

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

1650 Arch Street

Philadelphia, Pennsylvania 19103-2022

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2012 MAY -8 PM 12: 53

REGIONAL HEARING CLERK  
EPA REGION III, PHILA. PA

IN THE MATTER OF:

**Oasis Food Mart Inc.**

*trading and/or also doing business as*  
*Oasis Food Market and/or Q-Market # 333*  
6719 Janway Road  
Richmond VA 23228

) U.S. EPA Docket Number  
) RCRA-03-2011-0284

**Y & A Investments, LLC**

*trading and/or also doing business as*  
*Y & A Enterprises Inc.*  
4222 Bonniebank Road  
Suit 304  
Richmond VA 23234

) STATUS REPORT and  
) Notice Regarding Settlement  
) Proceeding under Section 9006  
) of the Resource Conservation and  
) Recovery Act, as amended,  
) 42 U.S.C. § 6991c

**RESPONDENTS**

**Oasis Food Market**

*also known as*  
Q-Market #333  
3124 Broad Rock Road  
Richmond, VA 23224

**FACILITY**

**STATUS REPORT and Notice Regarding Settlement**

Pursuant to 40 C.F.R. § 22.07(b) of the Consolidated Rules of Practice and in response to the Order of this Court, Complainant, the United States Environmental Protection Agency (EPA), respectfully submits this **STATUS REPORT and Notice Regarding Settlement** regarding the above captioned action, initiated pursuant to Section 9006 of the Resource Conservation and Recovery Act (“RCRA”), as amended, 42 U.S.C. § 6991c, and the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, and

the Revocation/Termination or Suspension of Permits (“Consolidated Rules of Practice”), 40 C.F.R. Part 22.

1. Complainant and Respondent have had multiple settlement discussions and have been participating in the Administrative Law Judge’s Alternative Dispute Resolution (“ADR”) Program.
2. As a result of the settlement efforts the parties have reached an agreement and signed a Consent Agreement.
3. The signed Consent Agreement has been sent to the Regional Judicial Officer for her review and for the issuance of the Final Order settling this matter.
4. Once the Regional Judicial Officer has issued the Final Order the sentiment documents will be filed with the Regional Hearing Clerk.

Therefore the Complainant, on behalf of the Environmental Enforcement Agency and the Respondents, hereby respectfully files this **STATUS REPORT and Notice Regarding Settlement** and requests that this court stay its requirement to file Pre-Hearing Exchange documents by May 11, 2012.

Respectfully submitted,



Rodney Travis Carter  
Senior Assistant Regional Counsel

**May 8, 2012**  
Date

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BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103

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*Transmitted by electronic facsimile and/or express or 1<sup>st</sup> class mail  
In Reply Refer To Mailcode: (3RC50)*

May 8, 2012

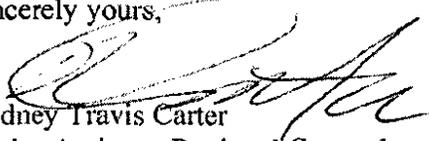
Honorable Susan L. Biro (1900L)  
Chief Administrative Law Judge  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, S.W.  
Washington, D.C. 20460

**In the Matter of: Oasis Food Mart Inc. et.al. USEPA Docket # RCRA-03-2011-0284**

Dear Judge Biro:

I am enclosing a copy of a **Status Report and Notice Regarding Settlement** regarding the above captioned matters. The original has been filed with the Regional Hearing Clerk. Also included is a Certificate of Service.

Sincerely yours,

  
Rodney Travis Carter  
Senior Assistant Regional Counsel

cc: Regional Hearing Clerk  
Melissa Toffel (3LC71)  
David S. Bailey Esq.

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CERTIFICATE OF SERVICE

2012 MAY -8 PM 12: 53

Docket Number RCRA-03-2011-0284

REGIONAL HEARING CLERK  
EPA REGION III, PHILA. PA

I certify that on the date noted below, the original **STATUS REPORT and Notice Regarding Settlement** for this matter (**RCRA-03-2011-0284**) was hand-delivered to the Regional Hearing Clerk, EPA Region III, and that I caused true and correct copies of the **STATUS REPORT and Notice Regarding Settlement** to be transmitted by electronic facsimile and/or express or 1<sup>st</sup> class mail to the persons listed below:

Honorable Susan L. Biro (1900L)  
Chief Administrative Law Judge  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, S.W.  
Washington, D.C. 20460

David S. Bailey Esq.  
General Manager and Senior Counsel  
The Environmental Law Group, PLLC  
5803 Staples Mill Road  
Richmond, VA, 23230

Date: **May 8, 2012**



Rodney Travis Carter (3RC50)  
Senior Assistant Regional Counsel  
U.S. EPA-Region III  
1605 Arch Street  
Philadelphia, PA 19103