

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

FILED

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U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 6 OFFICE
1000 EAST 17TH AVENUE
TULSA, OK 74104

IN THE MATTER OF

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DOCKET NO. SDWA-06-2014-1106

Page One Plus Wholesale, Inc.
Tulsa, OK

Respondent

STATUS REPORT

COMES NOW COMPLAINANT, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency ("EPA"), Region 6, by and through its attorney, provides the following Status Report, pursuant to a November 4, 2014, Order by the Regional Judicial Officer ("RJO").


1. Complainant filed an Administrative Complaint ("Complaint") on January 14, 2014. The Complaint alleged that Page One Plus Wholesale, Inc. ("Respondent") violated the Safe Drinking Water Act and failed to comply with an Administrative Order that became final on July 11, 2013. The Complaint sought a civil penalty of seven thousand dollars (\$7,000.00).
2. Respondent filed, pro se, on March 3, 2014, what the RJO considered to be the Respondent's Answer to the Complaint. Respondent did not request a hearing or dispute the facts in its answer, but instead sought to have the Complaint "rescinded."
3. Respondent later filed an additional letter on November 5, 2014, in which it stated that it did not consent to the proposed Consent Agreement and Final Order ("CAFO"). Respondent further stated its intention to turn the well in question, Well No. D54, into an oil producing well eventually and once again requested for Complainant to rescind the Complaint.

4. The RJO issued an Order on November 4, 2014. The Order directed Complainant and Respondent to engage in a settlement conference before December 19, 2014.

5. Complainant and Respondent engaged in discussions on December 10, 2014. During the call, Respondent's representative and Chief Executive Officer, Mr. Terrance Lewis ("Lewis"), stated that he wanted to turn the well into an oil producing well at some point in the future, and as a result he did not want to plug it. Lewis explained that he was currently working on wells on the other side of the creek and was not yet ready to convert Well No. D54. He did not give a timeline for when he would be ready to convert the well. Lewis further stated that no mechanical integrity testing had taken place on the well. Lewis expressed doubt concerning the potential for environmental harm resulting from the current state of his well. Complainant and Respondent agreed that it would be helpful for Lewis to meet with an EPA inspector and for them to jointly visit the well site. The EPA inspector is currently attempting to schedule and coordinate the site visit with Lewis.

6. Complainant will reassess whether it views settlement as probable following the site visit. Should settlement seem probable, Complainant may request additional time to finalize settlement by means of a CAFO.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Russell Murdock", written over a horizontal dotted line.

Russell Murdock
Enforcement Counsel (6RC-EW)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
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CERTIFICATE OF SERVICE

I certify that the original of the foregoing STATUS REPORT was hand-delivered to and filed with the **Regional Hearing Clerk**, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and a true and correct copy was sent to the following on this 18th day of December, 2014, in the following manner:

VIA FIRST CLASS U.S. MAIL:

Mr. Terrance L. Lewis
Page One Plus Wholesale, Inc.
P. O. Box 691335
Tulsa, OK 74169

Lupe Arzola