

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2009 SEP 30 PM 1:02

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF:                    )  
  )  
  )  
Kenyon Noble Ready Mix            )  
889 West Valley Center Road       )  
Belgrade, MT 59718                 )  
  Respondent.          )

Request to File a Faxed Signature

**DOCKET NO.:** CWA-08-2009-0036

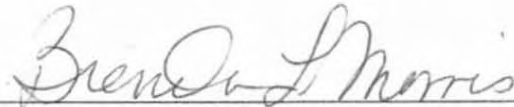
COMES NOW Complainant, United States Environmental Protection Agency, Region 8 (“Complainant”), by and through its undersigned attorney, and submits the following Request to File a Faxed Signature on the Consent Agreement.

1. On September 2, 2009, the Parties reached a settlement in this matter, and Complainant sent Respondent a Complaint and Consent Agreement (CASA).
2. On September 14, 2009, Complainant contacted Respondent to check on the status of the CASA.
3. On September 14, 2009, Respondent sent via U.S. Mail, the signed CASA to Complainant’s address.
4. On September 28, 2009, Complainant contacted Respondent and was informed by Respondent that he thought the CASA had been sent a while back, but he would check with his employees.
5. On September 29, 2009, Complainant contacted Respondent’s employee who verified that the CASA had been sent to EPA on September 14, 2009.
6. On September 29, 2009, Complainant contacted the Complainant’s mail room and learned that two mail room employees were being trained and the document could not be located.
7. Complainant contacted Respondent who agreed to fax the signature page to Complainant so the CASA could be filed.

8. Complainant respectfully requests to file a faxed signature by Respondent until such time as the original is found or another original signature page can be sent.

Respectfully submitted this 30th day of September 2009.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8,  
Complainant.



Brenda Morris, Enforcement Attorney  
U.S. EPA, Region 8  
1595 Wynkoop St. (8ENF-L)  
Denver, CO 80202-1129

Telephone: 303/312-6891  
Facsimile: 303/312-6953

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on September 30, 2009, the original and one copy of the Request to File a Faxed Signature and the Complaint and Consent Agreement (CASA) were hand-carried to the Regional Hearing Clerk, EPA, Region 8, 1595 Wynkoop St., Denver, Colorado, and that true copies of the same were delivered as follows:

Copy hand-carried to:

Honorable Elyana R. Sutin  
Regional Judicial Officer  
U.S. Environmental Protection Agency  
1595 Wynkoop St. (8RC)  
Denver, CO 80202-1129

Copy by regular mail and facsimile to:

Mr. Richard Ogle  
Kenyon Noble Ready Mix  
889 West Valley Center Road  
Belgrade, MT 59718

September 30, 2009

By: Brenda Morris

Brenda Morris  
US EPA, Region 8  
Legal Enforcement Program