

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

IN THE MATTER OF: )  
Ken's Metal Finishing, Inc. )  
And )  
Kenneth LaCroix )  
Respondents )

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DOCKET NO. RCRA-05-2007-007

0007  
*[Handwritten signature]*

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US EPA REGION 5  
2007 SEP 19 PM 12: 52

**ADR STATUS REPORT**

This is an ADR Status Report submitted by Counsel for Complainant at the request of ADR process neutral Administrative Law Judge Spencer T. Nissen.

Counsels for Complainant and for Respondents have had several conversations about the legal positions of their respective clients.

Counsel for Complainant sent a detailed financial information form for Respondent Mr. LaCroix to complete and return. Counsel for Respondents has indicated that Mr. LaCroix is preparing a response to the form and will submit it to the Complainant soon.

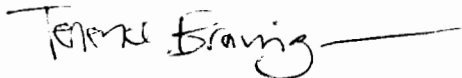
Counsel for Respondents indicates that the Respondents have arranged to meet on September 24, 2007, with representatives of the Minnesota Pollution Control Agency (MPCA) to discuss the requirements of a RCRA closure plan for the facility operated by the Respondents.

Counsels for Complainant and for Respondents met with Judge Nissen, by

telephone on September 12, 2007, and have scheduled another call with Judge Nissen on September 26, 2007.

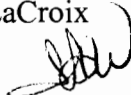
The ADR process for this case is currently schedule to terminate September 28, 2007. Counsel for Complainant believes that sufficient progress toward settlement has been made to justify an extension of the ADR process and intends to file a motion to extend. Counsel for Respondents has indicated that he concurs.

Respectfully Submitted,

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

Counsel for Complainant  
Terence Branigan  
Associate Regional Counsel  
U.S. Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, IL 60604  
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Date: September 19, 2007

Re: Ken's Metal Finishing, Inc. and Kenneth LaCroix  
Docket No. RCRA 05-2007-0072 0007 

CERTIFICATE OF SERVICE

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

  
Elizabeth Rosado

Dated: September 19, 2007

One Copy by Federal Express to:

Honorable Spencer T. Nissen  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Franklin Court, Suite 350  
1099 14th St. NW  
Washington, DC 20005

One Copy by Federal Express to:

Daniel W. Stauner, Esq.  
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