



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
HEARING CLERK

Ref: 8ENF-L

MAY - 7 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Veronica Polidori, Registered Agent
Polidori Corporation, Inc.
Poli-Gold, L.L.C.
P.O. Box 21897
Bullhead City, Arizona 86439

Re: Notice of Violation of Administrative Order on Consent, Docket No. CWA-08-2012-0002

Dear Ms. Polidori:

This letter is to notify you that the United States Environmental Protection Agency (EPA) has determined that you, Polidori Corporation, Inc. and Poli-Gold, L.L.C. (collectively, the respondents) are in violation of the above-referenced order (Order). As set forth in paragraph VI.5 of the Order, the respondents were required to submit to the EPA for review and comment a conceptual strategy for mitigation of the impacts to Panguitch Lake and its adjacent wetlands described in paragraphs VI.2.a and b of the Order. This was required to be done within 60 calendar days of execution of the Order. The EPA recognizes that the respondents, through their consultant, have informally proposed various options for mitigation to the EPA. However, these options have not been viable for a number of reasons and, to date, over 3 years after execution of the Order, the EPA has not received the required conceptual plan.

The EPA is extremely concerned with the delay in preparation of the conceptual plan. Please be reminded that, as stated in paragraph VI.23 of the Order, section 309(d) of the Clean Water Act (CWA), 33 U.S.C. § 1319(d), authorizes civil penalties of up to \$37,500 per day for each violation of an order issued by the Administrator of the EPA under section 309(a) of the CWA, 33 U.S.C. § 1319(a). Paragraph VI.23 of the Order also sets forth information on additional enforcement mechanisms available to the EPA for violations of the CWA. Due to the serious legal ramifications of non-compliance with the Order, I urge your prompt attention to this matter.

If you have any questions regarding this Notice of Violation, please contact Monica Heimdal, Enforcement Officer, at 303-312-6359. You or your attorney may also direct legal questions to Wendy Silver, Senior Attorney, at 303-312-6637.

Sincerely,

Suzanne J. Bohan
Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

cc: Tina Artemis, EPA Regional Hearing Clerk



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