



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

SEP 29 2005

ASSISTANT ADMINISTRATOR  
FOR ENFORCEMENT AND  
COMPLIANCE ASSURANCE

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

John S. Fredericksen  
Vice President  
c/o Karen Erazo  
MN Airlines, LLC d/b/a Sun Country Airlines  
1300 Mendota Heights Road  
Mendota Heights, MN 55120

Dear Mr. Fredericksen:

Please find enclosed the final and executed Administrative Order on Consent and Request For Information (Order) that resolves MN Airlines, LLC d/b/a Sun Country Airlines' noncompliance with the Safe Drinking Water Act (Act) and the National Primary Drinking Water Regulations. We appreciate the high level of cooperation demonstrated by your airline throughout the process of developing and finalizing the terms of the Order.

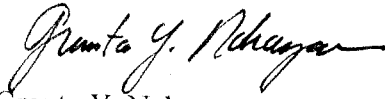
As you know, in previous correspondence and throughout the negotiation process, EPA assured the airlines that it would address instances of noncompliance with the Act through the negotiated Order. In consideration of your willingness to address your noncompliance issues, EPA, in its enforcement discretion, agrees not to pursue additional enforcement action against MN Airlines, LLC d/b/a Sun Country Airlines for past violations of the Act addressed by this Order or for penalties for such violations, as long as MN Airlines, LLC d/b/a Sun Country Airlines is in compliance with all the terms of the Order. This exercise of EPA's enforcement discretion applies only to the period of time the Order is in effect.

Again, I want to commend you for your cooperation in this process and for recognizing the importance of protecting public health and meeting the requirements of the National Primary Drinking Water Regulations pursuant to the Safe Drinking Water Act.

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Please contact Laurie Dubriel at (202) 564-4031 or Lourdes Bufill at (202) 564-5128, both of my staff, if you have any additional questions.

Sincerely,

  
Granta Y. Nakayama

Enclosure



drinking water systems; and WHEREAS MN Airlines, LLC d/b/a Sun Country Airlines (Sun Country) recognizes the importance of protecting public health; Sun Country and EPA have agreed to enter into the following REQUEST FOR INFORMATION and ADMINISTRATIVE ORDER ON CONSENT which is intended to address Sun Country's alleged noncompliance with the Safe Drinking Water Act and National Primary Drinking Water Regulations via a phased monitoring program.

### **I. STATUTORY AUTHORITY**

Enforcement authority over public water systems on carriers that convey passengers in interstate commerce is solely vested with the United States Environmental Protection Agency (EPA) under 40 CFR Section 142.3(b)(1). Under the authority vested in the Administrator of the EPA by Sections 1445(a) and 1414(g) of the Safe Drinking Water Act (the Act or SDWA), 42 U.S.C. Sections 300j-4(a) and 300g-3(g), the following FINDINGS are made and the following REQUESTS FOR INFORMATION and ADMINISTRATIVE ORDER ON CONSENT (ORDER) are issued. The Administrator of the U.S. EPA has delegated the authority to take these actions to the Assistant Administrator for the Office of Enforcement and Compliance Assurance who in turn has re-delegated this authority to the Division Director of the Water Enforcement Division.

### **II. INTRODUCTION**

1. This ORDER is issued upon consent of MN Airlines, LLC d/b/a Sun Country Airlines (Respondent). The EPA alleges that Respondent has failed to fully comply with the Act, and the regulations promulgated pursuant thereto, in particular the monitoring, analytical, public notice, and reporting requirements at 40 CFR 141 subparts C, D, H, Q, and T.
2. Respondent agrees not to contest the EPA's jurisdiction or authority to enter into or





















































































































