

BEFORE THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

JACKSON & SON DISTRIBUTORS, INC.,  
dba JACKSON AND SON OIL,

Seaside, Oregon,

Respondent.

DOCKET NO. CWA-10-2025-0023

**COMPLAINANT’S PRELIMINARY  
STATEMENT**

1.1. The U.S. Environmental Protection Agency (“EPA” or “Complainant”) filed a Complaint on December 18, 2024, against Jackson & Son Distributors, Inc., dba Jackson and Son Oil (“Respondent”) alleging violations of the Clean Water Act. Respondent filed an Answer to the Complaint on January 17, 2025. On January 28, 2025, this Tribunal issued a Prehearing Order that required, *inter alia*, that Complainant and the Respondent each file no later than February 21, 2025, a “Preliminary Statement identifying (1) whether the party prefers for the hearing in this matter to be held in person or by videoconference; (2) the party’s preferred location of the hearing in the event that it is held in person; and (3) a valid email address at which the party is able to accept service of orders and decisions issued by this Tribunal and service of documents filed by other parties.”

1.2. While Complainant has the technological capability to participate in hearings by videoconference, it expresses a slight preference for any hearing to be held in person to minimize the possibility of disruptions associated with technological issues outside the control of the hearing participants.

1.3. As identified in 40 C.F.R. §§ 22.19(d) and 22.21(d), a hearing “shall be held in the county where the respondent resides or conducts the business which the hearing concerns, in the city in which the relevant Environmental Protection Agency Regional Office is located, or in

Washington, DC, unless the Presiding Officer determines that there is good cause to hold it at another location or by telephone.”

1.4. The EPA Region 10 Enforcement and Compliance Assurance Division Director is based at EPA Region 10’s main office in Seattle, King County, Washington. The vast majority of Complainant’s witnesses and its counsel report to the Seattle, Washington office. In addition, to the best of Complainant’s knowledge, Respondent’s counsel is also located in King County, Washington. As a result, Complainant prefers that any hearing occur in Seattle, Washington.

1.5. Complainant is, however, open to considering other options once it further understands where the majority of Respondent’s likely witnesses reside to ensure less cumulative travel for all of the hearing participants. While it is unclear whether EPA’s operations offices can be considered a “relevant” EPA regional office pursuant to 40 C.F.R. §§ 22.21(d) and 22.19(d), EPA notes that Respondent is located approximately an hour and a half from EPA Region 10’s Oregon Operations Office located in Portland, Oregon<sup>1</sup> where it has several staff, including one of its primary witnesses.

1.6. Complainant can accept service of orders and decisions issued by this Tribunal and service of documents filed by other parties at: [bruner.ashley@epa.gov](mailto:bruner.ashley@epa.gov).

Respectfully submitted,

U.S. ENVIRONMENTAL PROTECTION  
AGENCY, REGION 10:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Ashley Bruner  
Water Law Attorney  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 155, M/S 11-C07  
Seattle, WA 98101  
[Bruner.Ashley@epa.gov](mailto:Bruner.Ashley@epa.gov)

<sup>1</sup> <https://www.epa.gov/or/forms/contact-us-about-epa-oregon>.

In the Matter of *Jackson & Son Distributors, Inc., d/b/a Jackson and Son Oil*, Respondent.  
Docket No. CWA-10-2025-0023

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Complainant's Preliminary Statement**, dated February 21, 2025, was sent this day to the following parties in the manner indicated below.

---

Ashley Bruner  
Assistant Regional Counsel  
U.S. EPA, Region 10  
1200 Sixth Avenue  
Suite 155, M/S 11-C07  
Seattle, WA 98101

Copy by OALJ E-Filing System to:

U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
[https://yosemite.epa.gov/OA/EAB/EAB-ALJ\\_Upload.nsf](https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf)

Copy by Electronic Mail to:

Allan Bakalian, WSBA# 14255  
Bakalian & Associates P.S.  
8201 164th Avenue NE, Suite 200  
Redmond, WA 98052  
Email: [allan@bakalianlaw.com](mailto:allan@bakalianlaw.com)  
*Counsel for Respondent*

Dated: February 21, 2025