

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FILED
REGION 6

2010 APR 13 AM 11:53

IN THE MATTER OF:

BERTSCHINGER OIL CO.
Seminole County, Oklahoma

Respondent.

STATUS REPORT

REGIONAL HEARING CLERK
EPA REGION VI

Proceeding to Assess Class I Civil Penalty
Clean Water Act Section 311 for
SPCC Violation

Docket No. CWA-06-2009-4808

COMPLAINANT'S STATUS REPORT

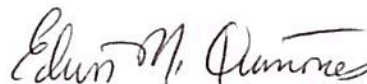
Pursuant to the Regional Judicial Officer's Order, dated March 22, 2010, Complainant files this Status Report in the above matter and states as follows:

Complainant heard from Respondent for the first time on April 8, 2010. Complainant intends to file a motion for default by May 31, 2010. Prior to the filing of the Complainant, Bryant Smalley, Region 6 Oil Pollution Act Enforcement Officer, attempted to contact Respondent by telephone on various occasions and was unable to solicit a response. On April 8, 2010, Bryant Smalley finally contacted by telephone Mr. Richard Bertschinger, of Bertschinger Oil Co. Based on Respondent's prior unresponsiveness and the April 8, 2010 telephone conversation, settlement appears highly unlikely.

Respectfully submitted,

Date: _____

4/13/10



Edwin M. Quinones
Assistant Regional Counsel
U.S. EPA Region 6, 6RC-S
1445 Ross Ave.
Dallas, TX 75202
214-665-8035

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of Complainant's Status Report was mailed on April 13, 2010, by regular First Class U.S. Mail to the following:

Mr. Richard O. Bertschinger
Bertschinger Oil Co.
6417 Grandmark Drive
Nichols Hills, OK 73116-6534

Date: April 13, 2010



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