

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5th STREET
KANSAS CITY, KANSAS 66101**

**JAN -4 PM 3:51
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK**

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
O'Reilly Automotive, Inc.) EPA Docket No. CAA-07-2006-0255
Emporia, Kansas 66801)
)

O'REILLY AUTOMOTIVE, INC.'S STATUS REPORT

COMES NOW RESPONDENT, O'Reilly Automotive, Inc [hereinafter "O'Reilly"] by and through the undersigned and provides the following status in the above styled matter.

On or about December 18, 2006, the EPA provided to O'Reilly a "clean copy" of a proposed Consent Agreement arising out of the allegations made in the Complaint.


Due to the holiday schedule and scheduling conflicts, O'Reilly was not able to fully review and comment back to EPA's counsel prior to December 22, 2006.

O'Reilly had been advised that counsel for the EPA would not be available to discuss any proposal from December 22, 2006, until January 4, 2007, although EPA's counsel did attempt to make contact and inquire about the status of our response on the morning of January 3, 2007.

O'Reilly has now had an opportunity to review the proposed Consent Agreement, to review the guidelines that govern an alleged Section 608 violation, and has communicated our response and position to counsel for the EPA as of this date.

After counsel for the EPA has had an opportunity to review O'Reilly's response, the parties will schedule a conference call today, January 4, 2007, or as soon thereafter as a meaningful dialog may be had to harmonize and finalize a Consent Agreement, which O'Reilly believes the parties can reach.

O'Reilly Automotive, Inc.

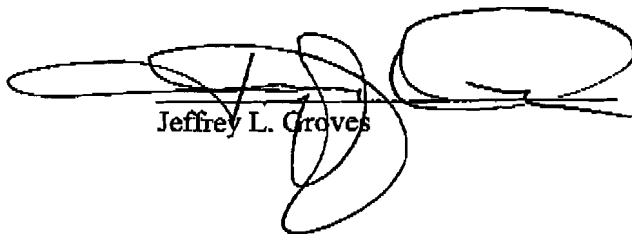
By 
Jeffrey L. Groves
General Counsel
O'Reilly Automotive, Inc.
233 S. Patterson
Springfield, MO 65802

Certificate of Service

The undersigned hereby certifies that a copy of the foregoing was service by fax and posted in the United States mail on this 4th day of January 2007 to:

Ms. Kathy Robinson
Regional Hearing Clerk
Environmental Protection Agency, Region VII
901 North 5th Street
Kansas City, Kansas 66101
Facsimile: 913-551-9567

Ms. Julie Murray
Assistant Regional Counsel
Environmental Protection Agency, Region VII
901 North 5th Street
Kansas City, Kansas 66101
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Jeffrey L. Groves



FAX COVER

Date: 01/04/2007 Number of Pages (Including cover): 3

ATTENTION: Kathy Robinson

Company: EPA, Region VII

Fax #: (913) 551-9567 Phone#: _____

FROM: Jeff Groves/Lisa Taylor

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Message: RE: EPA Docket No. CAA-07-2006-0255
O'Reilly Automotive, Inc.'s Status Report

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