



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

03/30/2022

10:27AM

Ref: 8ENF-W-NW

March 30, 2022

Received by
EPA Region VIII
Hearing Clerk

SENT VIA EMAIL
DIGITAL READ RECEIPT REQUESTED

Mr. Nicholas Lott
General Manager
American Gilsonite Company
nick@americangilsonnite.com

Re: Closure of Administrative Order on Consent under Section 309 of the Clean Water Act
Docket No. CWA-08-2015-0019

Dear Mr. Lott:

This letter is to inform you of the U.S. Environmental Protection Agency's decision to close the Administrative Order on Consent (Order), Docket No. CWA-08-2015-0019, issued to American Gilsonite Company on July 1, 2015. The EPA has determined that American Gilsonite Company has no remaining obligations under the Order. Moreover, the Stipulation and Order of Dismissal entered by the U.S. District Court for the District of Utah, Central Division, on October 1, 2019, resolved and superseded any prior agreements between the EPA and American Gilsonite Company, including the Order.

Please be aware that American Gilsonite Company is still required to comply with the Clean Water Act (Act), its implementing regulations, and permits. Violations of the Act, its implementing regulations, or permits may result in a court-imposed injunction and/or penalties of up to \$59,973 per day for each violation.

If you have any questions regarding this letter or any other matters pertinent to compliance with the Act, you may contact Emilio Llamozas, Environmental Engineer, at (303) 312-6407 or llamozas.emilio@epa.gov. Any questions from counsel should be directed to Abigail Dean, Senior Assistant Regional Counsel, at (303) 312-6106 or dean.abigail@epa.gov.

Thank you for your assistance in resolving this matter.

Sincerely,

Colleen Rathbone, Chief
Water Enforcement Branch
Enforcement and Compliance Assurance Division

Electronic cc:

Regional Hearing Clerk, EPA Region 8

Mr. Steven Jones, Ray Quinney & Nebeker

Bart Powaukee, Water Quality Coordinator, Ute Indian Tribe