



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

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SEP 15 2011

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

Headquarters Hearing Clerk (1900L)
Office of Administrative Law Judges
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Complainant's Status Report Regarding Settlement
Docket No. TSCA-HQ-2010-5022

Dear Madam:

Enclosed please find an original and two (2) copies each of Complainant's Status Report Regarding Settlement in the above matter.

Please file the original Status Report and return one date-stamped copy to Complainant.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Chalfant" with a small "for" written below it.

Mark A.R. Chalfant
Counsel for Complainant

Enclosure

cc: John J. McAleese, III, Morgan Lewis & Bockius LLP (via email and regular mail)
Ronald J. Tenpas, Morgan Lewis & Bockius LLP (via email and regular mail)
William S. Pufko, Morgan Lewis & Bockius LLP (via email and regular mail)
The Honorable Susan L. Biro, U.S. EPA Office of Administrative Law Judges (hand delivery only)

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF:)
)
)
Elementis Chromium, Inc.,)
f/k/a Elementis Chromium, LP)
)
Respondent.)
)
)
)

Docket No. TSCA-HQ-2010-5022

COMPLAINANT'S STATUS REPORT REGARDING SETTLEMENT

In accordance with the Presiding Officer's August 22, 2011 Notice of Hearing and Scheduling Order, which directed Complainant United States Environmental Protection Agency to file a status report regarding settlement on or before September 16, 2011, Complainant hereby submits the following report: Complainant and Respondent, Elementis Chromium, Inc., are not currently engaged in settlement discussions.

Respectfully submitted,

9/15/2011
Date

Eric Saylor for
Mark A.R. Chalfant, Attorney
Waste and Chemical Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., N.W. (MC 2249A)
Washington, D.C. 20460-0001
Ph: 303-312-6177

Counsel for Complainant

CERTIFICATE OF SERVICE

I certify that the foregoing *Complainant's Status Report Regarding Settlement* in Docket No. TSCA-HQ-2010-5022, dated September 15, 2011, was sent this day in the following manner to the addresses listed below:

Original by hand and email to: Sybil Anderson
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court, Suite 350
1099 14th Street, N.W.
Washington, DC 20005

Copy by U.S. mail and email to:

Attorneys for Respondent: John J. McAleese, III (via email and regular mail)
Ronald J. Tenpas (via email and regular mail)
William S. Pufko (via email and regular mail)
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103

Copy by hand to:

Presiding Judge: The Honorable Susan L. Biro
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Franklin Court, Suite 350
1099 14th Street, N.W.
Washington, DC 20005



Tony R. Ellis, Case Officer
Waste and Chemical Enforcement Division (2249A)
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460
Telephone: 202-564-4167
Email: ellis.tony@epa.gov

Date: 9-15-11