

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

3/28/2022

IN THE MATTER OF:)	Docket No. CWA-08-2021-0017	4:07PM
)		
The City of Helena, Montana,)	JOINT STATUS REPORT	Received by
)		EPA Region VIII
Respondent)		Hearing Clerk
)		

By order dated January 28, 2022, the Hon. Katherin E. Hall, Regional Judicial Officer for Region 8 of the U.S. Environmental Protection Agency, issued an order staying this proceeding until March 28, 2022 and directing the parties to file a Joint Status Report by that date.

As indicated in the Respondent’s Motion to Stay Proceedings, which was filed with this tribunal on January 11, 2022, the Respondent has filed a lawsuit against the U.S. Environmental Protection Agency and Michael Regan in U.S. District Court for the District of Montana. The lawsuit challenges the issuance of a “Final Determination” the U.S. Environmental Protection Agency issued on September 3, 2021. As of January 26, 2022, when the Complainant filed a response to the Motion to Stay, the deadline for the United States to file an answer in the lawsuit was March 14, 2022.

On March 7, 2022, the United States filed an unopposed Motion for Extension of Time to Respond to Complaint with the U.S. District Court. The motion stated that the United States had initiated settlement discussions with the City of Helena and was requesting a 30-day extension of the answer deadline. The motion was granted on March 7, 2022. The answer is now due on April 14, 2022.

To allow the Complainant the opportunity to continue to discuss settlement, the parties request that this matter be stayed another 30 days, to April 28, 2022. The Complainant will also file a status report by April 28, 2022. The Respondent’s counsel has consented to the Complainant’s counsel signing this Joint Status Report on behalf of the Respondent.

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY**

Date: _____

By: _____
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Counsel for Complainant

CITY OF HELENA, MONTANA
Respondent

By: _____
Ms. Catherine Laughner, Attorney
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Helena, Montana 59715
Counsel for Respondent

CERTIFICATE OF SERVICE

I certify the foregoing Joint Status Report was sent by transmitted by email on this day to:

Ms. Catherine Laughner, Attorney
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and

Erik Coate
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In addition, a copy of the foregoing Joint Status Report was also filed on this day with the Regional Hearing Clerk via email, at R8_Hearing_Clerk@epa.gov.

By:

Margaret J. (Peggy) Livingston
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