

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2012 DEC 19 PM 2:43

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF:

Richard Smith, Owner  
Lodore Supper Club and Saloon  
Sheridan, Wyoming

Respondent.

) Proceeding under Section 1414(g)  
) of the Safe Drinking Water Act,  
) U.S.C. § 300g-3(g)

) Docket No. SDWA-08-2012-0056  
)  
)  
)  
)

ORDER

On December 18, 2012, the parties held an initial conference call in my presence to determine if settlement was possible in this matter. The parties indicated they had not discussed settlement to date. Mr. Smith, who is pro se, requested that the matter be dismissed against him as he believes he is not the owner of the business. I explained to Mr. Smith that he needed to file a Motion to Dismiss with the Regional Hearing Clerk and provide evidence that he is not an owner. I also explained to Mr. Smith that he should consult with an attorney regarding his position.

I agreed to give the parties one month to discuss settlement and try to reach an agreement. A second conference call was scheduled for **January 22, 2013 at 10:30 am.**

SO ORDERED, this 19<sup>th</sup> day of December, 2012.



Elyana R. Smith  
Regional Judicial Officer  
Region 8

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **NOTICE AND ORDER** in the matter of **RICHARD SMITH, OWNER, LODORE SUPPER CLUB AND SALOON, DOCKET NO.: SDWA-08-2012-0056** was filed with the Regional Hearing Clerk on November 13, 2012.

Further, the undersigned certifies that a true and correct copy of the documents were delivered 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 documents were placed in the United States mail certified/return receipt requested on December 19, 2012, to:

Richard Smith, Owner  
Lodore Supper Club and Saloon  
P. O. Box 6044  
Sheridan, WY 82801

E-mailed to:

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

December 19, 2012



Tina Artemis  
Paralegal/Regional Hearing Clerk