



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

1595 WYNKOOP STREET

DENVER, CO 80202-1129

Phone 800-227-8917

<http://www.epa.gov/region08>

2014 JAN -6 AM 8:25

FILED
EPA REGION VIII
HEARING CLERK

DOCKET NO.: SDWA-08-2013-0058

IN THE MATTER OF:)
)
MACKAY INVESTMENTS, LLC)
Jackson Hole Camp Ground)
Public Water System)
PWS#: WY5600520)
)
Respondent.)
_____)

DOCKET NO.: SDWA-08-2013-0058

ORDER TO FILE STATUS REPORT

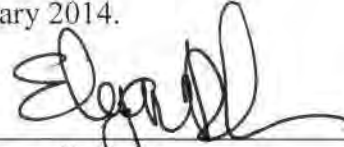
This action, initiated by the Complainant, the Director of the Technical Enforcement Program in conjunction with the Legal Enforcement Program of the Office of Enforcement, Compliance, and Environmental Justice, United States Environmental Protection Agency Region 8, seeks to assess a Class I administrative penalty under Section 1414(g)(3) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(g)(3). Class I penalty actions are governed by procedures set forth in the revised rules for non-Administrative Procedures Act (non-APA) cases. See 40 C.F.R. Part 22, Subpart I. I am assigned to act as Presiding Officer in this case.

Complainant filed the Administrative Complaint ("Complaint") in this action on September 18, 2013. A United States mail return receipt, commonly referred to as a "green card," filed with the Regional Hearing Clerk indicates that the Complaint was served on Mr. Jamie Mackay, Registered Agent for Respondent, on September 27, 2013. Therefore, the apparent due date for Respondent's answer was approximately October 28, 2013. The Regional Hearing Clerk's file in this case contains no other filings. After considering the record in this matter as well as the Presiding Officer's responsibility to avoid delay in these proceedings, it is ordered that the parties shall comply with the following measures for the orderly and efficient conduct of these proceedings:

On or before January 27, 2014, Complainant shall file a report on the status of this matter, including, at a minimum: 1) a statement concerning whether Complainant intends to file a motion for default and, if applicable, the date Complainant expects to file its motion; 2) if Complainant does not intend to file a motion for default, its position on any

further action in this matter; 3) a summary of recent contacts between the parties (without disclosing the substance of settlement negotiations); 4) an assessment of whether settlement of this matter appears likely; 5) a statement concerning whether a settlement in principle has been reached; and, 6) if applicable, a projected date for the filing of a Consent Agreement and Final Order.

SO ORDERED, this 6th day of January 2014.



Elyana R. Sulin
Regional Judicial Officer
U.S. EPA, Region 8

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER TO FILE STATUS REPORT** in the matter of **MACKAY INVESTMENTS, LLC; DOCKET NO.: SDWA-08-2013-0058** was filed with the Regional Hearing Clerk on January 6, 2014.

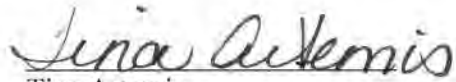
Further, the undersigned certifies that a true and correct copy of the documents was delivered via email to Dana Stotsky, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on January 6, 2014, to:

Jamie Mackay, Registered Agent
Mackay Investments, LLC.
2780 N. Moose Wilson Road/P. O. Box 1827
Wilson, WY 83014

Emailed to:

Honorable Elyana R. Sutin, Regional Judicial Officer
U. S. Environmental Protection Agency
1595 Wynkoop Street (8RC)
Denver, CO 80202

January 6, 2014


Tina Artemis
Paralegal/Regional Hearing Clerk