



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia, Pennsylvania 19103-2852

VIA ELECTRONIC MAIL

Ms. Ann Schoolcraft
Environmental Resources Management, Inc.
204 Chase Drive
Hurricane, West Virginia 25526
Ann.Schoolcraft@erm.com

Re: Chesapeake Appalachia, LLC
Buzzard Impoundment Restoration
Marshall County, West Virginia
Civil Action 5:13-CV-00170-FPS

Dear Ms. Schoolcraft:

The U.S. Environmental Protection Agency (“EPA”) has completed its review of *Annual Monitoring Report: Year 5 for the Buzzard Impoundment Restoration* (“Monitoring Report”), dated December 17, 2021, and the letter confirming purchase of 0.8 units of wetland credits from the West Virginia In Lieu Fee Program, dated January 27, 2023. The Buzzard Impoundment Site is located approximately 0.1 miles north of the intersection of Fish Creek Road and Greenfield Ridge Road in Marshall County, West Virginia. The restoration work involved 1,270 linear feet of SWV-DDF-001, 230 linear feet of SWV-DDF-002, and 1.75 acres of abutting wetlands. The Monitoring Report indicates that in year 5, SWV-DDF-001 and SWV-DDF-002 were self-sustaining and were meeting performance standards and that the cumulative wetland acreage totaled 1.35 acres out of the 1.75 acres. The purchase of wetland credit from the In Lieu Fee Program was proposed to account for the outstanding wetland mitigation obligation. EPA approved the amendment via email on March 29, 2022. The Monitoring Report also requests release from monitoring following the purchase of the wetland credit. Based on the information provided, EPA agrees pursuant to Appendix B, Paragraph II.b that the performance measures for restoration of the site have been achieved, no further monitoring is required, and the site is released from further review.

Should you have any questions or concerns, please feel free to contact Katelyn Almeter, of my staff, at 215-814-2797 or by email at almeter.katelyn@epa.gov.

Sincerely,

Stacie Pratt, Chief
Water Branch
Enforcement & Compliance Assurance Division

*RE: Chesapeake Appalachia, LLC
Buzzard Impoundment Restoration*

cc: Mr. Eric Dean - Chesapeake Appalachia, LLC (eric.dean@chk.com)
Mr. James Hemme - ERM (james.hemme@erm.com)
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