

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
2011 JAN 30 P 2:30
REGIONAL HEARINGS
CLERK

IN THE MATTER OF:

Pan American Grain Co, Inc.

RESPONDENT

STATUS REPORT

DOCKET NUMBER CWA-02-2011-3451

STATUS RPORT

COMES NOW Complainant, the U.S. Environmental Protection Agency ("EPA" or "Complainant") through the undersigned attorney, and respectfully alleges, prays and requests as follows:

Pursuant to the November 30, 2011 Prehearing Order issued by the Administrative Law Judge, Honorable Barbara A. Gunning, Counsel for Complainant submits the following status report in the above captioned matter.

The Complainant and the Pan American Grain Co., Inc. (Respondent) (herein together the "Parties") have been actively participating in good faith negotiations, including conference calls, in order to expedite a final settlement of this matter. On August 30, 2011, the Parties met, and since then have had several conference calls, the last of which was held last week, presenting each other with arguments and settlement proposals, which the Parties are still considering.

This Motion has been filed today in order to have the Administrative Law Judge, Honorable Barbara A. Gunning, take notice of the efforts made by the Parties in trying to reach a settlement agreement dispositive of all matters asserted in the administrative complaint.

The undersigned attorney attempted to contact Counsel for Respondent today to determine whether there was any objection to the granting of the relief sought in the motion prior to its filing but was unable to.

Respectfully submitted, in San Juan, Puerto Rico, this 26th day of January, 2012.



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CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing **Status Report**, dated January 20, 2012, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

Original and copy by facsimile, **Overnight Mail** to:

Karen Maples
Regional Hearing Clerk
Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866
Fax (212) 637-3202.

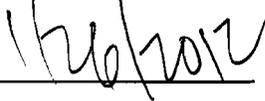
Copy by facsimile, **Certified Mail/Return Receipt** to:

Attorney for Respondent:
Gretchen Méndez-Vilella, Esq.
Goldman Antonetti & Córdova, P.S.C.
P.O. Box 70364
San Juan, P.R. 00936-8364
Telephone 787-759-8000
Fax 787-474-2407

Copy by facsimile, **Overnight Mail** to:

Chief Administrative Law Judge
Honorable Susan L. Biro
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1099 14th Street, N.W., Suite 350
Washington, D.C. 20005
Fax (202) 565-0044.

Date



Name

