

BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Dave Erlanson, Sr., Individual,

Swan Valley, Idaho,

Respondent.

DOCKET NO. CWA-10-2016-0109

**COMPLAINANT'S FOURTH  
SETTLEMENT STATUS REPORT**

In accordance with the Presiding Officer's Order Rescheduling Hearing of January 31, 2019 ("Rescheduling Order"), Complainant Environmental Protection Agency ("Complainant" or "EPA") respectfully submits this fourth Status Report as to the status of settlement discussions in the above captioned action.

Following Complainant's third Settlement Status Report, submitted on December 28, 2018 (Docket No. *unassigned*), Counsel for Complainant has continued efforts to schedule a settlement conference.

Since the Court's Rescheduling Order, Complainant attempted to engage Respondent for the purposes of discussing settlement. On March 21, 2019, the parties agreed to discuss the prospect of settlement and set a time for that discussion to occur on the date of this filing. A call to Respondent at the scheduled time was not answered. Respondent emailed Counsel for Complainant referring to his communications with the Court on the date of this filing, but that

email and those communications did not elaborate on, or communicate interest in, the prospect of settlement. Counsel for Complainant will continue efforts to engage in settlement discussions.

Pursuant to the Rescheduling Order, counsel for Complainant has one remaining Settlement Status Report due on April 26, 2019, and will submit that report on or before that date, in the event of any updates to the status of settlement negotiations in this case.

Dated this 22<sup>nd</sup> day of March, 2019.

Respectfully submitted,

/s/ William M. McLaren

William M. McLaren

Assistant Regional Counsel

U.S. EPA, Region 10

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 22, 2019, a true and correct copy of the foregoing was also filed electronically with be the Clerk of the Office of Administrative Law Judges using the ALJ e-file system, which sends a Notice of Electronic Filing to Respondent. In addition, a paper copy of the foregoing was sent to Respondent at P.O. Box 46, Swan Valley, Idaho 83449.

*/s/ William M. McLaren* \_\_\_\_\_

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