

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)

Ken's Metal Finishing, Inc.)

And)

Kenneth LaCroix)

Respondents)
_____)

DOCKET NO. RCRA -05-2007-0007

2008 JAN -4 PM 1:57

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STATUS REPORT REGARDING SETTLEMENT

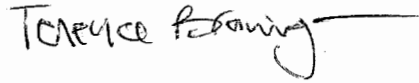
This Status Report is submitted by Counsel for the Complainant (the undersigned, Terence Branigan) in accordance with the Prehearing Order issued by Chief ALJ Susan L. Biro on December 12, 2007, in the case captioned above. Mr. Branigan has reviewed this Status Report with Counsel for Respondents (Daniel W. Stauner), and Mr. Stauner has indicated that Respondents join in this Status Report.

The parties have conducted several discussions pertaining to settlement of this case, including (most recently) discussions on or about December 21, 2007, and on January 4, 2008.

Complainant has transmitted a draft Consent Agreement and Final Order to Respondents for review. Mr. Stauner indicates that he has not yet completed review of the document with his clients but expects to complete that review on or before Friday, January 11, 2008. Mr. Stauner and Mr. Branigan have agreed to discuss the draft CAFO on or about Monday, January 14, 2008.

Mr. Branigan and Mr. Stauner believe that there is a reasonable likelihood that the parties will file a fully executed CAFO on or before January 25, 2008.

Respectfully Submitted,

A handwritten signature in black ink that reads "Terence Branigan" with a horizontal line extending to the right.

Counsel for Complainant
Terence Branigan
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Date: January 4, 2008

Re: Ken's Metal Finishing, Inc. and Kenneth LaCroix
Docket No. RCRA 05-2007-0007

CERTIFICATE OF SERVICE

I certify that the original of the foregoing Status Report Regarding Settlement and this Certificate of Service were hand-delivered this day to Sonja Brooks-Woodard, Regional Hearing Clerk, Region 5, U.S. EPA, 77 West Jackson Boulevard, Chicago, IL, 60604, and that copies of the Status Report and Certificate of Service were sent this day in the following manner to the addressees listed below.


Elizabeth Rosado

Dated: January 4, 2008

One Copy by Federal Express to:

Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court, Suite 350
1099 14th St. NW
Washington, DC 20005

One Copy by First Class Mail to:

Daniel W. Stauner, Esq.
Hanlon & Stauner PLLP
PO Box 41907
Plymouth, MN 55441-0907