PECEIVED

12 MAR 29 PM 3: 08

HEARINGS CLERK
EPA -- RESION 10

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
JOSEPH OH and HOLLY INVESTMENT, LLC Respondents) Docket No. RCRA-10-2011-0164))

SECOND STATUS REPORT

Pursuant to the Order Scheduling Hearing issued on March 13, 2012, Complainant hereby submits the following report on the status of settlement negotiations in the matter referenced above.

Counsel for Complainant participated in a conference call with Respondent Joseph Oh and his business associate, Greg Tift, on Tuesday, March 27, 2012. As a result of that call, the parties have not reached settlement. However, Mr. Tift informed counsel for Complainant that

In the Matter of: Joseph Oh and Holly Investment, LLC Docket Number: RCRA-10-2011-0164 Second Status Report Page 1

U.S. Environmental Protection Agency 1200 Sixth Avenue, Suite 900, ORC-158 Seattle, Washington 98101 206-553-1037 Mr. Oh had recently filed a Chapter 11 bankruptcy petition and asked that Complainant provide him with the EPA financial forms needed to support a claim by Mr. Oh that he is unable to pay the proposed penalty. The parties also briefly discussed the actions Respondents must take to come into compliance with the underground storage tank regulations.

On March 29, 2012, Complainant emailed to Mr. Oh and Mr. Tift financial documentation forms, directing Mr. Oh to complete and return the forms to counsel for Complainant by April 18, 2012. Complainant also mailed the forms to Mr. Oh by first class mail.

Upon receipt and review of the requested financial documentation, Complainant will contact Mr. Oh and Mr. Tift to determine if a settlement agreement can be reached in this matter.

Respectfully submitted this 29th day of March, 2012.

Deborah E. Hilsman

Assistant Regional Counsel

U.S. Environmental Protection Agency

Region 10

RECEIVED

12 MAR 29 PM 3: 05

CERTIFICATE OF SERVICE

HEARINGS CLERK EPA -- REGION 10

I certify that the original of the foregoing Second Status Report was hand delivered to the Regional Hearing Clerk today for filing and that a true and correct copy was sent to the following by the method indicated below:

By First Class Mail (Pouch) and Email (oaljfiling@epa.gov):

The Honorable M. Lisa Buschmann, Administrative Law Judge Office of Administrative Law Judges U.S. Environmental Protection Agency 1200 Pennsylvania Avenue, N.W., Mail Code 1900L Washington, DC 20460

By First Class Mail and Email (josephoh405@gmail.com and oh.joseph@ymail.com):

Joseph Oh 4905 70th Avenue West University Place, WA 98467

By Email (ipwcci@mail.lawguru.com):

Greg Tift

DATED: 29 march 2012

Signature

Print Name: Jennif

- Eas

In the Matter of: Joseph Oh and Holly Investment, LLC Docket Number: RCRA-10-2011-0164

Second Status Report

Page 3

U.S. Environmental Protection Agency 1200 Sixth Avenue, Suite 900, ORC-158 Seattle, Washington 98101 206-553-1037