



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

October 29, 2010

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HEARINGS CLERK
EPA--REGION 10

Reply To
Attn Of: ORC-158

Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. EPA, Mail Code 1900L
1200 Pennsylvania Avenue N.W.
Washington, D.C. 20460

Re: ARK Fisheries, Inc. and Lynn Babington
Docket No. CWA-10-2010-0239
Proposed Penalty: Not to exceed \$177,500

Dear Judge Biro:

Pursuant to Section 22.21(a) of the Consolidated Rules of Practice, 40 C.F.R. Part 22, the above-captioned matter is hereby referred to you for assignment to an Administrative Law Judge. In accordance therewith, enclosed is a copy of the Hearing Clerk case file.

ARK Fisheries, Inc. and Lynn Babington is not represented by counsel.

ARK Fisheries, Inc. And Lynn Babington
2825 South 1050 East
Hagerman, Idaho 83332

EPA is represented by:

Mark Ryan
Assistant Regional Counsel
U.S. Environmental Protection Agency
1435 North Orchard Street
Boise, ID 83706
Phone: 208-378-5768
Fax: 208-378-5744

Sincerely,

A handwritten signature in black ink, appearing to read "Carol D. Kennedy". The signature is fluid and cursive, with the first name "Carol" and last name "Kennedy" clearly legible.

Carol D. Kennedy
Region 10 Hearing Clerk

Enclosures

cc: ARK Fisheries, Inc. and Lynn Babington (w/o enclosures)
Mark Ryan, Esq. (w/o enclosures)