



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

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ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

November 3, 2006

Honorable William B. Moran
Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW/Mail Code 1900L
Washington, D.C. 20460

Re: In the Matter of William Gepford
Docket No.: CWA-07-2006-0057
Status Report

Dear Judge Moran:

The following is a status report provided as per your Order dated October 27, 2006. Counsel for Mr. Gepford has reviewed this status report and has no objections.

- Your June 14, 2006, Prehearing Order required the Parties to submit their initial prehearing exchanges by Monday, August 14, 2006
- On August 3, 2006, in response to a motion by Respondent you granted a two week extension to file the prehearing exchanges making the deadline for prehearing exchanges August 28, 2006.
- On August 24, 2006, Respondent indicated that the parties had reached settlement and filed a motion for an extension of time to file the prehearing exchange.
- On August 28, 2006, Complainant filed its prehearing exchange.
- On August 28, 2006, in response to the motion by Respondent you granted until September 26, 2006, to file a Consent Agreement in the matter, or in the alternative to file the prehearing exchanges by September 26, 2006.
- On September 22, 2006, Respondent filed his prehearing exchange.

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The parties have negotiated and agreed on the language of a Consent Agreement in the matter. However, in addition to a Consent Agreement the parties are also negotiating an Administrative Compliance Order on Consent for mitigation/restoration work relating to the alleged violations. The Respondent has indicated that he wants to sign both documents at the same time. The delay has been in agreeing on the language in the Administrative Compliance Order. The parties are very close to agreement on this language and believe that they can have a final Consent Agreement completed by early December. Please contact me at (913) 551-7578 if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Steven L. Sanders". The signature is written in a cursive style with a large initial 'S'.

Steven L. Sanders
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region VII

CERTIFICATE OF SERVICE

I certify that on the date noted below I hand-delivered the original and one true copy of this Complainant's Status Report to the Regional Hearing Clerk, U.S. Environmental Protection Agency, 901 North 5th Street, Kansas City, Kansas 66101.

I further certify that on the date below I sent a true and correct copy of this Complainant's Status Report Exchange, by facsimile and first-class U.S. Mail to:

The Honorable William B. Moran
Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
• Mail Code 1900L
401 M Street, S.W.
Washington, D.C. 20460

and

Michael P. Comodeca, Esq.
Spencer Fane Britt & Browne LLP
9401 Indian Creek Parkway, Suite 700
Overland Park, KS 66210-2005

11/3/06
Date

Ethel G. Watchett