



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas-66219

JAN 24 2013

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No.: 7011 0470 0002 2746 1660

Inder K. Mathur
President/CEO
The Western Sugar Cooperative
7555 E. Hampden Ave, Suite 600
Denver, Colorado 80231

Re: Termination of Findings of Violation, Order for Compliance and
Termination of Consent Agreement and Final Order
Western Sugar Cooperative, Scottsbluff, Nebraska 69361
Docket Nos.: CWA-07-2009-0069 and CWA-07-2010-0135

Dear Mr. Mathur:

On July 9, 2009, the above referenced Findings of Violation, Order for Compliance was issued by the U.S. Environmental Protection Agency to the Western Sugar Cooperative, 2100 East Overland Avenue, Scottsbluff, Nebraska 69361 under the authority of Section 309(a)(3) of the Clean Water Act, 33 U.S.C. § 1319(a)(3). The EPA has reviewed the information submitted by you in response to the required compliance activities outlined in paragraphs 24 through 28 of the Order and has determined that those requirements have been adequately met. This letter serves as a notification to you that the EPA is terminating the Order. The EPA's decision to terminate the Order is conditioned upon the accuracy of your representations to the EPA in response to the requirements of the Order.

On September 30, 2010, the above referenced Consent Agreement and Final Order was filed with the Regional Hearing Clerk under the authority of Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g). On October 3, 2011, The Western Sugar Cooperative submitted the Supplemental Environmental Project (SEP) Completion Report required by paragraph 34 of the CAFO. The EPA has reviewed the SEP Completion Report and has determined that the requirements of the CAFO have been adequately met. This letter serves as a notification to you that the EPA is also terminating the CAFO. The EPA's decision to terminate the Order is conditioned upon the accuracy of your representations to the EPA in response to the requirements of the CAFO.

The effect of these terminations is limited to the requirements imposed under the Orders. The EPA reserves all of its authorities, both legal and equitable, under the CWA and any other statutory, regulatory, or common law authorities of the United States.



If you have any questions relating to this termination letter or the above referenced enforcement actions, please contact Wayne Dillard of my staff at (913) 551-7885, or Kristen Nazar, the attorney assigned to this matter at (913) 551-7450.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen A. Flournoy". The signature is written in a cursive style with a large, sweeping initial "K".

Karen A. Flournoy

Director

Water, Wetlands and Pesticides Division

cc: Steve Goans, NDEQ
Regional Hearing Clerk, EPA Region 7