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BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)	DOCKET NO. CWA-10-2005-0081
)	
LANDSING DEVELOPMENT)	JOINT STATUS REPORT
GROUP, LLC)	
)	
Boise, Idaho)	
)	
Respondent.)	

INTRODUCTION

The parties file this status report pursuant to a telephonic request by the Presiding Officer's clerk on March 14, 2006.

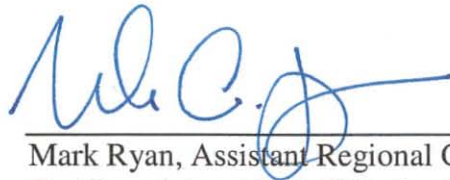
BACKGROUND

On April 5, 2005, the U.S. Environmental Protection Agency ("EPA") filed a complaint against Landsing Development Group, LLC ("Respondent") alleging violations of the Clean Water Act ("CWA" or "Act"), 33 U.S.C. § 1251 *et seq.*, that occurred at a construction site in Boise, Idaho, owned and operated by Respondent. Complaint at ¶ 3.2. The case has been set for hearing in Boise, Idaho beginning on April 25. Notice of Rescheduled Hearing (February 3, 2006).

1 **STATUS**

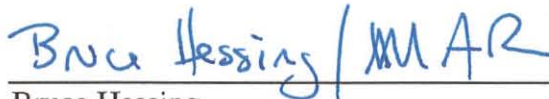
2 On March 14, 2006, EPA and Respondent reached an agreement in principle to settle the
3 allegations raised in the Complaint. EPA sent Respondent a draft Consent Agreement and Final
4 Order ("CAFO") for Respondent's review on March 15, 2006. Barring any unforeseen
5 circumstances, both parties intend to sign the CAFO no later than March 31. If the CAFO is
6 signed by both parties by this date, the CAFO will be signed by the Regional Administrator and
7 filed with the Regional Hearings Clerk no later than April 12. Respondent will have thirty (30)
8 days from the date the CAFO is filed with the Regional Hearing Clerk to pay the penalty set forth
9 in the CAFO.

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11 DATED: March ¹⁷15, 2006

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Mark Ryan, Assistant Regional Counsel
For Complainant U.S. EPA Region 10

16 DATED: March ^{17th}15, 2006

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Bruce Hessing
For Respondent Landsing Development Group

1 **CERTIFICATE OF SERVICE**

2 I certify that the foregoing "Joint Status Report" was sent to the following persons, in the
3 manner specified, on the date below:

4 Original plus one copy, by pouch:

5 Carol Kennedy
6 Regional Hearing Clerk
7 U.S. EPA Region 10
1200 Sixth Avenue, ORC-158
Seattle, WA 98101


8 A true and correct copy, by Fax and U.S. Mail:

9 Judge Carl C. Charneski
10 U.S. EPA
Office of Administrative Law Judges
11 Mail Code 1900L
Ariel Rios Building
12 1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

13 A true and correct copy, by U.S. Mail:

14 Bruce Hessing
15 Landsing Development Group, LLC
16 4315 S. Choctaw Way
Boise, ID 83709

17 DATED: March 17, 2006

18 
19 Eileen Zahara
20 U.S. EPA, Region 10



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
IDAHO OPERATIONS OFFICE
1435 N. Orchard St.
Boise, Idaho 83706

March 17, 2006

VIA FACSIMILE AND U.S. MAIL

Honorable Carl C. Charneski
U.S. EPA
Office of Administrative Law Judges
Mail Code 1900L
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: *In re Landsing Development Group LLC*, Docket No. CWA-10-2005-0081

Dear Judge Charneski:

Per your request, I am forwarding to you with this letter a copy of the Joint Status Report being filed by the parties. I read the contents of this Status Report to Respondent, Mr. Hessing, on the telephone this morning. He agreed with the contents of the report, and authorized me to sign for him.

Very truly yours,

A handwritten signature in blue ink, appearing to read "M.A. Ryan".

Mark A. Ryan
Assistant Regional Counsel

cc: Mr. Bruce Hessing
Courtney Hamamoto