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JOHN F. PEISERICH
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December 22, 2010

Regional Hearing Clerk (6RC-D)
US EPA Region 6
1445 Ross Ave., Suite 1200
Dallas, TX 75202-2733

Re: CWA-06-2010-1901
Enerco Operating Corporation

To Whom It May Concern,

Enclosed please find an original and one (1) copy of Respondent, Enerco Operating Corporation's Status Report for filing in the above-referenced matter. Please return a file-marked copy in the self-addressed postage paid envelope I have enclosed for your convenience.

Should you have questions or comments regarding the information presented herein, please contact me.

Sincerely,

PERKINS & TROTTER, PLLC

A handwritten signature in black ink, appearing to read 'John F. Peiserich', with a large, stylized flourish.

John F. Peiserich

/cb

cc: Mr. Efren Ordonez (6RC-EW)

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

FILED
2010 DEC 28 PM 4:16
REGIONAL HEARING CLERK
EPA REGION VI

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|------------------------|---|-----------------------------|
| In the Matter of |) | |
| |) | |
| Enerco Operating Corp. |) | Docket No. CWA-06-2010-1901 |
| Respondent |) | |

STATUS REPORT OF RESPONDENT

Respondent, Enerco Operating Corporation, by and through its attorneys, Perkins & Trotter, PLLC, provides the following status report as required by the Regional Judicial Officer in his "Notice of Assignment and Initial Scheduling Order," dated December 2, 2010:

1. The Parties have initiated negotiations and are scheduled to have another negotiation session on January 11, 2011.
2. The Complainant, as part of the initial negotiations, admitted that the oil release which the inspection report focused upon was the responsibility of a third party.
3. Enerco Operating Corporation ("Enerco") on Tuesday, December 21, 2010, made an informal request for documentation and evidence related to the alleged violation which should assist the parties in reaching a settlement, assuming the Complainant provides the requested materials.
4. Enerco in an effort to further negotiations provided information to the Complainant which shows that approximately two percent (2%) of the fluids contained in the pipeline that ruptured is Basic Sediment and Water ("BS&W").
5. Enerco continues to offer to the Complainant the opportunity to meet at the location of the alleged violation.
6. Enerco believes it is possible for the Parties to reach a settlement and agrees with the Complainant that 45 days is sufficient time to make that determination.

Respectfully submitted this 22nd day of December, 2010.

Attorneys for Enerco Operating Corporation

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JOHN F. PEISERICH, AR Bar #2002009

CERTIFICATE OF SERVICE

I certify that the foregoing Status Response of Respondent, dated December 22, 2010, was sent this day in the following manner to the addresses listed below:

Original by Regular Mail for filing to: Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Copy by Regular Mail to: Mr. Efren Ordonez (6RC-EW)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733



John F. Peiserich, AR Bar #2002009

Dated: December 22, 2010