

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF

Clearwater USA, Inc.

Docket No. CWA-07-2023-0028

Status Report

Respondent.

Pursuant to the Prehearing Order, Complainant provides the following status report.

1. On August 24, 2023, the Prehearing Order was entered in this matter.
2. The Prehearing Order required the Complainant and Respondent (the “Parties”) to engage in a settlement conference on or before September 8, 2023.
3. The Parties engaged in a settlement conference before September 8, 2023.
4. During the course of negotiations, Complainant was informed by the Respondent that the named Respondent in the complaint, Clearwater USA, Inc., was incorrect and that and that Gaten Properties, LLC, as the current holder of the NPDES permit, is the correct entity.
5. The parties have reached an agreement in principle to settle this matter.
6. Complainant will file a public notice and Consent Agreement and Final Order in the near future naming Gaten Properties, LLC as the Respondent.

7. The parties intend to file a joint motion to dismiss the Complaint naming Clearwater USA, Inc. in the near future.

Respectfully submitted,

By: /s/ Adam Hilbert
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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Status Report was served on September 18, 2023, to the following parties in the manner indicated below.

Original by OALJ E-Filing System

U.S. Environmental Protection Agency

Office of Administrative Law Judges

Administrative Law Judge Christine Donelian Coughlin

Copy by Electronic Mail

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