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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:)
)

Mardaph II, LLC, Mardaph III, LLC,
and Vinnie Wilson,)

Respondents.)
_____)

Docket No. TSCA-05-2008-0019

STATUS REPORT

Complainant United States Environmental Protection Agency (U.S. EPA) herein files this status report for this matter and states as follows:

1. On October 8, 2009, Judge Biro issued a prehearing order for this matter. In the order, Judge Biro directed the parties to engage in a settlement conference on or before October 23, 2009 and report on the conference on or before October 30, 2009.

2. The Respondents in this case are not represented by counsel and are appearing pro se. Respondent Vinnie Wilson is the president of Mardaph II, LLC and Mardaph III, LLC. The registered agent for these two entities resigned in August 2008 and no new agent has been appointed. Thus, U.S. EPA had no attorney or registered agent to contact and did not have a telephone number to call the Respondents.

3. After receiving the Judge's October 8th order, U.S. EPA sent a letter on October 13, 2009 by Federal Express to the Respondent Vinnie Wilson, asking her to contact U.S. EPA or provide us with a telephone number to contact her. The letter also contained forms for the Respondent to fill out if she was claiming an inability to pay, an issue that had been raised in some of her filings. Respondent Vinnie Wilson had previously provide some financial

information to U.S. EPA, but the information was incomplete for the Agency to make a determination as to her ability to pay.

4. On October 21, 2009, Respondent Vinnie Wilson telephoned and spoke with Estrella Calvo, the U.S. EPA Environmental Scientist assigned to this matter. Respondent Wilson faxed to Ms. Calvo several documents regarding her ability to pay.

5. Upon reviewing this information, U.S. EPA had several questions that needed clarification and so sent a letter on November 3, 2009, and again on December 15, 2009, to Respondent requesting she respond to the questions set forth in the letter. U.S. EPA has received no response.

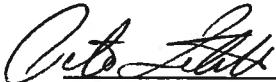
6. On November 20, 2009, U.S. EPA filed its prehearing exchange with exhibits. Respondent's prehearing exchange was due December 11, 2009.

7. On December 8, 2009, Respondent filed a motion for a sixty day extension of time. The motion was granted. In the motion, Respondent listed a contact telephone number.

8. U.S. EPA has tried calling this telephone number several times, but no one has answered and the voice mail states that the mailbox is full and so no message can be left.

9. At this point, U.S. EPA has been unable to contact the Respondent by telephone and has received no response to letters. Given this inability to obtain the additional requested documents/information and to talk with Respondent, it is unlikely that a settlement will be possible in this matter.

Submitted this 12th day of January 2010.



Peter Felitti
Assistant Regional Counsel
U.S. Environmental Protection Agency

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CERTIFICATE OF SERVICE

I hereby certify that the original of the foregoing was served on the Regional Hearing Clerk, U.S. EPA Region 5, and that true and correct copy was served on the Administrative Law Judge by fax and first class mail on January 12, 2010 and Respondents Vinnie Wilson, Mardaph II, LLC and Mardaph III, LLC with delivery by first class mail on January 12, 2010 to:

The Honorable Susan L. Biro, Chief Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW.
Washington, D.C. 20460-2001

Mardaph II, LLC
c/o Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

Mardaph III, LLC
c/o Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

Vinnie Wilson
7923 Rambler Place
Cincinnati, Ohio 45231

Dated this 12th day of January 2010.



Peter Felitti
Assistant Regional Counsel
U.S. EPA, Region 5