

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:)	Proceeding under Section 1319(g)
)	of the Clean Water Act,
The City of Helena, Montana)	33 U.S.C. § 309(g)
)	DOCKET NO.: CWA-08-2021-0017
)	
Respondent.)	
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STATUS CONFERENCE ORDER

PLEASE TAKE NOTICE Respondent filed a *Motion to Stay Proceedings* on January 11, 2022, requesting a stay of proceedings while a matter is pending in the United States District Court for the District of Montana under Case No. 6:21-cv-00088-SEH, filed November 16, 2021. On Wednesday, January 26, 2022, Complainant filed a *Response to Respondent's Motion to Stay Proceedings* requesting a stay of proceedings until March 28, 2022, because the complaint had not yet been served on the United States. On March 28, 2022, the parties filed a *Joint Status Report* requesting an additional extension of the stay of proceedings, until April 28, 2022, to discuss settlement. These proceedings were stayed until April 28, 2022, at which time the Complainant filed a *Status Report* indicating that settlement had not been reached. The Complainant requested alternative dispute resolution pursuant to 40 C.F.R. §22.18 and proposed deadlines for this proceeding.

On May 12, 2022, the Respondent submitted a Status Report advising me that the Respondent was not interested in participating in alternative dispute resolution and that the Respondent had no objection to the dates proposed by the Complainant.

The parties are ordered to **either** confer and schedule a status conference with me the week of June 20, 2022 to discuss whether this matter should proceed before me in light of the pending matter referenced above **or** each party may submit a statement conveying its position with respect to this issue no later than **June 20, 2022**.

Any status conference can be scheduled with the Regional Hearing Clerk at R8_Hearing_Clerk@epa.gov.

SO ORDERED THIS 27th day of May, 2022.

KATHERI
N HALL

Digitally signed by
KATHERIN HALL
Date: 2022.05.27
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Katherin E. Hall
Regional Judicial Officer