

FILED

Jan 23, 2024

11:42 am

**U.S. EPA REGION 8
HEARING CLERK**

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

IN THE MATTER OF)
)
)
Leisure Valley, Inc.,) Docket No. SDWA-08-2024-0004
)
) **ORDER FOR ADDITIONAL**
) **BRIEFING ON COMPLAINANT'S**
Respondent.) **MOTION FOR DEFAULT ON LIABILITY**
)
)
(Star Valley RV Park, WY5601471))

The Presiding Officer, having read the Complainant's Motion for Default on Liability and the Memorandum in Support of that motion, finds that additional briefing is necessary on the issue of whether the October 10, 2023 Complaint and Notice of Opportunity for Hearing in the above-captioned matter was properly served on the Respondent under the Consolidated Rules of Practice, 40 C.F.R. § 22.17(b)(1). Complainant's Motion, including attachments, establishes that the Complaint and Notice of Opportunity for Hearing, and subsequent letter and the subject motion, were sent to 3910 Muddy String Road, by certified mail with return receipt requested, which is not the same address provided for service of process on the Wyoming Secretary of State's website cited by the Complainant in its brief.

Complainant is ordered to provide additional evidence and briefing limited to the issue described above on or before February 2, 2024. Respondent is ordered to respond on or before February 16, 2024. Reasonable extensions of time will be granted, upon request. Questions may be directed to the Regional Hearing Clerk at R8_Hearing_Clerk@epa.gov.

SO ORDERED THIS 23rd DAY OF JANUARY 2024.

Katherin E. Hall
Presiding Officer

CERTIFICATE OF SERVICE

The undersigned certifies that the attached **ORDER FOR ADDITIONAL BRIEFING ON COMPLAINANT'S MOTION FOR DEFAULT ON LIABILITY** in the matter of **LEISURE VALLEY, INC.; DOCKET NO.: SDWA-08-2024-0004** was sent via certified receipt mail to:

Respondent

Nancy J. Brown, Registered Agent
Leisure Valley, Inc.
3510 Muddy String Road
P.O. Box 299
Thayne, WY 83127

And by certified receipt email to:

Complainant

Peggy Livingston
Enforcement Attorney
Office of Regional Counsel
Livingston.Peggy@epa.gov

Additional notice was sent by certified receipt email to:

Harold Stewart, President, Leisure Valley, Inc.
valcath@silverstar.com
Jason Mavy, Operator, Leisure Valley, Inc.
jason@starvalleywater.com

DATE 1/23/2024

Kate Tribbett
Regional Hearing Clerk