

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

In the Matter of:)	Docket No. RCRA-08-2014-0002
)	
Stockton Oil Company,)	
)	
Respondent.)	

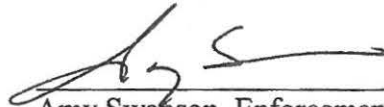
SETTLEMENT STATUS UPDATE

Complainant United States Environmental Protection Agency, Region 8 (EPA), by and through its undersigned attorney, provides the following Settlement Status Update in the above-referenced matter pursuant to the PREHEARING ORDER issued by the Honorable Christine D. Coughlin, Administrative Law Judge (Judge), dated May 15, 2014.

1. On June 4, 2014, the undersigned on behalf of the Complainant phoned the Respondent to schedule a settlement conference on or before June 6, 2014, as directed by the Prehearing Order (Order). The undersigned left a message requesting that Mr. Stockton return her call by June 6, 2014, per the Judge's Order. The Respondent did not return the Complainant's phone call.
2. Having previously phoned and left messages for Mr. Stockton on May 8 and May 16, 2014, respectively, to discuss the Respondent's interest in engaging in settlement discussions, the Complainant surmises that the Respondent is not interested in engaging in direct settlement negotiations with the Complainant.
3. As the Order notes, however, the Respondent accepted the Office of Administrative Law Judges' (OALJ) offer to participate in an Alternative Dispute Resolution (ADR) process but the Complainant did not respond to the inquiry until May 8, 2014, at which time the Chief Judge's Legal Staff Assistant informed the undersigned that the ADR acceptance deadline had passed and the case assigned to a Judge for litigation.
4. Page 3 of the OALJ's ADR offer of April 17, 2014, provides that ADR may be available at a later date in the litigation process upon joint motion of the all parties to initiate ADR. With the understanding that said motion may be granted at the sole discretion of the presiding litigation Judge, the Complainant plans to contact the Respondent regarding its interest in filing a stipulated motion to initiate ADR in this matter and file the motion if the Respondent is amenable on or before June 20, 2014.
5. In the event that the Respondent no longer is interested in participating in ADR or the presiding litigation Judge denies the parties' joint motion requesting ADR, the Complainant will file its prehearing exchange per the Order by June 27, 2014.

Respectfully submitted this 13th day of June 2014.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8,
Complainant.**



Amy Swanson, Enforcement Attorney
U.S. EPA, Region 8
1595 Wynkoop Street (8ENF-L)
Denver, CO 80202-1129
Telephone: (303) 312-6906
Facsimile: (303) 312-6953
Email: swanson.amy@epa.gov

CERTIFICATE OF SERVICE

The undersigned certifies that on June 13, 2014, the foregoing SETTLEMENT STATUS UPDATE was sent this day in the following manner to the addresses listed below.

Original and one copy to by e-mail to:

Sybil Anderson, Headquarters Hearing Clerk
Office of Administrative Law Judges (Mail Code 1900R)
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
OALJfiling@epa.gov

Copy by regular mail to:

Mykel Stockton, President
Stockton Oil Company
1607 4th Avenue, North
P.O. Box 1756
Billings, MT 59103-1522

Date: 6.13.2014

By: _____

