

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY REGION 8

2008 MAR 17 PM 2:02

IN THE MATTER OF:)

NIOBRARA ELECTRIC ASSOCIATION, INC.)

3951 U.S. HIGHWAY 20)

LUSK, WY 82225)

Respondent.)

) Docket No. TSCA-08-2007-0013

EPA REGION VIII
HEARING CLERK

JOINT STATEMENT OF STATUS OF SETTLEMENT

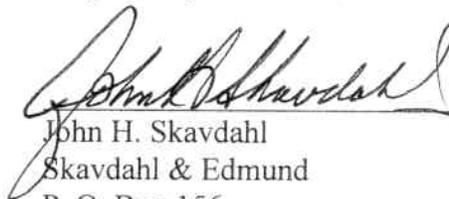
The undersigned counsel hereby files this Joint Statement of Status of Settlement on behalf of Complainant U.S. Environmental Protection Agency-Region 8 and Respondent Niobrara Electric Association, Inc.

This matter is currently the subject of Alternative Dispute Resolution before Administrative Law Judge Spencer T. Nissen. During a February 28, 2008 conference call among Judge Nissen and counsel for the parties, said counsel agreed to apprise Judge Nissen of the status of the settlement of this matter on or by March 14, 2008. Judge Nissen has previously extended the period for Alternative Dispute Resolution of this matter until March 14, 2008.

The parties today reached an agreement-in-principle which includes Respondent's performance of a Supplemental Environmental Project (SEP). That agreement-in-principle is subject to approval by Respondent's Board of Directors. Subject to the appropriate approvals, the parties intend to file a Consent Agreement in this matter on or by April 3, 2008.

Dated this 13th day of March, 2008

Respectfully Submitted,



John H. Skavdahl
Skavdahl & Edmund
P. O. Box 156
Harrison, NE 69346

Telephone: 308-668-2466
Facsimile: 308-668-2467
Attorney for Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Joint Statement was served as follows:

The original and one copy was sent via United States mail, postage prepaid, to:

Regional Hearing Clerk (8RC)
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

A copy was sent via United States mail, postage prepaid, to:

Jessie Goldfarb (8ENF-L)
Senior Enforcement Attorney
U.S. EPA - Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

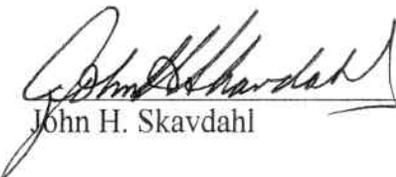
A copy was sent via United States mail, postage prepaid, to:

Martin Hestmark, Director
Technical Enforcement Program
Office of Enforcement, Compliance and Environmental Justice
U.S. EPA - Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

A copy was sent via United States mail, postage prepaid, to:

David J. Janik
Supervisory Enforcement Attorney
Office of Enforcement, Compliance and Environmental Justice
U.S. EPA - Region 8
1595 Wynkoop Street
Denver, CO 80202-1129

Dated this 13th day of March, 2008.


John H. Skavdahl