

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FILED

REGION 6

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REGIONAL HEARING CLERK  
EPA REGION VI

<b>IN THE MATTER OF</b>	)	
	)	
<b>Tarwater Oil &amp; Gas, LLC</b>	)	
<b>Okmulgee County, OK</b>	)	<b>Proceeding to Assess Class II Civil Penalty</b>
	)	<b>Under Clean Water Act Section 311</b>
	)	
<b>Respondent.</b>	)	<b>Docket No. CWA-06-2009-4853</b>

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ANSWER AND REQUEST FOR HEARING

**COMES NOW** Tarwater Oil & Gas, LLC, an Oklahoma Limited Liability Company, and for its answer to Administrative Complaint and Opportunity to Request A Hearing filed herein respectfully states as follows:

1. Respondent admits the allegations in Paragraph 1;
2. Respondent denies the allegations in Paragraph 2;
3. Respondent admits the allegations in Paragraph 3;
4. Respondent admits the allegations in Paragraph 4;
5. Respondent admits the allegations in Paragraph 5;
6. Respondent admits the allegations in Paragraph 6;
7. Respondent admits the allegations in Paragraph 7;
8. Respondent denies the allegations in Paragraph 8;
9. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 9, therefore denies the same and demands strict proof thereof;
10. Respondent is without sufficient knowledge to form a belief as to the matters

contained in Paragraph 10, therefore denies the same and demands strict proof thereof;

11. Respondent admits the allegations in Paragraph 11;

12. Respondent admits the allegations in Paragraph 12;

13. Respondent admits the allegations in Paragraph 13;

14. Respondent denies the allegations in Paragraph 14;

15. Respondent admits the allegations in Paragraph 15;

16. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 16, therefore denies the same and demands strict proof thereof;

17. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 17, therefore denies the same and demands strict proof thereof;

18. Respondent admits the allegations in Paragraph 18;

19. Respondent denies the allegations in Paragraph 19;

20. Respondent denies the allegations in Paragraph 20;

21. Respondent denies the allegations in Paragraph 21;

22. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 22, therefore denies the same and demands strict proof thereof;

23. Respondent admits the allegations in Paragraph 23;

24. Respondent denies the allegations in Paragraph 24;

25. Respondent denies the allegations in Paragraph 25;

26. Respondent denies the allegations in Paragraph 26;

27. Respondent denies the allegations in Paragraph 27;

28. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 28, therefore denies the same and demands strict proof thereof;

contained in Paragraph 28, therefore denies the same and demands strict proof thereof;

29. Respondent admits the allegations in Paragraph 29;

30. Respondent denies the allegations in Paragraph 30;

31. Respondent denies the allegations in Paragraph 31;

32. Respondent denies the allegations in Paragraph 32;

33. Respondent is without sufficient knowledge to form a belief as to the matters

contained in Paragraph 33, therefore, denies the same and demands strict proof thereof;

34. Respondent admits the allegations in Paragraph 34;

35. Respondent denies the allegations in Paragraph 35;

36. Respondent denies the allegations in Paragraph 36;

37. Respondent denies the allegations in Paragraph 37;

38. Respondent is without sufficient knowledge to form a belief as to the matters

contained in Paragraph 38, therefore, denies the same and demands strict proof thereof;

39. Respondent admits the allegations in Paragraph 39;

40. Respondent denies the allegations in Paragraph 40;

41. Respondent denies the allegations in Paragraph 41;

42. Respondent denies the allegations in Paragraph 42;

43. Respondent denies the allegations in Paragraph 43;

44. Respondent is without sufficient knowledge to form a belief as to the matters

contained in Paragraph 44, therefore, denies the same and demands strict proof thereof;

45. Respondent admits the allegations in Paragraph 45;

46. Respondent denies the allegations in Paragraph 46;

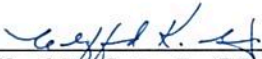
47. Respondent denies the allegations in Paragraph 47;

48. Respondent denies the allegations in Paragraph 48;
49. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 49, therefore, denies the same and demands strict proof thereof;
50. Respondent denies the allegations in Paragraph 50;
51. Respondent admits the allegations in Paragraph 51;
52. Respondent admits the allegations in Paragraph 52;
53. Respondent denies the allegations in Paragraph 53;
54. Respondent denies the allegations in Paragraph 54;
55. Respondent denies the allegations in Paragraph 55;
56. Respondent denies the allegations in Paragraph 56;
57. Respondent is without sufficient knowledge to form a belief as to the matters contained in Paragraph 57, therefore, denies the same and demands strict proof thereof;
58. Respondent denies the allegations in Paragraph 58;
59. Respondent denies the allegations in Paragraph 59;
60. Respondent denies the allegations in Paragraph 60;
61. Respondent denies the allegations in Paragraph 61.

**WHEREFORE**, having fully answered, Respondent prays that Complainant take nothing by virtue of its Administrative Complaint filed herein and that Respondent be dismissed with its costs and attorney fees occasioned hereby.

**REQUEST FOR HEARING**

COMES NOW the Respondent, Tarwater Oil & Gas, LLC and having contested the allegations of Complainant's Administrative Complaint filed herein, respectfully requests this matter be set for hearing upon adequate notice to the parties hereto.

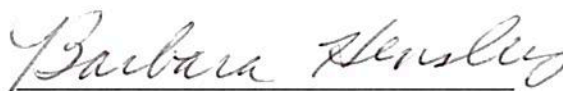
  
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Attorney for Respondent, Tarwater Oil & Gas

**Certificate of Mailing**

The undersigned hereby certifies that on the 15<sup>th</sup> day of October, 2009, a true and correct copy of the foregoing Answer and Request for Hearing was mailed to the following by depositing the same in the States mail, with first-class postage thereon prepaid.

Lorena Vaughn  
Regional Hearing Clerk (6CR)  
U.S. Environmental Protection Agency  
Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

Amy Salinas (6CR-S)  
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Barbara Hensley