September 28, 2007. In regards to the letter dated Nov. 29, 2006 I can assure you that all the items mentioned in the Inspection Report were dealt with immediately. As to why the report wasn't finalized and forwarded to the State Water Control Division was obviously a change in personnel. Ron Murphy, Director of Land Development is no longer with the company.

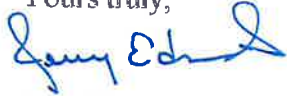
I have attached photos of the corrections that were made and specifically reference those photos that were taken at the time of inspection. Hammers did in fact have separate inspection reports but were not adequate, meaning not in compliance under the CDPS general permit. The reporting has been corrected with all inspections done under the requirements of the general permit. Attached are copies/examples of the forms now used for the Hammers SWMP reports. In response to the 11/16/06 inspection findings under Records Review my comments are as follows: Hammers Construction does have a fenced storage yard, basically for the protection from theft. The yards location is now shown on the site erosion control plan. Mobile refueling was terminated immediately after the state inspection. All refueling is done off site premises. No washing, solvents, sealants or waste storage is allowed in the secured storage area. The storage area on occasion contains mobile trailers, steel beams and steel structure materials that are stored on a temporary basis while waiting for completion of building foundations.

The storm water report dated Nov 29, 2006 is at most a very negative inspection report. I would like to add that Hammers Construction supervised the construction on the Sand Creek Channel Improvement that is adjacent to our property. The Channel is now used as a model as to the quality that the City of Colorado Springs and County of El Paso want to use in their construction of channel improvements. Claremont Business Park was also the winner of the Best New Commercial Development in El Paso County for "2007".

El Paso County has worked with us in regards to all roadway and storm drain improvements as well as our Erosion Control Practices, of which, I think you would find them to be very complimentary of our project. El Paso Engineering Division Inspector Dave Cox (719) 520-7848 is our site inspector.

I have included in the submittal package a duplicate of the Grading and Erosion Plan that is kept in the book with the permit and SWMP inspection reports. If you have any questions please feel free to contact me for any follow up you deem necessary.

Yours truly,



Jerry Edmonds
Project Manager
Hammers Construction