

REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of

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EXIDE TECHNOLOGIES,
a Texas Company,

DOCKET NO. CWA-06-2012-1730

STATUS REPORT

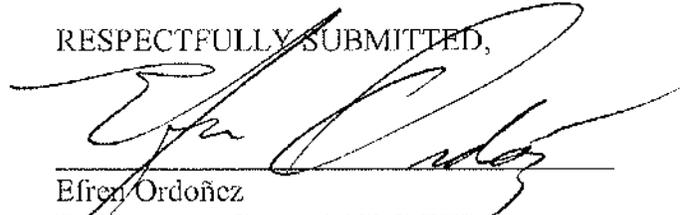
COMES NOW COMPLAINANT, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency (“EPA”), Region 6, by and through its attorney, who provides the following status report regarding the above-captioned proceeding as required by the Administrative Law Judge in her “PREHEARING ORDER”, dated May 2, 2012:

1. Counselors for Complainant and Respondent reached an agreement in principle regarding this case. However, the agreement in principle has only been approved by EPA up to Associate Director level and must still be reviewed and approved by the Director of the Compliance Assurance and Enforcement Division (“Director”). It is the expectation of the Complainant’s attorney that the Director will approve the agreement in principle. Once approval is obtained from the Director, Complainant’s attorney will draft and obtain the necessary concurrences so that the Consent Agreement and Final Order (“CAFO”) may be mailed to Respondent for signature. If the Director does not approve the agreement in principle, Complainant’s attorney shall notify the Administrative Law Judge and Respondent as soon as possible.

2. The Parties are in the process of drafting a JOINT MOTION TO EXTEND THE

PREHEARING DEADLINES requesting that the all the deadlines in the PREHEARING ORDER be extended by 45 days. The proposed deadline extension shall provide the Parties to obtain the necessary approvals and signatures to finalize the Consent Agreement and Final Order. Complainant expects to file the Joint Motion within five days of the filing of this Status Report.

RESPECTFULLY SUBMITTED,

A large, stylized handwritten signature in black ink, appearing to read 'Efrén Ordoñez', is written over a horizontal line.

Efrén Ordoñez
Enforcement Counsel (6RC-EW)
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733
For Complainant

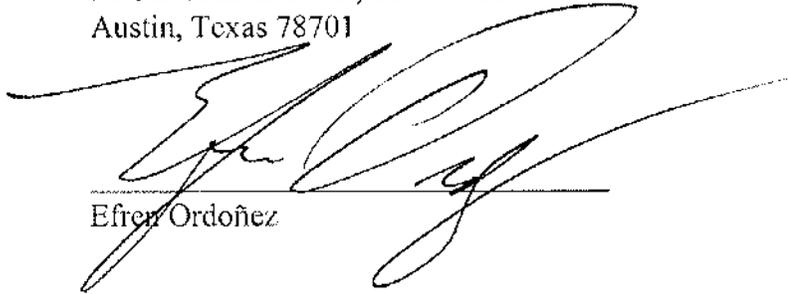
CERTIFICATE OF SERVICE

I certify that the original of the foregoing COMPLAINANT'S 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 true and correct copies were sent to the following on this the 29th day of May, 2012 in the following manner:

VIA FIRST CLASS U.S. MAIL:

Judge M. Lisa Buschmann
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, SW
Washington, D.C. 20460-2001

Sara M. Burgin
Baker Botts, L.L.P.
98 San Jacinto Blvd., Suite 1500
Austin, Texas 78701


Efraim Ordoñez