



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 WYNKOOP STREET
DENVER, CO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

Ref: 8RC

NOV 19 2008

Honorable Elyana R. Sutin
Regional Judicial Officer
U. S. Environmental Protection Agency
1595 Wynkoop Street (8RC)
Denver, CO 80202-1129

Re: **GARY D. SMITH d/b/a GARY'S AUTO
BODY AND GLASS; DOCKET NO.:
SDWA-08-2008-0113**

Dear Judge Sutin:

Pursuant to § 22.21(a) of the Consolidated Rules of Practice, 40 CFR Part 22, the above-captioned matter, the respondent has not requested a formal hearing, however they are denying the violations outlined in the Proposed Compliance Order, Penalty Complaint and Notice of Opportunity for Hearing. In accordance therewith, a copy of the entire Docket file is enclosed.

Respondent is:

Gary D. Smith
d/b/a Gary's Auto Body and Glass
31017 US Hwy. 24
Stratton, CO 80836

Complainant is represented by:

James Eppers
Enforcement Attorney
U. S. EPA – Region 8 (8ENF-L)
1595 Wynkoop Street
Denver, CO 80202-1129
Telephone: 303-312-6893
Telecopier: 303-312-6953

All parties are reminded that according to §22.5(a)(1) "The original and one copy of each document intended to part of the record shall be filed with the Regional Hearing Clerk when the proceeding is before the Presiding Officer..." Copies of all filings must also be sent to all parties and a copy for Judge Sutin. Please place the Docket No. on all documents to be filed.

If you require any additional information, please feel free to contact me at 303-312-6765.

Sincerely,



Tina Artemis
Paralegal/Regional Hearing Clerk

Enclosures:

cc: Gary D. Smith (w/o enclosures)
Jim Eppers (w/o enclosures)

