

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

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In the Matter of:

Mardaph II, LLC, Mardaph III, LLC,
and Vinnie Wilson,

Respondents.

Docket No. TSCA-05-2008-0019

STATUS REPORT

Complainant United States Environmental Protection Agency (U.S. EPA) herein files this status report for this matter and states as follows:

1. On April 15, 2010, Judge Biro found the Respondents Mardaph II, LLC, Mardaph III, LLC and Vinnie Wilson in default and deemed them to have admitted all the facts in the Complaint.

2. In the April 15th Default Order, Judge Biro stated that the issue of penalties for the violations was reserved for further proceedings and the U.S. EPA was ordered to file by April 30, 2010, a statement as to any revision to the proposed penalty based upon the information it received from the Respondent Vinnie Wilson, along with a copy of any documents in support of the revised penalty that had not previously been submitted. The Respondents were given until May 14, 2010 to file a response and U.S. EPA was given until May 21, 2010 to file a reply.

3. U.S. EPA filed its statement on April 29, 2010.

4. As of 3:30 pm on May 20, 2010, U.S. EPA had not received any response filing from Respondents or any communication by letter or telephone.

5. Since the Respondents have not filed a response, U.S. EPA will not file a reply and reiterates the statements in its April 29th filing.

Submitted this 20th day of May 2010.

A handwritten signature in cursive script, appearing to read 'Peter Felitti', written in black ink.

Peter Felitti
Assistant Regional Counsel
U.S. Environmental Protection Agency

CERTIFICATE OF SERVICE

I hereby certify that the original of the foregoing was served on the Regional Hearing Clerk, U.S. EPA Region 5, and that true and correct copy was served on the Administrative Law Judge by fax and first class mail on May 20, 2010 and Respondents Vinnie Wilson, Mardaph II, LLC and Mardaph III, LLC with delivery by first class mail on May 20, 2010 to:

The Honorable Susan L. Biro, Chief Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW.
Washington, D.C. 20460-2001

Mardaph II, LLC
c/o Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

Mardaph III, LLC
c/o Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

Dated this 20th day of May 2010.



Peter Felitti
Assistant Regional Counsel
U.S. EPA, Region 5