

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4

IN THE MATTER OF

Mr. Gene A. Wilson
101 Madison Street
P. O. Box 702
Louisa, KY 41230

Docket No. SDWA-04-2005-1016

RECEIVED
EPA REGION IV
2007 JUL 19 PM 3:56
HEARING CLERK

Respondent

**MOTION TO MAKE ADDITION TO DOCUMENTS IN PRE-HEARING
EXCHANGE LIST AND AFFIDAVIT**

Comes the Respondent requesting the handwritten list of permitting files prepared by Complainant's witness Mr. William Mann be made a part of the Pre-Hearing Exchange of Documents attached herewith as Respondent's Exhibit "55", along with the actual case files themselves assigning all the same Exhibit numbers to show prejudicial treatment and selective enforcement.

AFFIDAVIT

Comes the Affiant, Gene A. Wilson, being first duly sworn states as follows:

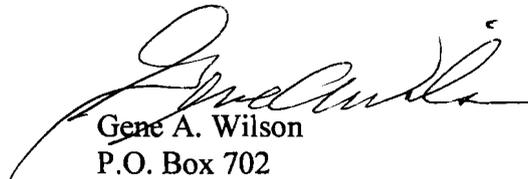
On April 16, 2007, Affiant upon notice through the FOIA attempted to review files of applications assigned permit numbers for injecting brine in the Martha Oil Field and found major inconsistencies. One permittee was not required to do any MIT tests although subsequent investigation by Affidavit disclosed the well had been in use; one permittee was issued a permit in 1991 with an MIT test on September 6, 1994 with no

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further reporting of any type; one permit was terminated by letter only from permittee; one permit was lost in another permit tee's file and when found by Affiant was added to the list by Mr. Lynn Dangerfield (not Mr. Mann) being Permit KYI0412; some operators wrote EPA (like Affiant attempted) giving notice no injections occurred and was accepted; and several permits where not issued for not filing financial responsibilities (which Affiant attempted to avoid permit issuance) but failed, etc...

Affiant further states he had heard an EPA inspectors improper conduct in the field, which prompted the FOIA request.

Respectfully Submitted


Gene A. Wilson
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STATE OF KENTUCKY

COUNTY OF LAWRENCE

I, Jennifer S. Ison, Notary Public in and for the State and County aforesaid, do hereby certify that the foregoing Affidavit was produced to me and acknowledged, subscribed and sworn to before me by **GENE A. WILSON**, to be his free act and deed for the purposes therein contained.

Given under my hand this 18th, day of July, 2007.

My Commission Expires:

May 20, 2009


Notary Public

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date noted below, the foregoing Motion was mailed as follows: the original to the Regional Hearing Clerk and one (1) copy each to

Hon. Susan B. Schub, Regional Judicial Officer, Hon. Zylpha Pryor and Mr. Nicholas N. Owens, National Ombudsman in the manner specified on the date below:

Ms. Patricia A. Bullock
Regional Hearing Clerk
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

(Via Express Mail - Return Receipt Requested)

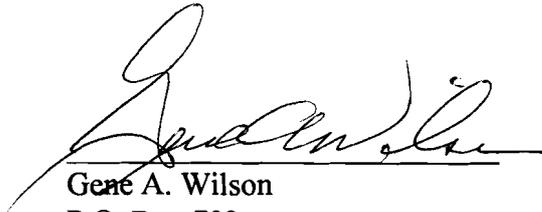
Hon. Susan B. Schub
Regional Judicial Officer
U.S. EPA, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

(Via Express Mail - Return Receipt Requested)

Ms. Zylpha Pryor
Associate Regional Counsel
U.S. EPA, Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960

Mr. Nicholas N. Owens
National Ombudsman
U.S. Small Business Administration
409 3rd Street, SW
MC 2120
Washington, DC 20416-0005

Dated: July 18, 2007



Gene A. Wilson
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