

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2012 DEC 17 PM 3:00

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:)
)
Niki Smoker, Owner)
Horseshoe Bar)
Frazer, Montana)
)
Respondent.)
)
)
_____)

Proceeding under Section 1414(g)
of the Safe Drinking Water Act,
U.S.C. § 300g-3(g)
Docket No. SDWA-08-2011-0043

COMPLAINANT'S STATUS REPORT

COMES NOW the United States Environmental Protection Agency (EPA) (Complainant) and files this COMPLAINANT'S STATUS REPORT. This Status Report provides the current status, especially in light of the December 4, 2012 ORDER issued by the Regional Judicial Officer. That ORDER directed the parties to file a Consent Agreement with the Regional Hearing Clerk on or before December 18, 2012. On December 3, 2012, the undersigned provided a proposed Consent Agreement to Respondent, via both postal delivery and e-mail. Today, two weeks later, having received no correspondence in any form from the Respondent, the undersigned spoke via telephone with her. The Respondent reported to the undersigned that this morning, December 17, 2012, she placed in the mail the Consent Agreement containing her signature.

Once in hand, the undersigned intends to promptly and expeditiously obtain required signatures on the Consent Agreement and then file it with the Regional Hearing Clerk, with a request that the Regional Judicial Officer issue a Final Order in the matter.

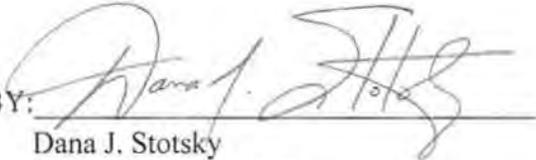
However, the filing deadline of December 18, 2012, as directed in the ORDER dated December 4, 2012, will not be met.

Respectfully submitted,
United States Environmental Protection Agency
Region 8

Complainant.

DATE: 12/17/2012

BY:



Dana J. Stotsky
Enforcement Attorney
U.S. Environmental Protection Agency
Region 8 (8ENF-L)
1595 Wynkoop St.
Denver, CO 80202-1129
Telephone: (303) 312-6905
FAX: (303) 312-6953

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 17, 2012 the original and one copy of COMPLAINANT'S STATUS REPORT was hand-delivered to:

Ms. Antonia Artemis,
Regional Hearing Clerk
EPA Region 8
1595 Wynkoop Street
Denver, CO 80202

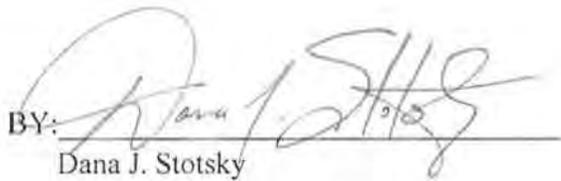
and a true copy was delivered to:

Ms. Elyana R. Sutin
Regional Judicial Officer
EPA, Region 8
1595 Wynkoop Street (8RC)
Denver, CO 80202

and a true copy was sent by first class mail to the following addressee:

Niki Smoker, Owner
Horseshoe Bar
P. O. Box 432
57777 Hwy. 2
Frazer, MT 59225

DATE: 12/17/2012

BY: 
Dana J. Stotsky