

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF
RODNEY O. CORR,

RESPONDENT

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) DOCKET NO. CWA-04-2008-5508
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HEARING CLERK

2009 FEB 25 PM 1:31

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STATUS REPORT

On January 26, 2009, the Honorable Barbara A. Gunning, Administrative Law Judge, United States Environmental Protection Agency, issued an Order in this matter Seeking Clarification and Directing a Settlement Conference (Order). Under that Order, in addition to directing a Settlement Conference, Complainant was also directed to submit a status report reporting on the Settlement Conference and the status of any settlement. Unfortunately, despite EPA's efforts, no conference was held and no settlement was reached.

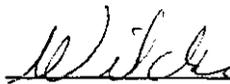
In accordance with the Order, EPA made every effort to schedule a meeting with Respondent. On January 30, 2009, EPA sent a letter, Return Receipt Requested and by regular mail, to Respondent asking that he contact the Agency to schedule a Settlement Conference. EPA did not receive a response nor was the green card returned. Although Mr. Corr had not provided EPA with a contact number, EPA was able to find the number through an on-line service and on February 13, 2009, EPA phoned Mr. Corr. The call was answered by voice mail indentifying it as Rodney Corr's voice mail. A message was left advising Mr. Corr about the Order and asking him to contact EPA's counsel. Mr. Corr did not return the call. EPA called the number again on February 17 and 19, 2009,

and again left messages. Mr. Corr finally contacted EPA's counsel after 5:00 pm on February 23, 2009, the deadline the Order set for the Settlement Conference. Mr. Corr told EPA that he had just received the letters and the Order. EPA advised Mr. Corr to contact the Office of the Administrative Law Judges, which we understand he did.

At this point EPA remains willing to discuss settlement of this matter if Mr. Corr is willing to participate in those discussions. Accordingly EPA would not object to a reasonable extension of time for a Settlement Conference if one is sought by the Respondent.

Respectfully submitted this 25th day of February, 2009.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, Region 4**



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Rodney O. Corr

) Docket No.: CWA-04-2008-5508
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RESPONDENT

CERTIFICATE OF SERVICE

I certify that the foregoing Status Report dated February 25, 2009, was sent this day in the following manner to the addresses listed below.


Wilda Cobb
Attorney

Original and one Copy hand delivered to:

Patricia Bullock
Regional Hearing Clerk
US EPA/ Region 4
61 Forsyth Road
Atlanta Ga. 30342

Copy sent Regular Mail to:

Rodney O. Corr
2320 Vienna Drive
Granbury, Texas 76048-1468

Copy sent by Regular Mail to:

The Honorable Barbara A. Gunning
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