

**BEFORE THE 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	)	
	)	

**JOINT STATUS REPORT**

The U.S. Environmental Protection Agency Region 8 (EPA) and Stockton Oil Company (Stockton Oil) through their undersigned counsel provide the following Joint Status Report (Report) pursuant to the ORDER DIRECTING FILING OF STATUS REPORT in the above-captioned matter, issued by the Honorable Mary Kay Lunch, Environmental Appeals Judge, on behalf of the Environmental Appeals Board (Board) on May 11, 2016:

1. The Honorable Christine D. Coughlin, Administrative Law Judge, issued a Default Order and Initial Decision in this matter on February 3, 2016, finding liability and assessing a penalty of \$14,613 against Stockton Oil for violations of section 9003(c) of the Resource Conservation and Recovery Act, 42 U.S.C. 6991b(c), and the Underground Storage Tank regulations at 40 C.F.R. 280.41(c) at the Battlefield Express C-Store (Store) located at the junction of Highway 212 and 1-90 in Crow Agency, Montana, on the Crow Reservation.
2. Stockton Oil sold the Store to the Crow Tribe on October 20, 2015.
3. Mr. Jon E. Doak, Attorney for Stockton Oil Company, contacted the EPA on April 27, 2016, regarding the possibility of settlement. Although Mr. Doak represents Stockton Oil on a variety of issues, Mr. Doak had just recently learned of this matter pending against his client.

4. In an effort to avoid the unnecessary expenditure of resources and the uncertain outcome associated with an appeal, the parties discussed settlement on May 5, 2016.

5. On Wednesday, May 18, 2016, the parties reached a settlement in principle.

6. The EPA proposed filing a fully-executed Consent Agreement with the regional hearing clerk as soon as possible but no later than 20 days from the date of this Report in accordance with section 22.18(b)(2) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation/Termination or Suspension of Permits unless instructed otherwise by the Board.

7. The parties request that the Board stay any further review of this matter for the reasons stated above until and unless the parties fail to file a Consent Agreement by the deadline proposed above.

Respectfully submitted,

**ATTORNEY FOR THE UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

Date: 5/19/2016

By: 

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**ATTORNEY FOR STOCKTON OIL COMPANY**

Date: MAY 19, 2016

By: 

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on May 19, 2016, the foregoing JOINT STATUS REPORT In re Stockton Oil Company, RCRA (9006) Appeal No. 16-01, was filed with the Environmental Appeals Board and served on the following persons as follows:

By the EAB E-Filing System:

Ms. Eurika Durr, Clerk of the Board  
Environmental Appeals Board  
1200 Pennsylvania Avenue, NW (Mail Code 1103M)  
Washington, D.C. 20460

By pouch-mail to:

The Honorable Christine D. Coughlin, Administrative Law Judge  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Mail Code 1900R  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Ms. Sybil Anderson, Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Mail Code 1900R  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

By email and first-class mail to:

Mr. Jon E. Doak, Esquire  
P.O. Box 1875  
Billings, MT 59103-1875  
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Date: 5/19/2016

By:  \_\_\_\_\_