

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)
)
GREENBUILD DESIGN &) Docket No. TSCA-10-2021-0006
CONSTRUCTION, LLC) **COMPLAINANT'S SETTLEMENT**
) **STATUS REPORT**
Anchorage, Alaska)
)
Respondent.)
_____)

SETTLEMENT STATUS REPORT

COMES NOW, the U.S. Environmental Protection Agency, Region 10 (Complainant), by and through its undersigned counsel and pursuant to this Court's January 10, 2022 Hearing Order, to offer the following settlement status report. Complainant still does not believe that settlement is a reasonably expected outcome for this matter. Complainant has attempted to discuss settlement with GreenBuild Design & Construction, LLC (Respondent) on numerous occasions. Respondent refuses to engage in those conversations in good faith. Further, as Respondent has yet to provide any documentary support for its alleged inability to pay the proposed penalty, Complainant is unable to evaluate the merits of that assertion. Therefore, unless Respondent either provides documentation to support its asserted inability to pay the proposed penalty or is willing to discuss the possibility of settlement on other grounds in good faith, Complainant does not foresee settlement in this matter.

Respectfully submitted,

Andrew Futerman,
Counsel for Complainant
EPA Region 10

In the Matter of *GreenBuild Design & Construction, LLC*, Respondent.
Docket No. TSCA-10-2021-0006

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Settlement Status Report**, dated April 1, 2021 was served on the following parties in manner indicated below:

Original by OALJ E-Filing System to:
Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1200 Pennsylvania Avenue, NW
Washington DC 20004

Copy by Electronic Mail to:
Mr. and Mrs. Rodrigo and Kari von Marees
GreenBuild Design & Construction, LLC
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For Respondent

Dated: April 1, 2021
Chicago, Illinois

Respectfully submitted,

Andrew Futerman,
Counsel for Complainant
EPA Region 10