

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2015 FEB -4 AM 8: 35

IN THE MATTER OF:  
Empire State Oil Co.

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)

No. CERCLA-08-2015-0001 FILED  
EPA REGION VIII  
SUBPOENA DUCES TECUM HEARING CLERK  
SUBPOENA AD TESTIFICANDUM

TO: **Douglas Hugh Whitt:**

YOU ARE HEREBY COMMANDED, pursuant to Title 42, United States Code, section 9622(e)(3)(B) [Comprehensive Environmental Response, Compensation, and Liability Act section 122(e)(3)(B)] TO APPEAR IN PERSON at the following place and time.

TIME AND DATE: 9:00 a.m. Tuesday, April 14, 2015  
PLACE: Best Western Plus Plaza Hotel  
116 East Park Street  
Thermopolis, Wyoming 82443

YOU ARE COMMANDED FURTHER TO TESTIFY THEN AND THERE under oath and GIVE TRUTHFUL ANSWERS to all lawful inquiries and questions then and there put to you on behalf of the United States Environmental Protection Agency, and TO REMAIN IN ATTENDANCE until expressly excused by the attorney(s) conducting the proceeding for the EPA.

YOU ARE COMMANDED FURTHER TO BRING WITH YOU at the time and place stated above, and then and there produce for inspection and/or copying, those items identified and described below:

1. Any written or recorded document, paper, or record in your possession, custody, or control regarding the demolition and/or removal of equipment, fixtures, piping, machinery, structures, and/or buildings from the Empire State Oil Refinery site, located at 242 Amoretti Street, Thermopolis, Wyoming.
2. Any written or recorded document, paper, or record in your possession, custody, or control regarding the sale of equipment, fixtures, piping, machinery, and/or structures among Empire State Oil Company; Ashland Oil, Company; Ashland Oil Foundation,

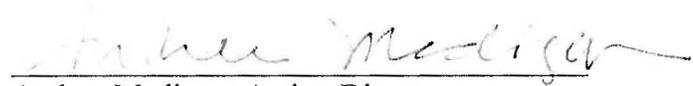
Inc.; Little America Refinery Company; and/or the William H. and Carrie Gottsche Foundation.

**NONCOMPLIANCE WITH THIS SUBPOENA MAY SUBJECT YOU TO A CIVIL ENFORCEMENT ACTION.**

Issued at Denver, Colorado this 4<sup>th</sup> day of February, 2015.

Attorney Contact:  
Anthony A. Austin  
Enforcement Attorney  
1595 Wynkoop Street  
Mail Code 8ENF-L  
Denver, CO 80202  
(303) 312-6068

  
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Keleey Land, Director  
RCRA/CERCLA Technical Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

  
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Andrea Madigan, Acting Director  
Legal Enforcement Program  
Office of Enforcement, Compliance  
and Environmental Justice

**AFFIDAVIT OF SERVICE**

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

I hereby certify that being a person over 18 years of age, I served a copy of the attached subpoena:

(check one)

in person

by registered mail (# 7008-3230-0003-0726-0993) to

Douglas Hugh Whitt  
111 4th Street  
Kirby, WY 82430

by leaving the copy at the principal place of business, which is,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

on the person named on the subpoena, Douglas Hugh Whitt, on February 4, 2015

*Dayle Aldinger*  
Signature of server

Dayle Aldinger  
Name of server

Secretary, Region 8, Legal Enforcement Program  
Title of server