



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101  
December 8, 2006

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ENVIRONMENTAL PROTECTION  
AGENCY-REGION VII  
REGIONAL HEARING CLERK

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 November 13, 2006. Counsel for Mr. Gepford has reviewed this status report and has no objections.

- The parties had negotiated and agreed on the language of a Consent Agreement in the matter.
- The parties had also negotiated and agreed on the language of an Administrative Compliance Order on Consent for mitigation/restoration work relating to the alleged violations.
- Both documents were signed by the Respondent and by EPA.
- The Consent Agreement and Final Order was forwarded to the Regional Judicial Officer for his concurrence.

The Regional Judicial Officer raised some valid concerns with language in the Consent Agreement indicating modifications were necessary. The modifications are being made and the documents will have to be resigned by both parties. We hope to complete the process in the next few weeks. The Parties do not believe it necessary to set the case for hearing and will provide the fully executed consent agreement as soon as possible.

Sincerely,

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 5<sup>th</sup> 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  
202-565-0044 (fax)

and

Michael P. Comodeca, Esq.  
Spencer Fane Britt & Browne LLP  
9401 Indian Creek Parkway, Suite 700  
Overland Park, KS 66210-2005  
913-345-0736 (fax)

12/8/06  
Date

Esther G. Watchett