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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10

IN THE MATTER OF:

Jack Golden,

Oysterville, WA.

Respondent.

JOINT STATUS REPORT Docket No. CWA-10-99-0188

As requested by Judge Pearlstein on March 2, 2000, the parties submit the following report on the status of the settlement negotiations in the matter referenced above.

Respondent and EPA Region 10 have exchanged information concerning the restoration of the wetland areas that are referenced in the administrative complaint for penalties filed in this matter. EPA Region 10 is scheduled to inspect the site on April 12, 2000, to confirm the survey information presented by Respondent.

As indicated during the March 2nd conference call, EPA Region 10 will not negotiate a settlement of the penalty action until it has reached agreement with Respondent concerning restoration of the subject wetland areas. Because a restoration plan must still be drafted by Respondent and reviewed and approved by EPA Region 10, it is unlikely that the parties will be able to reach final agreement on settling the penalty action prior to the April 24th cut-off date for alternative dispute resolution. However, the parties are attempting to reach a settlement in principle of the penalty action by the April 24th deadline. We will not know if such an agreement is possible until after the April 12th site visit and Respondent's presentation of a restoration plan. Respondent plans to submit a restoration plan proposal to EPA Region 10 by April 19, 2000.

JOINT STATUS REPORT DOCKET NO. CWA-10-99-0188 04/05/2000 10:06 3606653750 ATA - - UU IVE ID IS & EAC 10 UPF. UP ENF.

P. 03

Respectfully submitted this _____ day of April, 2000.

For Respondent Jack Golden

Karl W. Ferrier Attorney at Law

For Complainant EPA Region 10

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Deborah E. Hilsman Assistant Regional Counsel

JOINT STATUS REPORT DOCKET NO. CWA-10-99-0188

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing Joint Status Report was hand delivered to the Regional Hearing Clerk for filing and that a true and correct copy was sent to the following by the method indicated below:

Judge Andrew S. Pearlstein Office of the Administrative Law Judges U.S. Environmental Protection Agency Mail Code 1900L 401 M Street, S.W. Washington, D.C. 20460 By Fax: 202-565-0044 and by Pouch mail

Karl Ferrier, Attorney at Law 1405 Bay Avenue Ocean Park, WA. 98640 By Fax: 360-665-3750 and by First Class Mail

DATED: 🚄

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