

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2013 FEB 26 AM 9:08

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF :)
)
Richard Smith, Owner)
Lodore Supper Club and Saloon)
Sheridan, Wyoming 82801)
)
Respondent)

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

Docket No. SDWA-08-2012-0056

REQUEST FOR MOTION AND ORDER TO DISMISS

Due to the terms of the lease granted to and entered into with the following parties:

Rick Hall
Peri Thomas
PO Box 591
Big Horn, WY 82833

Respondent respectfully asks that his liability to test water at the Lodore Supper Club be relieved as it was the responsibility of the lessors to test and document the usage of the water in the said establishment.

Respondent prays for relief from said situation and the responsible parties be fined for their lack of follow thru with the testing of the water that was essential to the running of the business they were leasing from Respondent.

Respectively submitted this 22 nd day of February 2013


Richard Smith, Owner
Lodore Supper Club and Saloon
PO Box 6044
Sheridan, Wyoming 82801

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached REQUESTED MOTION AND ORDER TO DISMISS
In the matter of RICHARD SMITH, OWNER, LODORE SUPPER CLUB AND SALOON.

DOCKET NO: A-08-2012-0056 was sent to Regional Hearing Clerk on February 22, 2013

Further, the undersigned certifies that a true and correct copy of the Motion to Dismiss was delivered
to:

Margaret "Peggy" Livingston, Enforcement Attorney

U.S. EPA- Region 8

Wynkoop Street

Denver, CO 8202-1129

Honorable Elyana R. Sutin

Regional Judicial Officer

U.S. Environmental Protection Agency

1595 Wynkoop Street (8RC)

Denver, CO 8202

True and Correct copies of the aforementioned documents were placed in the United States mail
Certified/Return Receipt

February 22, 2013


Richard Smith