

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6

2010 APR 13 PM 1:48

REGIONAL HEARING CLERK
EPA REGION VI

IN THE MATTER OF:

EXIT OIL AND GAS CO.
Montague County, Texas

Respondent.

STATUS REPORT

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

Docket No. CWA-06-2009-4807

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:

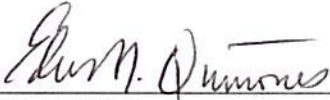
Both parties have been in contact with each other on various occasions to discuss settlement, including a face-to-face meeting and various telephone conferences. No settlement has been reached yet. However, Complainant believes settlement is likely.

Last contact was on April 13, 2010, from Mrs. Marlys Mulkay, the widow of Mr. T. John Mulkay, owner of Exit Oil and Gas Co. On April 12 and 13, 2010, Mrs. Mulkay informed Complainant that her husband, Mr. Mulkay, recently passed away on April 8, 2010. Given this recent and unfortunate news, Complainant intends to offer Mrs. Mulkay additional time to gather

her husband's affairs, including those of Exit Oil and Gas. Co., and to take over and continue settlement discussions in this case.

Respectfully submitted,

Date: 4/13/10



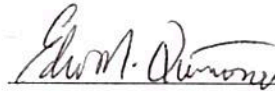
Edwin M. Quinones
Assistant Regional Counsel
U.S. EPA Region 6, 6RC-S
1445 Ross Ave.
Dallas, TX 75202
214-665-8035

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:

Mrs. Marlys Mulkay
Exit Oil & Gas Co.
2609 Sagebrush Drive, Suite 208
Flower Mound, TX 75028

Date: April 13, 2010



Edwin M. Quinones
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