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*Also admitted in Wyoming

October 15, 2009

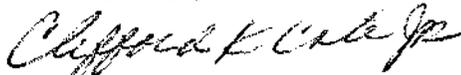
Ms. Lorena Vaughn
Regional Hearing Clerk (6CR)
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

Re: Tarwater Oil & Gas LLC
Docket No. CWA-06-2009-4853

Dear Ms. Vaughn:

Enclosed please find Answer and Request for Hearing reference the above. Please file this document and return a file stamped copy to this office using the envelope provided. Thank you for your time and attention.

Very truly yours,



Clifford K. Cate, Jr.

CKC: bh
encl.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FILED

REGION 6

2009 OCT 19 PM 2:49

REGIONAL HEARING CLERK
EPA REGION VI

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

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;

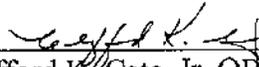
47. Respondent denies the allegations in Paragraph 47;

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 15th 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