

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2012 JAN 31 AM 9:30

In the Matter of: )  
Rick Nelson, Owner )  
Fort Devils Tower ) Docket No. SDWA-08-2011-002  
Respondent. ) Status Report

This action, seeks to assess a Class I administrative penalty under Section 1414(g)(3) of the Safe Drinking Water Act (SDWA or Act), 42 U.S.C. § 300g-3(g)(3).

On January 11, 2012 the Complainant was ordered to file a status report on the above entitled matter. The following is a status update:

1. On or before February 24, 2012 Complainant intends to file a motion for default on issues of liability in this matter.
2. Respondent and Complainant have been in contact and on July 20, 2011 a settlement conference was held at which time a settlement was proposed and accepted by Respondent.
3. A consent agreement was sent to the Respondent on August 16, 2011.
4. Respondent indicated on September 19, per a telephone call that he would be signing the consent agreement in the very near future.
5. The consent agreement was never signed by the Respondent.

Respectfully submitted,



Jean Belille,  
Enforcement Attorney  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202  
Telephone Number: (303) 312-6556  
Facsimile Number: (303) 312-7519

Certificate of Service

The undersigned certifies that on the date indicated below, copies of the preceding Status Report was sent or delivered to each of the following:

One copy to:

Rick Nelson  
Fort Devils Tower  
601 Highway 24  
Devils Tower, WY 82714  
Certified Mail, Return Receipt No.  
7009 3410 0000 2592 0493

Original and one copy hand delivered to:

Tina Artemis  
Regional Hearing Clerk  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202

One copy hand delivered to:

Hon. Elyana R. Sutin  
Regional Judicial Officer  
U.S. EPA Region 8  
1595 Wynkoop Street  
Denver, CO 80202

Dated: JAN 31 2012

  
Dayle DeArvil