

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

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2010 DEC 14 PM 2:45
REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of

Enerco Operating Corp.,
Respondent

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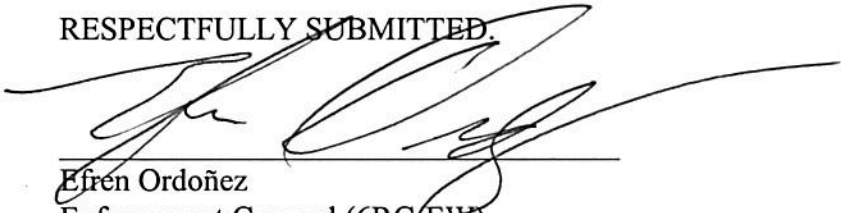
DOCKET NO. CWA-06-2010-1901

STATUS REPORT

COMES NOW COMPLAINANT, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency (“EPA”), Region 6, by and through its attorney, who provides the following status report regarding the above-captioned proceeding as required by the Regional Judicial Officer in his “NOTICE OF ASSIGNMENT AND INITIAL SCHEDULING ORDER,” dated December 2, 2010:

1. The Parties have initiated negotiations and are scheduled to have another negotiation session on January 11, 2011. At this point in the negotiation process, it is still premature to speculate whether the Parties will be able to reach a settlement. However, Complainant speculates that within 45 days the Parties will know whether a settlement is possible or whether the matter will need to be litigated.

RESPECTFULLY SUBMITTED.



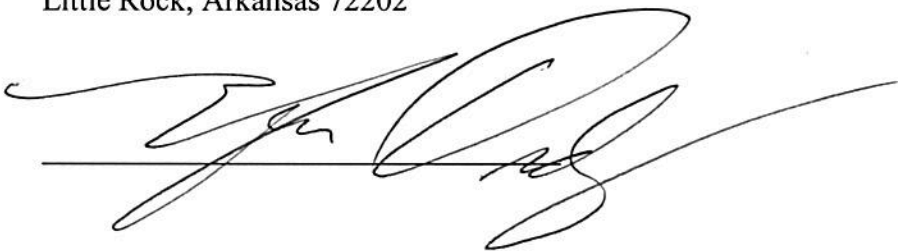
Efrén Ordoñez
Enforcement Counsel (6RC-EW)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
For Complainant

CERTIFICATE OF SERVICE

I certify that the original of the foregoing COMPLAINANT'S STATUS REPORT was hand-delivered to and filed with the **Regional Hearing Clerk**, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and true and correct copies were sent to the following on this the 14th December, 2010, in the following manner:

VIA FIRST CLASS U.S. MAIL:

Mr. John F. Peiserich
Perkins & Trotter, P.L.L.C.
101 Morgan Keegan Dr., Suite A
Little Rock, Arkansas 72202

A handwritten signature in black ink, appearing to read 'John F. Peiserich', is written over a horizontal line. The signature is stylized and cursive.