

2011 AUG -3 P 3:17

---

Fulbright Tower • 1301 McKinney, Suite 5100 • Houston, Texas 77010-3095  
elewis@fulbright.com • Direct: 713 651 3760 • Main: 713 651 5151 • Facsimile: 713 651 5246

July 27, 2011

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

U.S. Environmental Protection Agency, Region 2  
Regional Hearing Clerk  
290 Broadway, 16th Floor  
New York, New York 10007-1866

Re: In the Matter of: Enterprise Terminals and Storage, LLC and Enterprise Products  
Operating, LLC

Docket Number: SDWA-02-2011-8902

Dear Regional Hearing Clerk:

I have enclosed a Joint Motion for a Stay of the Proceedings and a proposed order granting same on behalf of Enterprise Terminals and Storage, LLC, Enterprise Products Operating, LLC and the United States Environmental Protection Agency ("EPA") in the above-referenced matter. Please file-stamp the additional copy enclosed and return to me in the enclosed self-addressed, stamped envelope.

By copy of this correspondence, Presiding Officer Ferrara and counsel for EPA are being provided a copy of this filing. If you have any questions, please contact me at (713) 651-3760.

Very truly yours,



Edward Lewis

ECL/jnb

Enclosures

Regional Hearing Clerk  
July 27, 2011  
Page 2

cc: Helen S. Ferrara  
Presiding Officer  
U.S. Environmental Protection Agency—Region 2  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

Lauren Fischer Esq.  
Assistant Regional Counsel  
Water & General Law Branch  
U.S. Environmental Protection Agency—Region 2  
290 Broadway, 16th Floor  
New York, New York 10007-1866

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866**

**DOCKET NO. SDWA-02-2011-8902**

<b>IN THE MATTER OF</b>	§	
	§	
Enterprise Terminals and Storage, LLC	§	
1100 Louisiana Street	§	Proceedings Under Section 1423(c) of the
Houston, Texas 77002	§	Safe Drinking Water Act,
	§	42 U.S.C. § 300h-2(c)
Enterprise Products Operating, LLC	§	
1100 Louisiana Street	§	
Houston, Texas 77002	§	
	§	
Respondents	§	

**Joint Motion for a Stay of the Proceedings**

Enterprise Terminals and Storage, LLC (“Enterprise Terminals”) and Enterprise Products Operating, LLC (“Enterprise Products”) (collectively, “Respondents”) and the United States Environmental Protection Agency, Region 2 (“EPA”) file this Joint Motion for a Stay of the Proceedings.

In support thereof, Respondents and EPA (the “Parties”) would show that the Parties have been engaged in good faith settlement negotiations in an effort to resolve this matter. Although the Parties have not concluded their discussions, the Parties have developed a framework that could likely lead to final settlement within the next nine months. The request for the Stay is not for the purpose of delay but to allow the Parties sufficient time to implement their agreed upon framework for resolving the matter. The Stay would serve the interest of judicial economy.

The Parties respectfully request that the proceedings in this matter be stayed for a period of nine months to allow the Parties to attempt to reach a final settlement.

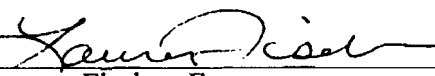
Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

By: 

Edward Lewis  
State Bar No. 00786058  
Paul Sarahan  
State Bar No. 17648200  
Fulbright Tower  
1301 McKinney, Suite 5100  
Houston, TX 77010-3095  
Telephone: (713) 651-5151  
Facsimile: (713) 651-5246

Attorneys for ENTERPRISE TERMINALS  
AND STORAGE, LLC and ENTERPRISE  
PRODUCTS OPERATING, LLC

By: 

Lauren Fischer, Esq.  
Assistant Regional Counsel  
Water & General Law Branch  
Office of Regional Counsel  
U.S. EPA, Region 2  
290 Broadway – 16<sup>th</sup> Floor  
New York, New York 10007

Attorney for UNITED STATES  
ENVIRONMENTAL PROTECTION  
AGENCY

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866**

**DOCKET NO. SDWA-02-2011-8902**

<b>IN THE MATTER OF</b>	§	
	§	
Enterprise Terminals and Storage, LLC	§	
1100 Louisiana Street	§	Proceedings Under Section 1423(c) of the
Houston, Texas 77002	§	Safe Drinking Water Act,
	§	42 U.S.C. § 300h-2(c)
Enterprise Products Operating, LLC	§	
1100 Louisiana Street	§	
Houston, Texas 77002	§	
	§	
Respondents	§	

**Order**

On this day, the Court considered the Joint Motion for a Stay of the Proceedings. The Court, after having considered the Motion is of the opinion that the Motion is well taken.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Joint Motion for a Stay of the Proceedings is hereby GRANTED, and this proceeding is stayed for nine months from the date of this Order. The Parties shall submit a joint report on the status of the settlement negotiations on or before March 22, 2012.

SIGNED: \_\_\_\_\_, 2011.

\_\_\_\_\_  
Presiding Judge