

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7
11201 RENNER BOULEVARD
LENEXA, KANSAS 66219
BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	
Michael Zahner)	Docket No. CWA-07-2022-0141
)	
and)	COMPLAINANT’S STATUS REPORT
)	AND PRELIMINARY STATEMENT
Zahner Management Company, LLC,)	
)	
Respondents)	
)	
Proceedings under Section 309(g) of the)	
Clean Water Act, 33 U.S.C. § 1319(g))	
_____)	

In response to the Presiding Officer’s February 2, 2023 Prehearing Order, Complainant hereby files this status report and preliminary statement.

I. STATUS REPORT

Pursuant to the Prehearing Order, Complainant and Respondents engaged in a settlement conference on February 13, 2023. The parties were unable to reach settlement in this matter during the settlement conference or in subsequent communications.

II. PRELIMINARY STATEMENT

1. Complainant’s preferred locations for the hearing include Lenexa, Kansas, or Marble Hill, Bollinger County, Missouri, in deference to Respondents’ stated preference for the hearing location in this matter.

2. Complainant consents to service of filings in this proceeding by this Tribunal and other parties by email only.
3. Complainant hereby designates mccoin.shane@epa.gov as the address to which such service be directed during this proceeding.

Respectfully submitted on February 24, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that on date below I filed via the OALJ E-filing system the original and one copy of this Complainant's Status Report and Preliminary Statement with the Headquarters Hearing Clerk.

I further certify that on the date below I served a copy of this Complainant's Status Report and Preliminary Statement to each party by electronic mail to:

William Ford
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and

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