

6/12/98

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF:	)	
	)	
	)	
Town of Lodge Grass, MT	)	Docket No. CWA-VIII-98-01C
	)	
	)	
Respondent	)	

ORDER GRANTING MOTION TO INTERVENE

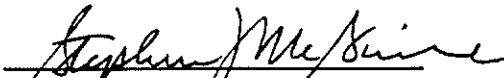
On May 26, 1998, The Crow Tribe of Indians, by and through Counsel, moved for leave to intervene in the above-referenced proceeding in accordance with 40 C.F.R. Part 22.11 of the Consolidated Rules of Practice. On June 5, 1998, Complainant filed an answer in response to the Motion to Intervene opposing the motion because the Tribe had not adequately addressed the factors set forth in Section 22.11(a) of the Rules.

Complainant has indicated however, that it would not oppose the Tribe's filing a Supplemental Motion to Intervene which would address the factors in Section 22.11(a) with greater specificity. Complainant states that it is aware, through telephonic communication with the Tribe, that there may be more specific reasons than stated in the motion as to why the Tribe wishes to intervene in this matter.

Upon review of the Tribe's motion, the undersigned concludes that pursuant to Section 22.11(a), the Tribe has presented sufficient grounds for granting the proposed intervention without need for further specificity. Thus, pursuant to Section 22.11(c), the Tribe has demonstrated that its presence in the proceeding would not unduly prolong or otherwise prejudice the rights of the original parties; that it will be adversely affected by a final order; and that the Tribe's interests are not being adequately

represented by the original parties.

Accordingly, intervention under Section 22.11 is proper and the Motion to Intervene is hereby GRANTED.

  
Stephen J. McGuire  
Administrative Law Judge

Dated: June 12, 1998  
Washington, D.C.

In the Matter of Town of Lodge Grass, MT, Respondent  
Docket No. CWA-VIII-98-01C

Certificate of Service


I certify that the foregoing **Order Granting Motion To Intervene**, dated June 12, 1998, was sent this day in the following manner to the addressees listed below.

Original by Regular Mail to: Tina Artemis  
Regional Hearing Clerk  
U.S. EPA  
999 18<sup>th</sup> Street, Suite 500  
Denver, CO 80202-2466

Copy by Regular Mail to:

Attorney for Complainant: Jessie A. Goldfarb, Esquire  
Enforcement Attorney  
U.S. EPA  
999 18<sup>th</sup> Street, Suite 500  
Denver, CO 80202-2466

Attorney for Respondent: James L. Vogel, Esquire  
Attorney for City of Lodge Grass  
P.O. Box 525  
Hardin, MT 59034

  
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Maria Whiting-Beale  
Legal Staff Assistant

Dated: June 12, 1998