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EPA -- REGION 10

In the matter of:

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) DOCKET NO. CWA 10-2010-0132
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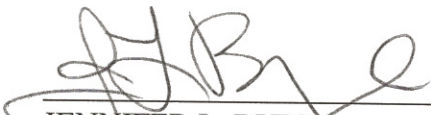
DAVID D'AMATO,
Anchorage, Alaska

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) **COMPLAINANT'S STATUS**
) **REPORT**
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Respondent

In February 2011, Respondent agreed to provide financial information to substantiate Respondent's claim that he is unable to pay the proposed penalty. Complainant received the first installment of financial information on July 19, 2011, and additional necessary information on July 28, 2011. Complainant is now evaluating that information and intends to conduct settlement discussions based on ability to pay very shortly. Complainant will notify the Presiding Officer immediately if a settlement in principle is reached. Complainant is continuing to prepare for hearing, but is cautiously optimistic that the parties will reach a settlement based on the recently received financial information.

Respectfully submitted this 4th day of August, 2011.



JENNIFER L. BYRNE
Assistant Regional Counsel
Region 10