

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

U.S. ENVIRONMENTAL  
PROTECTION AGENCY: REG. II  
2012 FEB 22 P 2:40  
REGIONAL HEARING  
CLERK

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In the Matter of :  
 :  
Cycle Chem Inc. : Docket Number RCRA-02-2011-7101  
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**STATUS REPORT**

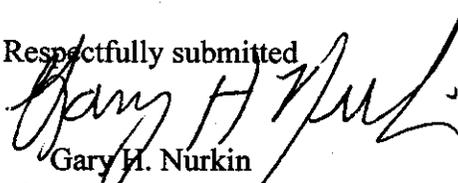
This status report is in response to your oral order of Feb. 2, 2012. In a conversation with your legal secretary, I was informed that you required Complainant to file a subsequent status report with respect to the status of the parties' purported settlement in principle on or before February 23, 2012.

Complainant is pleased to report that the previous referred to settlement in principle has now been reduced to writing and a concurrence packet has been circulated internally by Complainant. Senior management has concurred on that packet and a Consent Agreement/Final Order (CA/FO) is being mailed to Respondent for its signature.

Based upon previous emails between Complainant and Respondent regarding the CA/FO, it is anticipated that Respondent will be signing this CA/FO and returning it to the EPA for its signature. It is anticipated that a fully executed CA/FO will be filed with the Regional Hearing Clerk within three weeks of its receipt by Respondent.

**WHEREFORE,** the Complainant respectfully request that this tribunal accept this status report and grant the Complainant's request to hold the Order Scheduling Hearing in abeyance so that the parties can finalize, file and execute the Consent Agreement/Final Order in the above captioned matter by the end of March 2012.

Respectfully submitted



Gary H. Nurkin

Assistant Regional Counsel  
Waste & Toxic Substances Branch

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Dated Feb. 22, 2012  
New York, NY