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March 22, 2012

## 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 U.S. ENVIRONMENTAL DTECTION AGENCY-REG. BIZ NAR 27 A ILUCI GIONAL HEARING CLERK ARING

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

Docket Number: SDWA-02-2011-8902

Dear Regional Hearing Clerk:

I have enclosed a Status Report and Joint Motion to Continue 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,

Eddia Lewis

Edward Lewis

ECL/jnb

Enclosures

Regional Hearing Clerk March 22, 2012 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

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

#### **IN THE MATTER OF**

Enterprise Terminals and Storage, LLC 1100 Louisiana Street Houston, Texas 77002

Enterprise Products Operating, LLC 1100 Louisiana Street Houston, Texas 77002

Respondents

Proceedings Under Section 1423(c) of the Safe Drinking Water Act, 42 U.S.C. § 300h-2(c)

## STATUS REPORT AND JOINT MOTION TO CONTINUE **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 Status Report and Joint Motion to Continue Stay of the Proceedings in accordance with this Court's order of August 30, 2011.

Respondents and EPA (the "Parties") have continued their good faith efforts to resolve this matter in accordance with the framework they previously developed. The Parties still need additional time to complete their work. Therefore, the Parties jointly request that the stay in this matter be extended until August 15, 2012. The Parties continue to believe that their efforts are likely lead to final settlement if they are provided the requested stay. 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 attempting to resolve the matter. The stay would serve the interest of judicial economy.

For the above reasons, the Parties respectfully request that the stay in this matter be continued until August 15, 2012.

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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: <u>Jamen Fischer</u>, Esq. <u>Eth</u>

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

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

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

IN THE MATTER OF	§
	§
Enterprise Terminals and Storage, LLC	§
1100 Louisiana Street	§
Houston, Texas 77002	§
	§
Enterprise Products Operating, LLC	§
1100 Louisiana Street	§
Houston, Texas 77002	§
	§
Respondents	§

Proceedings Under Section 1423(c) of the Safe Drinking Water Act, 42 U.S.C. § 300h-2(c)

### Order

On this day, the Court considered the Joint Motion to Continue Stay of 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 to Continue Stay of Proceedings is hereby GRANTED, and this stay shall continue in effect until August 15, 2012.

SIGNED: \_\_\_\_\_, 2012.

Presiding Judge

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