



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8-SEMD

Mr. Ronald Bushnell
Registered Agent, Sea Ray Investments LLC
144 Brigham Rd. Suite 5
Saint George, Utah 84790

Re: Request for access, Bauer Tailings Site, Tooele County, Utah

Dear Mr. Bushnell:

This letter is to request access to the Bauer Tailings Site (Site) for the purpose of conducting a Time-Critical Removal Action pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Public records indicate the Site property is owned by Sea Ray Investments, LLC, and that you are the registered agent.

EPA has determined that conditions at the Site present a threat to public health and the environment and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the National Contingency Plan. Two documents are enclosed with this letter: (1) the Action Memorandum, which is the document EPA issued to document the necessary removal action; and (2) a consent for access form that needs to be executed by Sea Ray Investments. EPA intends to begin construction activities this fall and anticipates work to be complete within 3-4 months. Please execute the enclosed consent form and return it to me by September 10, 2021. EPA prefers to obtain access voluntarily. However, if that is not possible, EPA will look to other options available under CERCLA, including obtaining a warrant or issuing an administrative order for access.

I look forward to hearing from you on this matter. If you have questions, please contact me at (303) 312-6963, or by email at mccomb.martin@epa.gov. Legal questions can be directed to Site attorney Amelia Piggott at (303) 312-6410 or Piggott.amelia@epa.gov.

Sincerely,

Marty McComb
On-Scene Coordinator
U.S. EPA Region 8

Enclosures

cc: Amelia Piggott, ORC