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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III

2012 APR -5 AM 10:40

1650 Arch Street

Philadelphia, Pennsylvania 19103-2029

REGIONAL HEARING CLERK
EPA REGION III, PHILA. PA

IN THE MATTER OF:

Oasis Food Mart Inc.

trading and/or also doing business as

Oasis Food Market and/or Q-Market # 333

6719 Janway Road

Richmond VA 23228

Y & A Investments, LLC

trading and/or also doing business as

Y & A Enterprises Inc.

4222 Bonniebank Road

Suit 304

Richmond VA 23234

RESPONDENTS

Oasis Food Market

also known as

Q-Market #333

3124 Broad Rock Road

Richmond, VA 23224

FACILITY

)
)
)
) **U.S. EPA Docket Number**
) **RCRA-03-2011-0284**
)
)
)

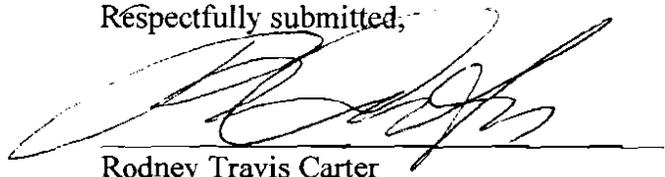
) **STATUS REPORT**
)
) **Proceeding under Section 9006**
) **of the Resource Conservation and**
) **of the Resource Conservation and**
) **Recovery Act, as amended,**
) **42 U.S.C. § 6991e**
)
)
)

STATUS REPORT

Pursuant to 40 C.F.R. § 22.07(b) of the Consolidated Rules of Practice and in response to the Order of this Court, Complainant, the United States Environmental Protection Agency (“EPA”), respectfully submits this Status Report regarding the above captioned actions, initiated pursuant to the authority vested in the Administrator of EPA by Section 9006 of the Solid Waste Disposal Act, commonly referred to as the Resource Conservation and Recovery Act of 1976, as amended by the Hazardous and Solid Waste Amendments of 1984 (collectively “RCRA”), 42 U.S.C. § 6991e.

1. An enforcement action was initiated by the issuance of a Complaint and Notice of Right to Request a Hearing, Docket No. RCRA-03-2011-0284 (the "Complaint"), dated September 30, 2011.
2. Complainant and Respondent have had multiple telephone conferences in an effort to resolve the issues set forth in the Complaint.
3. At the request of both parties this matter was placed on the Administrative Law Judges' Accelerated Dispute Resolution ("ADR") docket.
4. The Order initiating ADR regarding the above captioned matter was signed by Chief Administrative Law Judge Susan L. Biro on November 16, 2011.
5. Several ADR settlement conferences were held, mediated initially by Administrative Law Judge Spencer T. Nissen and finally by Administrative Law Judge Barbra A. Gunning.
6. The ADR process closed on March 16, 2012, however, as a result of the ADR conferences and continued negotiations the Parties have reached an Agreement in Principle
7. Complainant will soon send a Consent Agreement to Respondents for their review and signature.
8. When Complainant has received the Consent Agreement signed by Respondents, Complainant will process and submit the Consent Agreement to the Regional Judicial Officer for her review. After the Final Order regarding this matter has been signed by the Regional Judicial Officer the Final Order and the signed Consent Agreement will be filed with the Regional Hearing Clerk. True and correct copies of the settlement documents will be transmitted to the Respondents and to your offices.

Respectfully submitted,



Rodney Travis Carter
Senior Assistant Regional Counsel

April 5, 2012
DATE



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U.S. EPA Docket Number

RCRA-03-2011-0284

STATUS REPORT

Proceeding under Section 9006

of the Resource Conservation and

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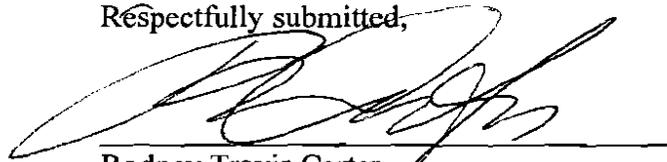
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Respectfully submitted,



Rodney Travis Carter
Senior Assistant Regional Counsel

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CERTIFICATE OF SERVICE 2012 APR -5 AM 10:40

In the Matter of Oasis Food Mart Inc. et. al., USEPA Docket # 2011-01-001, REGIONAL HEARING CLERK,
EPA REGION III, PHILA. PA

I certify that I caused, by over-night express mail, electronic facsimile and/or inter-office mail, a copy of Complaint's Status Report to be transmitted to the addressees listed below. The original and one copy of this Complaint's Status Report have been filed with the Regional Hearing Clerk for U.S. EPA Region III on the date indicated below.

Honorable Susan L. Biro (1900L)
Chief Administrative Law Judge U.S.
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, SW.
Washington, D.C. 20460

Yarer Y. Itoh, CEO
Oasis Food Mart Inc.
trading and/or also doing business as
Oasis Food Market and/or Q-Market # 333
and
Y & A Investments, LLC
trading and/or also doing business as
Y & A Enterprises Inc.
Care of
David S. Bailey Esq.
General Manager and Senior Counsel
The Environmental Law Group, PLC
5803 Staples Mill Road
Richmond, VA, 23230

April 5, 2012
DATE


Rodney Travis Carter
Senior Assistant Regional Counsel
EPA Region III
1650 Arch Street
Philadelphia, PA 19103

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

*Transmitted by Intra-Office Mail, 1st Class Mail and Electronic Transmission
In Reply Refer To Mailcode: (3RC50)*

April 5, 2012

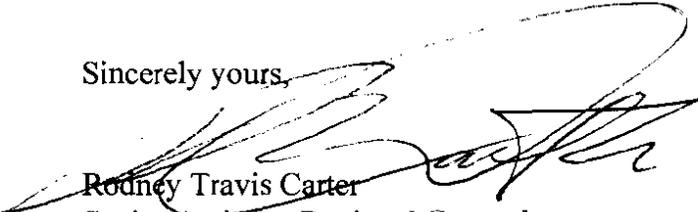
Honorable Susan L. Biro (1900L)
Chief Administrative Law Judge
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. N.W.
Washington, D.C. 20460

In the Matter of: Oasis Food Mart Inc. et.al. USEPA Docket # RCRA-03-2011-0284

Dear Judge Biro:

I am enclosing a copy of a Status Report regarding the above captioned matters. The original has been filed with the Regional Hearing Clerk. Also included is a Certificate of Service.

Sincerely yours,



Rodney Travis Carter
Senior Assistant Regional Counsel

cc: Regional Hearing Clerk
Melissa Toffel (3LC71)
David S. Bailey Esq.