

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

In the Matter of:

Stevenson Commons Associates, L. P.  
Bronx, New York

&

Grenadier Realty Corp.  
Brooklyn, NY

Respondents

In a proceeding under the Clean Air Act,  
42 U.S.C. § 7401, *et seq.*, 42 U.S.C.  
§ 7413(d), Section 113(d)

CAA-02-2008-1220

Hon. Susan L. Biro,  
Chief Administrative Law Judge

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2008 DEC 19 AM 11:47  
REGIONAL HEARING  
CLERK

**STATUS REPORT**

In accordance with the Prehearing Order (Order) dated December 2, 2008, the Complainant in this proceeding, 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 December 15, 2008, Complainant in this proceeding, through her attorney, filed a Motion for Extension of Time to File Prehearing Exchanges requesting the Court grant a 60-day extension of time for the parties to file their prehearing exchanges, concurred upon by Stevenson Commons Associates, L.P. and Grenadier Realty Corp. (Respondents), through their counsel, Daniel Riesel, Esq.

The parties have been working with the EPA Region 2 ADR Specialist, who is

...serving as a convener, to select a mediator to meet with the parties are expeditiously as practicable to assist the parties. After filing the motion, the parties selected a mediator and a settlement conference has been scheduled for January 8, 2009. Based on experience, the convener has told the parties that it is likely that the mediator will need to meet with the parties on at least one other occasion.

Dated: December 19, 2008  
New York, New York



Marie Quintin/Flaire Mills  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
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TO: Honorable Susan L. Biro  
Chief Administrative Law Judge  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Mail Code 1900L  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 16<sup>th</sup> floor  
New York, New York 10007-1866

Daniel Riesel, Esquire  
Sive, Paget & Riesel, P.C.  
460 Park Avenue  
New York, NY 10022

CERTIFICATE OF SERVICE

I certify that the foregoing **Status Report**, dated December 19, 2008, was sent this day in the following manner to the addressees listed below.

Original and One Copy By Hand Delivered to:

Karen Maples  
Regional Hearing Clerk  
U.S. EPA  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

Copy By Mail to:

Daniel Riesel, Esq.  
Sive, Paget & Riesel, P.C.  
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Copy By Pouch to:

The Honorable Susan L. Biro  
Chief Administrative Law Judge  
Office of Administrative Law Judges  
U.S. EPA  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Mail Code 1900L  
Washington, DC 20460

Dated: December 19, 2008

  
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Orelia Lewis  
Branch Secretary