



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

C-14J

April 26, 2012

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

Re: In the Matter of McCook Cold Storage Corporation, Docket No. EPCRA-05-2012-0005

Dear Judge Biro:

Enclosed please find a Joint Motion for Stay of Proceedings in the above-mentioned matter.

Sincerely,

A handwritten signature in cursive script that reads "Cathleen R. Martwick".

Cathleen R. Martwick
Associate Regional Counsel

Enclosure

cc: Lloyd M. Sonenthal (w/ encl.)

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U.S. ENVIRONMENTAL
PROTECTION AGENCY

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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PROTECTION AGENCY

In the Matter of:)
)
McCook Cold Storage Corporation,) Docket No. EPCRA-05-2012-0005
)
Respondent.)

JOINT MOTION FOR STAY OF PROCEEDINGS

Comes now Complainant United States Protection Agency (“EPA”) and Respondent McCook Cold Storage (hereinafter “Parties”), through counsel, pursuant to Rule 22.16(a) of the Consolidated Rules of Practice (40 C.F.R. § 22.16(a), and respectfully request a sixty (60) day stay of proceedings in the above-referenced matter and as grounds therefore state as follows:

The Parties have been engaged in the following mediation activities:

- 4/3/12 receipt and review of four mediation candidate letters/resumes
- 4/6/12 EPA submittal of candidate rankings
- 4/13/12 McCook Cold Storage submittal of candidate rankings
- 4/19/12 EPA interview of two mediation candidates
- 4/20/12 selection of mediator James Kohanek
- DATE? McCook’s first phone call with mediator
- TBD date of first joint phone call scheduled regarding process and logistics

The Parties are currently in the process of conducting preliminary telephone calls with the mediator in order to schedule the first substantive mediation session. The parties are working diligently on mediation efforts. The Parties have selected James Kohanek, a full-time mediator with over 25 years of experience in environmental matters. The Parties believe a stay of proceedings will assist the Parties in determining whether a settlement can be reached in this matter.

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4/26/12
Date

Respectfully Submitted,

Counsel for EPA:

Cathleen R. Martwick

Cathleen R. Martwick, Associate Regional Counsel
Office of Regional Counsel
U.S. EPA Region 5
77 West Jackson Blvd.
Chicago, IL 60604

Counsel for Respondent,

Lloyd M. Sonenthal

Lloyd M. Sonenthal
Attorneys at Law
Three First National Plaza
70 West Madison Street, Suite 400
Chicago, Illinois 60602

4/26/2012

Date

CERTIFICATE OF SERVICE

**In the Matter of McCook Cold Storage Corporation
Docket No. EPCRA-05-2012-0005**

Certificate of Service

I certify that the foregoing "Joint Motion for Stay of Proceedings," dated April 26 2012, was sent this day in the following manner to the addresses listed below:

Original and one copy hand-delivered to:

Regional Hearing Clerk
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

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U.S. ENVIRONMENTAL
PROTECTION AGENCY

Copy via Regular Mail to:

Attorneys for Respondent:

McCook Cold Storage Corporation
c/o Lloyd M. Sonenthal
Attorneys at Law
Three First National Plaza
70 West Madison Street, Suite 400
Chicago, Illinois 60602

Presiding Judge:

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

4/26/12
Date


