



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**ELECTRONIC MAIL**  
**CONFIRMATION OF EMAIL RECEIPT REQUESTED**

Mr. Mike Meeks  
President  
Pit Worx, Inc.  
203 Cedar Grove Place  
Autaugaville, Alabama 36003  
[meeksmichelle@bellsouth.net](mailto:meeksmichelle@bellsouth.net)

Re: Information Request Letter CWA-04-2022-0505

Dear Mr. Meeks:

The U.S. Environmental Protection Agency is investigating the recent work performed on parcels owned/operated by Pit Worx, Inc. (Pit Worx) located in Autauga County, Alabama, at or near latitude 32.440003°N and longitude 86.653678°W and further identified in Enclosure A of the enclosed Information Request and corresponding Exhibits. The investigation concerns impacts to waters of the United States without a Clean Water Act (CWA) Section 404 Permit, 33 U.S.C. § 1344. The impacts occurred during mechanized land-clearing as part of sand mining operations at the site.

The purpose of this letter is to evaluate Pit Worx's compliance with the requirements of Sections 301(a) and 404 of the CWA, 33 U.S.C. §§ 1311(a) and 1344. Therefore, to facilitate our investigation and pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that Pit Worx provide the information set forth in the enclosed Information Request within 30 calendar days of receipt of this letter. The EPA requests that the information be sent via email to Ms. Rachel Earwood at [Earwood.Rachel@epa.gov](mailto:Earwood.Rachel@epa.gov). If you are not able to send the response by email, you may mail a hard copy to the following address:

Ms. Rachel Earwood  
U.S. Environmental Protection Agency  
Water Enforcement Branch  
Enforcement and Compliance Assurance Division  
61 Forsyth Street S.W.  
Atlanta, Georgia 30303

If you believe that any of the requested information is business confidential, you may assert a business confidentiality claim covering part or all of the information, in the manner described by 40 C.F.R. § 2.203(b). Information covered by such claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B, and 41 Fed. Reg. 36902 (Sept. 1, 1976), as amended at 43 Fed. Reg. 40000 (Sept. 8, 1978); 50 Fed. Reg. 51661 (Dec. 18, 1985). If no such claim accompanies the information when it is received by the EPA, the EPA may make the

information available to the public without further notice to Pit Worx. Also, sending documents covered by a business confidentiality claim electronically to the EPA is done at the risk of the claimant, as the EPA does not have the capability to encrypt electronic information. The EPA requests that any such information be physically mailed to the address provided above.

Compliance with this request is mandatory. If you do not respond fully and truthfully to this Information Request or adequately justify the failure to respond within the time frame specified above, you may be subject to an EPA enforcement action pursuant to federal law, including but not limited to Section 309 of the CWA, 33 U.S.C. § 1319 and 18 U.S.C. § 1001. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35.

The EPA has also enclosed a document that provides information for small businesses that may be subject to an EPA enforcement action. This document is meant to aid in understanding the compliance assistance resources and tools available to your business. Any decision to seek compliance assistance at this time, however, does not relieve the Pit Worx of its obligation to the EPA nor does it create any new rights or defenses and will not affect the EPA's decision to pursue an enforcement action.

The EPA appreciates your prompt attention to this matter. If you have any questions regarding this letter, please contact Ms. Rachel Earwood at (404) 562-9744 or [Earwood.Rachel@epa.gov](mailto:Earwood.Rachel@epa.gov). For legal questions, please contact Mr. Jay Khuti, Associate Regional Counsel, at (404) 562-8390 or [Khuti.Jay@epa.gov](mailto:Khuti.Jay@epa.gov). Thank you for your cooperation in this matter.

Sincerely,

**MARY JO  
BRAGAN**

Mary Jo Bragan, Chief

Water Enforcement Branch

Enforcement and Compliance Assurance Division

Digitally signed by MARY JO  
BRAGAN  
Date: 2022.09.12 12:48:07  
-04'00'

Enclosure(s)

cc (via electronic mail):

Ms. Leslie Turney  
U.S. Army Corps of Engineers, Regulatory Division  
Mobile District

Ms. Ange Boatwright  
Alabama Department of Environmental Management, Water Division  
Mining and Natural Resource Section