

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF:)

Jeffrey H. Duvall, Duvall Development Co.,
Inc., Louis Steve Duvall, Sr., and Duvall &
Son Livestock, Inc.,)

Respondents.)
_____)

) Proceeding to Assess Class II Ci
) Penalty Under Section 309 of the
) Clean Water Act
)
) Docket No. CWA-04-2010-5505
)
)
)

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Joint Status Report

Pursuant to the Court's instruction to Counsel for Complainant and for Respondents Jeffrey Duvall and Duvall Development Company during a September 28, 2011, conference call, the parties hereby file this Joint Status Report in the above-styled case. Counsel for Respondents has authorized Counsel for Complainant to sign and submit this Joint Status Report for the parties.

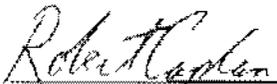
The parties have finalized the language of a Consent Agreement and Final Order (CAFO) that will resolve the penalty action pending before the Court. EPA is reviewing public notice requirements and anticipates that any required public notice of the proposed CAFO will be published by approximately December 9, 2010. EPA anticipates that the final CAFO will be approved by the Region 4 Regional Administrator by mid-January, 2012. EPA also anticipates that it will file a Motion to Dismiss Respondent Louis Steve Duvall, Sr., from this action sometime in December 2012.

Finally, in regard to the part of the settlement between the parties that is not before this Court (involving Respondents' purchase and donation of property), Respondents have completed

the closing on the purchase, and are now in the process of working with the U.S. Forest Service to schedule the closing on the donation of the property. EPA understands from the USFS that the closing could occur sometime in early to mid-January 2012. The parties are continuing their efforts to coordinate the various parts of the settlement between the parties and will update the Court by December 15, 2011 on the parties' progress.

Respectfully submitted,

Dated: November 28, 2011



Robert Caplan
Counsel for Complainant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing Joint Status Report in the Matter of: Duvall Development Co., Inc., Jeffrey H. Duvall, Duvall & Son Livestock, Inc., and Louis Steve Duvall, Sr., **Docket No. CWA-04-2010-5505**, was filed on October 28, 2011, with the Region 4 Regional Hearing Clerk, and that on November 23, 2011, I have served true and correct copies of the same on Judge Barbara Gunning and the attorneys for the parties listed below in the manner indicated:

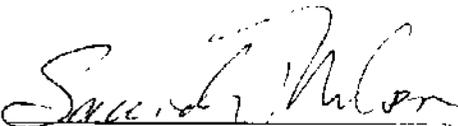
Judge Barbara A. Gunning (Via pouch mail)
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Dated: November 28, 2011


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