

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2010 JUL -2 PM 2:43

IN THE MATTER OF:)
)
Bill and Hayli Thompson, Owners/Operators)
The Ranch House of Dupuyer)
Dupuyer, MT,)
)
Respondents.)

Docket No. SDWA-08-2009-0036

FILED
EPA REGION VIII
HEARING CLERK

**COMPLAINANT'S SETTLEMENT STATUS REPORT AND
REQUEST FOR PREHEARING TELECONFERENCE**

Complainant United States Environmental Protection Agency, Region 8 (EPA), by its undersigned attorney, submits the following Settlement Status Report and Request for Prehearing Teleconference in the above-named case. Since filing a Complaint and Notice of Opportunity for Hearing in this matter on March 5, 2009, Complainant provides the following update:

1. The parties have been unable to settle the penalty assessed in the Complaint. Complainant last spoke with Hayli Thompson on behalf of the Ranch House of Dupuyer on April 7, 2010, at which time EPA offered its bottom-line settlement amount.
2. EPA phoned the Respondent on June 14, 2010, and left a message stating that it planned to recommend escalation of this matter unless contacted by the Respondents regarding the outstanding penalty offer. In the message, EPA asked that it be notified by the end of the week whether the Respondents planned to accept the settlement offer presented on April 7, 2010.
3. EPA has not been contacted by the Respondents.
4. Although EPA believes that settling this action is in the best interest of both parties, it respectfully requests that the Regional Judicial Officer schedule a prehearing teleconference for the purpose of establishing a deadline for exchanging information and setting

a time and place for hearing.

Respectfully submitted on this 2nd day of July, 2010.

**U.S. ENVIRONMENTAL PROTECTION
AGENCY, REGION 8,
COMPLAINANT.**

A handwritten signature in black ink, appearing to read 'AS', is written over a horizontal line.

Amy Swanson, Enforcement Attorney
U.S. EPA, Region 8
1595 Wynkoop Street (8ENF-L)
Denver, CO 80202-1129
Colorado Attorney Reg. No. 26488
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Fax: (303) 312-6953

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and one copy of the COMPLAINANT'S SETTLEMENT STATUS REPORT AND REQUEST FOR PRE-HEARING TELECONFERENCE were hand-carried to the Regional Hearing Clerk, EPA, Region 8, 1595 Wynkoop Street, Denver, Colorado, and that a true copy of the same was delivered as follows:

Copy by hand delivery to:

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

Copy by regular mail to:

Bill and Hayli Thompson, Owners
The Ranch House of Dupuyer
P.O. Box 142
Dupuyer, MT 59432

Dated: 7/2/10

By: Judith M. McTernan