

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

2010 DEC 30 P 12:18

REGIONAL HEARING
CLERK

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

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.

On December 16, 2010, EPA provided the Court with a status report indicating that the Consent Agreement and Final Order (CAFO), embodying the agreement in principle, was in the concurrence process and that EPA had anticipated issuing the CAFO to Respondent for signature by December 22, 2010.

The undersigned has attempted to brief EPA management on the agreement in principle during the last stages of the concurrence process, but unfortunately has had difficulties in doing so during the past two weeks. The CAFO is still going through the concurrence process and EPA hopes to issue the CAFO to Respondent for signature by January 14, 2011.

Dated: December 30, 2010
New York, New York



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TO: Honorable Barbara A. Gunning
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U.S. Environmental Protection Agency
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CERTIFICATE OF SERVICE

I certify that the attached Status Report, dated 12/30/2010 was sent in the following manner to the addressees listed below.

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

Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 2
290 Broadway, 16th Floor
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Copy by Hand to:

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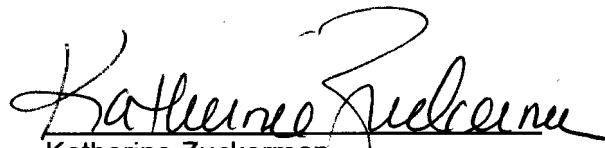
Copy by (*Overnight Interoffice*) Mail to:

Honorable Barbara A. Gunning
Administrative Law Judge
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and copy by regular mail to:

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Dated: December 30, 2010


Katherine Zuckerman
Air Branch Secretary
U.S. Environmental Protection Agency
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