



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

SEP 28 2010

Ref: 8RC

Kimball Strickland, Registered Agent
Kimball Property Management
3418 S. 300 W.
Salt Lake City, UT 84115

Kimball Property Management
12717 South 125 East
Draper, UT 84020

Re: Corrected Docket No.: CWA-08-2010-0036
for Administrative Complaint and
Opportunity to Request a Hearing

On September 24, 2010 the Administrative Complaint and Opportunity to Request a Hearing was filed in matter of Kimball Property Management. The original Docket No. assigned was CWA-08-2010-0032. The correct Docket No. to use when referring to this matter in the future is **CWA-08-2010-0036**. Enclosed is the corrected cover page to this Complaint.

I apologize for this inconvenience if you have any questions please feel free to contact me at 303-312-6765 or send an e-mail at artemis.tina@epa.gov.

Sincerely,

A handwritten signature in cursive script that reads "Tina Artemis".

Tina Artemis
Paralegal/Regional Hearing Clerk

Enclosure

cc (via e-mail):
Brenda Morris
Jane Nakad
Brenda Cazier



Printed on Recycled Paper

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

2010 SEP 24 AM 9:41

FILED

IN THE MATTER OF:)	ADMINISTRATIVE COMPLAINT AND
)	OPPORTUNITY TO REQUEST A HEARING
Kimball Property Management)	
12717 South 125 East)	Proceeding to Assess Class I Civil Penalty
Draper, UT 84020)	Under Clean Water Act Section 311 for SPCC Violations
)	
Respondent.)	Docket No. CWA-08-2010-0032
		CWA-08-2010-0036 - <i>ama</i>

LEGAL AUTHORITY

1. This Administrative Complaint is issued under the authority vested in the Administrator of the U.S. Environmental Protection Agency (EPA) by Section 311(b)(6)(B)(i) of the Clean Water Act ("CWA" or "the Act"), 33 U.S.C. §1321(b)(6)(B)(i), as amended by the Oil Pollution Act of 1990. The Administrator has delegated this authority to the Regional Administrator of EPA, Region 8, who in turn has delegated it to the undersigned EPA officials (Complainant).

2. Pursuant to Section 311(b)(6)(B)(i) of the Act, and in accordance with the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits," codified at 40 C.F.R. Part 22 (Part 22), a copy of which is enclosed, Complainant hereby provides notice of its proposal that the Administrator assess a civil penalty against Respondent, Kimball Property Management (Respondent), for failing to comply with Spill Prevention Control and Countermeasure regulations set forth at 40 CFR Part 112 under the authority of Section 311(j) and other provisions of the Clean Water Act, 33 U.S.C., §§ 1251 *et seq.* (SPCC regulations), and notice of Respondent's opportunity to file an Answer to this Complaint and to request a hearing on the proposed penalty assessment. Subpart I of Part 22 applies to this proceeding.