

FILED

1/24/2024

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U.S. EPA REGION 8

HEARING CLERK

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

IN THE MATTER OF:)
)
)
Leisure Valley, Inc.,) Docket No. SDWA-08-2024-0004
)
) **COMPLAINANT'S RESPONSE TO**
) **ORDER DIRECTING ADDITIONAL**
Respondent.) **EVIDENCE AND BRIEFING**
)
)
(Star Valley RV Park, WY5601471))

In an order dated January 23, 2024, the Presiding Officer directed the complainant to provide additional evidence and briefing on the issue of whether the complaint was properly served. The order pointed out that the complaint had been sent to 3910 Muddy Spring Road (in Thayne, Wyoming), which is not the same address cited by the complainant as the address for service of process provided on the Wyoming Secretary of State's website.

Although the complaint and November 29, 2023 follow-up letter were sent by certified mail and each receipt was signed by someone complainant's counsel took to be a representative of the respondent, they were sent to the incorrect street address. Complainant's counsel regrets this error.

The complainant intends to serve the complaint using the correct street and P.O. Box addresses. Accordingly, at this time, the complainant does not wish to pursue the Motion for Default on Liability. The complainant hereby withdraws that motion (reserving the right to file another in the future, if appropriate) or, alternatively, requests that the motion be denied without prejudice to any right of the complainant to file a corrected motion in the future.

Respectfully submitted,

Margaret J. (Peggy) Livingston, Enforcement Attorney
Office of Enforcement, Compliance
and Environmental Justice
U.S. EPA Region 8
1595 Wynkoop Street
Denver, Colorado 80202
Telephone Number: (303) 312-6858

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below the preceding Complainant's Response to Order Directing Additional Evidence and Briefing was transmitted to the Regional Hearing Clerk, EPA Region 8, via email to [R8 Hearing Clerk@epa.gov](mailto:R8_Hearing_Clerk@epa.gov) and to the following:

Nancy J. Brown, Registered Agent
Leisure Valley, Inc.
3510 Muddy String Rd.
Thayne, WY 83126
Via Certified Mail, Return Receipt Requested
No. 7012 2210 0000 5374 5111

Nancy J. Brown, Registered Agent
Leisure Valley, Inc.
P.O. Box 299
Thayne, WY 83126
Via Certified Mail, Return Receipt Requested
No. 7012 2210 0000 5374 5128

Harold Stewart, President, Leisure Valley, Inc.
Via email to valcath@silverstar.com

Jason Mavy, Operator, Leisure Valley, Inc.
Via email to jason@starvalleywater.com

By: _____