

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

In re:

**Kinder Morgan Liquid Terminals, LLC
Respondent**

In a proceeding under
Section 113(d) of the Clean Air Act

CAA-02-2010-1226

Hon. Barbara A. Gunning
Administrative Law Judge
Presiding Officer

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2010 DEC 17 P 2:06
REGIONAL HEARING
CLERK

STATUS REPORT

In accordance with the Judge Gunning's request the Director of the Division of Enforcement and Compliance Assistance, EPA, Region 2 (EPA), through her attorney, provides the Court with this status report regarding settlement.

On November 2, 2010, the parties held a settlement conference and reached an agreement in principle.

The Consent Agreement and Final Order (CAFO), embodying the agreement in principle, are currently going through concurrence and EPA anticipates issuing the CAFO to Respondents for signature by December 22, 2010.

Dated: December 16, 2010
New York, New York



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TO: Honorable Barbara A. Gunning
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CERTIFICATE OF SERVICE

I certify that the attached Status Report, dated 12/16/2010 were sent in the following manner to the addressees listed below.

Original and One Copy Delivered by hand to Regional Hearing Clerk's Office:

✓ Karen Maples
Regional Hearing Clerk
U.S. Environmental Protection Agency
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290 Broadway, 16th Floor
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Copy by Hand to:

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Copy by (*Overnight*) Mail to:

Honorable Barbara A. Gunning
Administrative Law Judge
U.S. Environmental Protection Agency
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and copy to:

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Dated: December 16, 2010


Katherine Zuckerman
Air Branch Secretary
U.S. Environmental Protection Agency
Office of Regional Counsel, Region 2