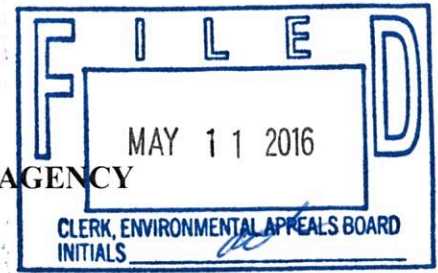


ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



_____)
In re:)
Stockton Oil Company) RCRA (9006) Appeal No. 16-01
Docket No. RCRA-08-2014-0002)
_____)

ORDER DIRECTING FILING OF STATUS REPORT

The Environmental Appeals Board (“Board”) issued an order in this case electing to exercise its *sua sponte* review authority under 40 C.F.R. § 22.27 (c), .30(b). The Board is reviewing the \$14,613 penalty assessment against Respondent Stockton Oil Company in the Default Order issued by Administrative Law Judge Coughlin. On April 28, 2016, Mr. John Doak, who identified himself as counsel for Stockton Oil Company, contacted the Board expressing interest in discussing the possibility of settlement of the case and indicated that he would be filing a notice of appearance. Shortly thereafter, EPA Region 8, the Complainant in the case below, contacted the Board to inquire about the status of the Board’s review and indicated that the Region had been contacted by Mr. Doak. The Board representative indicated that it was not appropriate to discuss the merits of the case with one party alone. As of the date of this Order, Mr. Doak has not filed a notice of appearance.

Because the Board is currently considering this matter and in the interest of preserving Agency resources, the Board requests that the parties file a status report, jointly or separately, by no later than Friday, May 19, 2016, indicating the potential of settlement in this matter and whether they intend to file a Motion to Stay the proceedings pending any settlement discussions.

The Board also requests Mr. Doak to file a notice of appearance by no later than May 19, 2016, if he represents Stockton Oil in this matter. After reviewing the status report, the Board will determine appropriate next steps, which may include scheduling a status conference.

So ordered.

Dated: 5/11/16

ENVIRONMENTAL APPEALS BOARD

By: Mary Kay Lynch
Mary Kay Lynch
Environmental Appeals Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Directing Filing of Status Report in the matter of Stockton Oil Company, RCRA (9006) Appeal No. 16-01, were sent to the following persons in the manner indicated:

First Class Mail and Facsimile: Mykel Stockton, President
Stockton Oil Company
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By Interoffice Mail: Sybil Anderson
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By Pouch Mail: Amy Swanson, Esq.
Sr. Enforcement Attorney
U.S. EPA Region 8
Mail Code ENF-L
Denver, Co 80202-1129

cc:

By Interoffice Mail: Christine Donelian Coughlin
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U.S. EPA/Office of Administrative Law Judges
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First Class Mail: John Dock, Esq.
P.O. Box 1875
Billings, MT 59103

Dated: MAY 11 2016


Annette Duncan
Secretary