

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF)	Docket No. SDWA-08-2009-0020
)	
Hitching Post, LLC)	SETTLEMENT STATUS REPORT
The Hitching Post)	
Melrose, MT)	
PWS ID #MT0002143)	
)	
Respondent.)	

As directed by the Honorable Elyana R. Sutin, Regional Judicial Officer, during a status conference in the above-referenced matter on January 27, 2009, Complainant United States Environmental Protection Agency, Region 8 (EPA), by and through its undersigned counsel, hereby provides the following Settlement Status Report on behalf of the parties. Pursuant to Judge Sutin's request, the parties were to file either a fully-executed Consent Agreement or a Settlement Status Report by February 27, 2009.

The current settlement status of this matter is as follows:


1. The parties reached a settlement-in-principle on January 27, 2009, following the status conference with the Judge.
2. The Consent Agreement was sent to the Respondent via regular mail on February 23, 2009, for review and signature.
3. Complainant anticipates receiving the signed Consent Agreement from the Respondent within the next several business days, and presenting it thereafter to EPA management for signature.
4. Complainant on behalf of the parties will file the fully-executed Consent Agreement with the Regional Hearing Clerk as soon as possible following its receipt, and

request that it be approved and incorporated into a Final Order by the Regional Judicial Officer at that time.

Respectfully submitted this 27th day of February, 2009.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8,
Complainant.**

Date: 2/27/2009

By: 
Amy Swanson, Enforcement Attorney
U.S. EPA, Region 8
1595 Wynkoop St. (8ENF-L)
Denver, CO 80202-1129
Telephone: 303/312-6906
Facsimile: 303/312-6953

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 27, 2009, the original and one copy of the SETTLEMENT STATUS REPORT 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 sent in the following manner to the addresses listed below:

Via hand-delivery to:

The Honorable Elyana R. Sutin, Regional Judicial Officer
U.S. Environmental Protection Agency, Region 8 (8RC)
1595 Wynkoop Street
Denver, CO 80206

Via regular mail to:

Debra Kearns, Registered Agent and Operation Member
Hitching Post, LLC
P.O. Box 67
Melrose, MT 59743

Date: 2/27/2009

By: 