

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2011 JUN 30 PM 1:24

IN THE MATTER OF:) Proceeding under Section 1414 of the Safe
Tamarack II, LLC) Drinking Water Act, 42 U.S.C. § 300g-3
Respondent.) Docket No. SDWA-08-2011-0022

SCHEDULING ORDER

On June 27, 2011, Complainant filed a Status Report in this matter pursuant to this court's Order of May 4, 2011. In the Status Report, Complainant states that the parties have not reached settlement. After several attempts to contact Respondent progress was not made towards resolving this matter. Complainant requested this court establish scheduling deadlines in order to move the matter forward.

Accordingly, the parties shall adhere to the following schedule:

July 15, 2011 – Respondent is to submit information to EPA in support of claim of inability to pay if Respondent intends to make such a claim for purposes of settlement. The information shall be submitted to Peggy Livingston and/or Kimberley Pardue Welch at the following address:

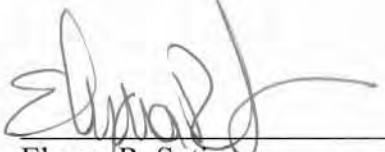
U.S. EPA, Region 8
1595 Wynkoop Street
Denver, CO 80202

Please do not send any submittals to the Office of the Regional Judicial Officer and Hearing Clerk.

August 15, 2011 – The parties shall file any dispositive motions.

August 31, 2011 - The parties shall contact the Regional Hearing Clerk to establish a date and time for a Pre-hearing conference.

It is so ORDERED on this 30th day of June, 2011.


Elyana R. Sutin
Regional Judicial Officer
U.S. EPA, Region 8

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **SCHEDULING ORDER**, in the matter of **TAMARACK II, LLC.; DOCKET NO.: SDWA-08-2011-0022** was filed with the Regional Hearing Clerk on June 30, 2011.

Further, the undersigned certifies that a true and correct copy of the document was delivered via e-mail to Margaret "Peggy" Livingston, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt requested on June 30, 2011, to:

Joshua Townsley
Registered Agent
Tamarack II, LLC
105 Blacktail Road
Lakeside, MT 59922

And e-mailed to:

Honorable Elyana R. Sutin, Regional Judicial Officer
U. S. Environmental Protection Agency – Region 8
1595 Wynkoop Street
Denver, CO 80202-2466

June 30, 2011



Tina Artemis
Paralegal/Regional Hearing Clerk