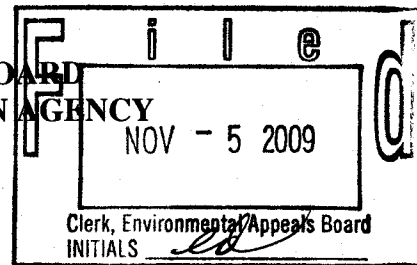


BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:

Gene A. Wilson

Docket No. SDWA-04-2005-1016

SDWA Appeal No. 08-09

ORDER DISMISSING APPEAL WITH PREJUDICE

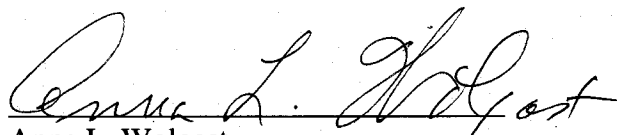
On January 21, 2009, Mr. Gene A. Wilson filed with the Environmental Appeals Board ("Board") an appeal of an Initial Decision issued against him on August 20, 2008, by Regional Judicial Officer ("RJO") Susan B. Schub. The appeal arises out of an administrative enforcement action initiated by Region 4 of the U.S. Environmental Protection Agency against Mr. Wilson for alleged violations of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. §§ 300f to 300j-26, at a well he owned near Collier Creek in Lawrence County, Kentucky.

By a joint motion filed by the parties on October 26, 2009, Mr. Wilson and Region 4 advise the Board that they have settled all of the issues raised in this matter and request that the Board dismiss the pending appeal with prejudice. Joint Motion to Dismiss, p. 1. In support of the motion, the parties attach a consent agreement detailing the terms of the settlement, upon which the Board takes no position. Based on the Joint Motion to Dismiss and the parties' settlement of this matter, the pending appeal is hereby dismissed with prejudice.

SO ORDERED:

Date:

November 5, 2009


Anna L. Wolgast
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Dismissing Appeal with Prejudice** in the matter of *Gene A. Wilson*, SDWA Appeal No. 08-09, were sent to the following persons in the manner indicated:

By First Class U.S. Mail:

Gene A. Wilson, Esq.
101 Madison Street
Post Office Box 702
Louisa, Kentucky 41230

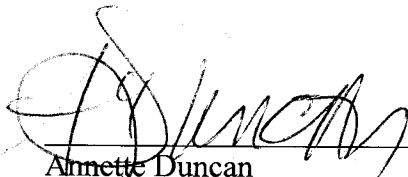
By Pouch Mail:

Paul Schwartz, Esq.
Zylpha Pryor, Esq.
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 4
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Atlanta, Georgia 30303

By Interoffice Mail:

Gary A. Jonesi, Esq.
Senior Counsel for Strategic Litigation
Office of Civil Enforcement (Mail Code 2241-A)
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

Date: NOV -5 2009


Annette Duncan
Secretary