

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

DOCKET NO.: SDWA-08-2013-0058 2015 JUL -1 PM 1:26

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF)	
)	
MACKAY INVESTMENTS, LLC)	COMPLAINANT'S EXTENSION
)	REQUEST RE: ORDER TO
)	SUPPLEMENT THE RECORD
Jackson Hole Camp Ground)	
Public Water System)	
)	
PWS ID# WY5600520)	
)	
<u>Respondent.</u>)	

On June 30, 2015, the Presiding Officer ordered Complainant, U.S. Environmental Protection Agency (EPA) Region 8, to supplement the record in the above referenced matter. EPA was ordered to provide additional information so that this Court may determine whether the proposed penalty corresponds to the applicable penalty criteria.

Complainant shall supplement the record regarding three items. First, Complainant shall explain the \$5 estimate in avoided System operator work costs for the public notice violation. Second, Complainant must clearly explain how it calculated the history of non-compliance/degree of cooperation factor, and provide justification for using that calculation. Third, Complainant must explain the basis for decreasing the penalty due to initial use of a calculation and must clarify a possible discrepancy between the Support Memorandum and Mario Merida's Declaration.

All three of these items require discussion between Mario Merida and undersigned counsel. Both will be out of the office for overlapping periods during the extended Fourth of July holiday and together in the office only one day before the Order's deadline of July 15, 2015. Additionally, Respondent has contacted Complainant with a request to settle this matter. A June 30, 2015, phone conversation between Respondent and Complainant took place toward that end.

Complainant requests a two week extension to file an Order to Supplement the Record, if necessary, until July 29, 2015.

Respectfully submitted,
United States Environmental Protection Agency
Region 8

Complainant.

DATE: July 1, 2015

BY: 

Mia Bearley
Enforcement Attorney

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and one true copy of the **COMPLAINANT'S EXTENSION REQUEST RE: ORDER TO SUPPLEMENT THE RECORD** was hand-carried to the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 8, 1595 Wynkoop Street, Denver, Colorado, and that a true copy of the same was sent by U.S. Postal Service, as indicated below:

to

Mr. Jamie Mackay, Registered Agent
Mackay Investments, LLC
2780 North Moose Wilson Road
P.O. Box 1827
Wilson, WY 83014

and hand-carried, one copy to

Hon. Elyana R. Sutin
Regional Judicial Officer
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, Colorado 80202-1129

Date:

July 1, 2015

By:

Dayle Aldinger
Dayle Aldinger