

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2012 JAN 30 P 2:29
REGIONAL HEARING
CLERK

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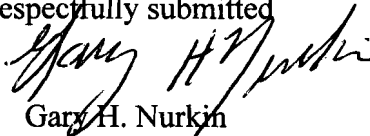
STATUS REPORT

This status report is in response to your order of January 6, 2012. In that order, you directed "Complainant [to] file a Status Report as to the status of any settlement negotiations between the parties on before **February 3, 2012**. (emphasis in the original).

Complainant is pleased to report that the parties have reached a settlement in principle. Complainant respectfully requests that this tribunal's Order Scheduling Hearing be held in abeyance until the end of March 2012 so that the parties can spend their time fruitfully engaged in drafting, finalizing, filing and executing a Consent Agreement/Final Order in the above captioned matter rather than spending time preparing for a hearing that will most likely not be held. The Complainant has discussed this matter with Respondent and Respondent has no objection to the Order Scheduling Hearing being held in abeyance for the parties to focus on finalizing, filing and executing the above captioned Consent Agreement/Final Order by the end of March 2012.

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
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Waste & Toxic Substances Branch

Copy by Facsimile:

Honorable Barbara A. Gunning
Administrative Law Judge
U. S. Environmental Protection Agency
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Dated January 30, 2012
New York, NY