

September 28, 2007

2007 OCT -1 PM 4: 04

To: Regional Hearing Clerk  
1595 Wynkoop (8RC)  
Denver, CO 80202

RECEIVED  
EPA REGION VIII  
HEARING CLERK

From: Scott Heim  
27091 Misty Brook Place  
Harrisburg, SD 57032

RE: 8ENF-UFO Docket No. SDWA-08-2007-0073

I, Scott Heim dba Yankee Fourteen Aviation leased the building at the Marv Skie Lincoln County Airport from March 1, 1999 until April 17, 2007 from Great Planes Aviation, Inc. The certified mail regarding this matter was signed for by an employee of the new operator leasing the above building and handed to me on August 31, 2007.

The building in question was purpose built by Great Planes Aviation, Inc. in 1998 and operated by them providing aircraft maintenance services from the time of construction until March 1, 1999.

I had a lease agreement in place from March 1, 1999 until September 31, 2001 with Great Planes Aviation, Inc. for the building at which point I began searching for another operator to offer aircraft maintenance services at the Marv Skie Lincoln County Airport. From October 1, 2001 until July 17, 2007 I was on a month-to-month un-written lease with Great Planes Aviation, Inc. and unable to modify the property. On July 18th, 2007 a new operator began offering those services and also leasing the building from Great Planes Aviation, Inc.

I certainly was aware of the issues and spoke with Great Planes Aviation, Inc. in the fall of 2006 regarding status of the holding tank installation. They informed me that the plan for compliance was submitted to the EPA but no response was received yet. Again early in 2007 I asked again about the tank and was informed that they had been in contact with EPA and getting the proposed plan approved. In May 2007 the holding tank was installed.

As the person operating in the building and unable to modify the property; and informed by the building owners that they were working with the EPA on compliance; I do not feel a penalty for myself is appropriate nor am I financially able to afford a penalty of such large magnitude.

Sincerely,



Scott E. Heim