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HEARINGS CLERK
EPA--REGION 10

BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

) DOCKET NO. TSCA 10-2010-0253

Chilkoot Lumber Company, Inc. and
Mr. L. Edward Lapeyri

)
)
)

) **COMPLAINANT'S STATUS REPORT**

Haines, Alaska

)

Respondents.

)

Complainant, Region 10 of the U.S. Environmental Protection Agency ("EPA"), submits this status report as instructed in the Order Scheduling Hearing dated May 16, 2011 (Order). The Order directed Complainant and Respondents ("Parties") to hold an additional settlement conference on or before July 15, 2011 to see if the Parties could reach an amicable resolution of this matter.

After a number of discussions, the Parties have reached an agreement in principle to settle this matter for \$9,500. This proposed penalty is based on consideration of Respondent's ability to pay as determined by Complainant's financial analyst based on a review of financial documentation provided by Respondent. The submission, review, and analysis of financial information took a substantial amount of time and the Parties are still working on a proposed

STATUS REPORT - 1

DOCKET NO. TSCA 10-2010-0253

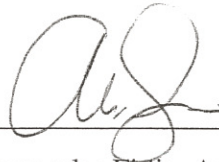
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

(206) 553-1037

1 consent agreement to conclude the matter. Complainant has prepared a draft consent agreement
2 that it expects to be able to share with Respondent on or before July 29, 2011.

3 On July 6, 2011, Respondent filed a Status Report and Motion to Continue Stay for an
4 additional 45 days. In consideration of the agreement in principle reached by the Parties and the
5 ongoing work to complete a consent agreement, Complainant supports Respondent's Motion to
6 Continue Stay as it will provide the time to needed to resolve this matter without the necessity of
7 a hearing. As an alternative to a stay, Complainant requests that the August 5, 2011 deadline to
8 file pre-hearing motions be moved back by two weeks to August 19, 2011 so that the Parties can
9 focus on completing the consent agreement.

10
11 Dated this 21 day of July, 2011.

12
13 

14 _____
15 Alexander Fidis, Assistant Regional Counsel
16 Office of Regional Counsel

CERTIFICATE OF SERVICE

I certify that the foregoing "Settlement Conference Status Report" was filed and sent to the following persons, in the manner specified, on the date below:

Original and one copy, hand-delivered:

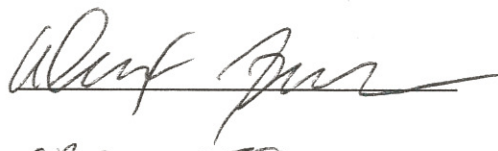
Carol Kennedy, Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 10
1200 Sixth Avenue,
Suite 900 (Mail Stop ORC-158)
Seattle, Washington 98101

A true and correct copy, by certified mail, return receipt requested:

Fred W. Triem, Esq.
Attorney at Law
Box 129
Petersburg, Alaska 99833-0129

Michael P. Nash
Attorney at Law
214 Meyers Road
Friday Harbor, Washington 98250

Dated: 7/21/11



ORC-158
U.S. EPA Region 10