

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
DALLAS, TEXAS

FILED  
2010 OCT 25 PM 1:23  
REGIONAL HEARING CLERK  
EPA REGION VI

In the Matter of  
  
Falcons Nest,  
  
Respondent.

§  
§  
§ Docket No. SDWA-06-2009-1247  
§  
§

**COMPLAINANT'S STATUS REPORT**

Comes now Complainant, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency (EPA), Region 6, by and through its attorney, provides the following Status Report, as required by the Order to File Status Report issued by the Regional Judicial Officer (RJO) on September 27, 2010.

1. Complainant filed an Administrative Complaint (Complaint) alleging violations of the Safe Drinking Water Act (SDWA) against the Respondent on October 8, 2009.
2. The certificate of service accompanying the Complaint certifies that the Complaint was mailed to Respondent by certified mail, return receipt requested, on October 8, 2009.
3. Complainant successfully completed service of the Complaint on Respondent by certified mail. A copy of the signed return receipt (green card) that was filed with the Regional Hearing Clerk on October 20, 2009, is attached to this Status Report.

4. Pursuant to 40 C.F.R. § 22.15, Respondent must file any Answer to the Complaint within thirty (30) days after service of the Complaint. Respondent has failed to submit a timely Answer to the Complaint.

5. At the time of the filing of this Status Report, and despite Complainant's attempts to speak with Respondent through phone messages left for Respondent, Respondent and Complainant (Parties) have not conferred about the possibility of a settlement in this matter.

6. Once Complainant has confirmation that Respondent has received this Status Report, and if settlement appears unlikely based on any future communications between the parties, Complainant intends to file a Motion for Default pursuant to 40 C.F.R. § 22.17.

7. Complainant estimates that the Motion for Default shall be filed within one hundred and twenty (120) days.

Respectfully submitted,

A handwritten signature in black ink, reading "Shannon Vallance Griffo". The signature is written in a cursive, flowing style.

Shannon Vallance Griffo  
Enforcement Counsel (6RC-EW)  
U.S. EPA Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733  
(214) 665-2245  
(214) 665-3177 (fax)

**CERTIFICATE OF SERVICE**

I certify that the original of the foregoing COMPLAINANT'S STATUS REPORT was hand-delivered to and filed with the **Regional Hearing Clerk**, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and a true and correct copy was sent to the following on this 25<sup>th</sup> day of October, 2010, in the following manner:

Via Certified Mail (Return Receipt Requested):

Carol Short, Owner  
Falcons Nest Water System  
1406 E. 6<sup>th</sup> Street  
Stillwater, OK 74074

Shannon Vallance Griffin

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2009 OCT 20 PM 1:52  
REGIONAL HEARING CLERK  
EPA REGION VI

SDWA-06-2009-1247 / Complaint

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Carol Short, Owner  
Falcons Nest Water System  
1406 E. 6<sup>th</sup> Street  
Stillwater, OK 74074

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent  
☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7008 0150 0003 0411 7102

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540