

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF)
)
Southside Well Improvement and)
Service District) Docket No. SDWA-08-2010-0021
)
PWS ID # WY 5600122)
) **STATUS REPORT**
Respondent)
)
Proceedings under § 1414 (g))
of the Safe Drinking Water Act,)
42 U.S.C. § 300g-3(g))
_____)

This Status Report is being submitted in response to the Regional Judicial Officer's directive during the status conference on May 6, 2010.

The Southside Well Improvement and Service District (Respondent) has claimed it is unable to pay the proposed penalty in this case. On May 6, 2010, counsel for the United States Environmental Protection Agency (Complainant) mailed Respondent a request for information EPA would need to evaluate the claim of inability to pay. Thus far, EPA has not received a response to this request for information.

The parties have also discussed settlement. According to Bret Wolz, the Respondent's board is currently considering a settlement offer from EPA.

Respectfully submitted,

Margaret J. (Peggy) Livingston
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and a copy of the foregoing Status Report were hand-carried to the Regional Hearing Clerk, U.S. EPA Region 8, 1595 Wynkoop Street, Denver, CO, 80202, that an additional copy was delivered to the Honorable Elyana R. Sutin, Regional Judicial Officer, at the same address, and that another copy was sent to the following by CERTIFIED MAIL/RETURN RECEIPT REQUESTED:

Bret H. Wolz, P.E.
Principal Engineer
Falcon Consulting Services LLC
445 Sinclair St.
Gillette, WY 82178

Date: 6/4/10

By: Judith M. McTernan
Judith McTernan