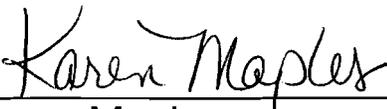


CERTIFICATE OF SERVICE

I hereby certify that the Report Of Status Conference And Order by Regional Judicial Officer Helen Ferrara in the matter of Dale Stevens d/b/a Stevens's Auto Repair, Docket No. SDWA-02-2009-8904, was served on the parties as indicated below:

First Class Mail - Thomas B. Wheeler, Esq.
Attorney At Law
Aubuchon Mall
P.O. Box 506
Potsdam, New York 13676-0506

Inter Office Mail - Nina Dale, Esq.
Office of Regional Counsel
USEPA - Region II
290 Broadway, 16th Floor
New York, New York 10007-1866



Karen Maples
Regional Hearing Clerk
USEPA - Region II

Dated: February 3, 2010

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

IN THE MATTER OF: :

Dale Stevens d/b/a :
Steven's Auto Repair, :

Docket No. SDWA-02-2009-8904

Respondent :
:

REPORT OF STATUS CONFERENCE AND ORDER

A status teleconference in this matter was held on February 3, 2010. Participating were:

Presiding Officer:	Helen S. Ferrara
Respondent's Attorney:	Thomas Wheeler
Complainant's Attorney:	Nina Dale

Status: Respondent's attorney stated that settlement negotiations were ongoing, and that the Complainant had requested a sampling of the area in question as well as tax returns for the past three to five years to support Respondent's inability to pay argument.

Complainant's attorney said that the Complainant had agreed to consider the inability to pay argument and needed time to receive the tax documents and analyze them. She also expressed concern that sampling may not be possible until the "spring thaw" has begun. Finally, she explained that this matter was being reassigned by Complainant to another attorney in the near future.

The parties and the Undersigned agreed to continue the status teleconference on April 6, 2010 at 9:30AM, with the caveat that the date and time was contingent upon the availability of the Complainant's newly assigned attorney.

IT IS ORDERED:

The Undersigned continues the status conference until Tuesday, April 6, 2010 at 9:30AM, at which time she will contact the Complainant's attorney and Mr. Wheeler at (315) 265-3216, unless she hears otherwise from either party. The Complainant is hereby directed to file a motion to substitute the attorney who will be assigned to handle this matter, and to provide the Undersigned with the name and telephone number of that attorney.

Additions or Corrections: The attorneys for the Agency and Respondent may bring errors or omissions in this Report to the attention of the Presiding Officer no later than **February 19, 2010**, and a corrected report will be issued as appropriate.

Date: February 3, 2010



Helen Ferrara
Presiding Officer
U.S. Environmental Protection Agency
290 Broadway – 16th Floor
New York, N.Y. 10007-1866
Tel: (212) 637-3233