

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
DALLAS, TEXAS

FILED
2010 AUG 11 PM 2:46
REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of:)
)
Burntwood Court,) SDWA-06-2010-1349
)
Respondent.)

ORDER TO FILE STATUS REPORT

This action, initiated by the Complainant, the Director of the Compliance Assurance and Enforcement Division, Environmental Protection Agency, Region 6, seeks to assess an administrative penalty under Section 1414(g) of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. § 300g-3(g). Actions for the assessment of a civil penalty under Section 1414(g) of the SDWA are governed by the procedures set forth in 40 C.F.R. Part 22, Subpart I, Administrative Proceedings Not Governed by Section 554 of the Administrative Procedure Act, unless the Respondent requests a hearing on the record. I have been assigned to act as Presiding Officer in this case.

Complainant filed the Complaint and Notice of Opportunity for Hearing ("Complaint") in this matter on April 30, 2010. The Certificate of Service accompanying the Complaint certifies that the Complaint was mailed to the Respondent by certified mail, return receipt requested, on April 30, 2010. A United States Mail return receipt, commonly referred to as a "green card," filed with the Regional Hearing Clerk indicates that the Complaint was served on the Respondent, Burntwood Court, on May 3, 2010, make the apparent due date for the Respondent's answer June 2, 2010. As of the date of this order, Respondent has not filed an answer to the Complaint. The Regional Hearing Clerk's file in this case contains no other filings. After giving consideration to the entire record in this case and to the Presiding Officer's responsibility to avoid delay in these proceedings,

IT IS ORDERED:

On or before September 2, 2010, Complainant shall file a report on the status of this matter, including, at a minimum, (1) a statement concerning whether the Complainant intends to file a motion for default and, if applicable, the date Complainant intends to file its motion; (2) if Complainant does not intend to file a motion for default, Complainant's position concerning an extension of the due date for Respondent's answer; (3) a summary of recent contacts between the

parties (without disclosing the substance of settlement negotiations; (4) an assessment of whether this matter is likely to be settled; and (5) if applicable, a projected date for the filing of a consent agreement and final order.

It is so ordered, this 11th day of August, 2010.



MICHAEL C. BARRA
REGIONAL JUDICIAL OFFICER

CERTIFICATE OF SERVICE

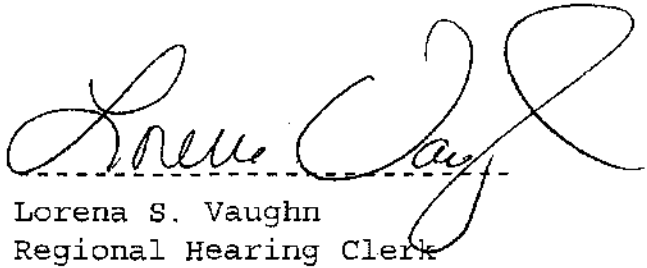
I, Lorena S. Vaughn, the Regional Hearing Clerk, do hereby certify that a true and correct copy of the Order to File Status Report for SDWA - 06-2010-1349 was provided to the following on the date and in the manner stated below:

Sharon Ogren
Burntwood Court
3308 Southeast 89th
Oklahoma City, OK 73160

CERTIFIED MAIL

Ellen Chang-Vaughan
U.S. Environmental Protection Agency
1445 Ross Avenue
Dallas, Texas 75202

INTEROFFICE MAIL



Lorena S. Vaughn
Regional Hearing Clerk

8-11-10

Date