

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:

Logan County Water Pollution Control,
Indian Lake District
1015 Orchard Island Road, South,
Russells Point, Ohio

) Docket No. CWA-05-2007-0004
) Judge William B. Moran
)

) Proceeding to Assess a
) Class II Civil Penalty
) Pursuant to Section 309(g)
) of the Clean Water Act,
) 33 U.S.C. § 1319(g).
)
)
)
)
)
)

JOINT STATUS MOTION PURSUANT TO SECTION 22.16
OF THE CONSOLIDATED RULES

1. Complainant, the Director of the Water Division, United States Environmental Protection Agency Region 5 (EPA), and Respondent, Logan County Water Pollution Control, Indian Lake District (Indian Lake) jointly file this Status Motion pursuant to Section 22.16 of the *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation/Termination or Suspension of Permits*, 40 C.F.R. § 22.16.

2. The Parties are mindful that schedules are affected, administrative resources must be expended, and travel arrangements must be made for hearing this matter, which is scheduled for August 19-20, 2008, in Cincinnati, Ohio.

3. The Parties jointly file this Status Motion in order to apprise the Court that they are actively negotiating settlement of this case at this time.

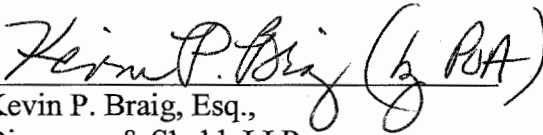
4. At this time, the Parties believe that they may reach a settlement agreement soon.

5. As requested by the Court during a scheduling conference call, the Parties immediately and without delay will notify the Court of settlement in this matter.

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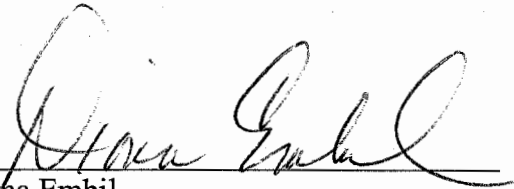
**In the Matter of
Logan County Water Pollution Control,
Indian Lake District, Russells Point, Ohio
Docket No. CWA-05-2007-0004**

Respectfully submitted,

Handwritten signature of Kevin P. Braig in cursive, with the initials "K.P.B." and "(by POA)" written in parentheses to the right of the signature.

Kevin P. Braig, Esq.,
Dinsmore & Shohl, LLP
One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402

Counsel for Respondent

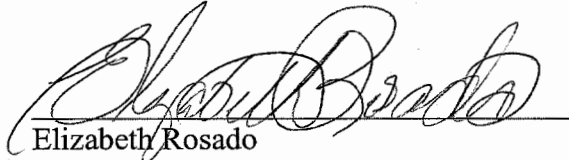
Handwritten signature of Diana Embil in cursive, written over a horizontal line.

Diana Embil
Associate Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 West Jackson Blvd.
Chicago, IL 60604 – 3590

**In the Matter of
Logan County Water Pollution Control
Indian Lake District,
Docket No, CWA-05-2007-0004**

CERTIFICATE OF SERVICE

I certify that the foregoing **JOINT STATUS MOTION**, dated **JUL 30 2008**, was sent this day in the following manner to the addressees listed below.



Elizabeth Rosado
Administrative Assistant, Section III, MMB I
U.S. EPA, Region 5, Office of Regional Counsel

Dated: **JUL 30 2008**, 2008

Original and One Copy by Hand Delivery to:

Sonja Brooks-Woodard
Regional Hearing Clerk
U.S. EPA, Region 5
77 W. Jackson Boulevard, C-14J
Chicago, Illinois 60604-3590

Copy by Federal Express Delivery to:

The Honorable William B. Moran
U.S. Environmental Protection Agency
Office of the Administrative Law Judges
Franklin Court, Suite 350
1099 14th St. NW
Washington, DC 20005

Copy by Federal Express Delivery to:

Kevin P. Braig, Esq.,
Dinsmore & Shohl, LLP
One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402

Counsel for Respondent