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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)
) DOCKET NO. RCRA-05-2007-0015
North American EN, Inc.)
450 Crossen Avenue)
Elk Grove Village, IL 60007)
)
U.S. EPA ID No.: ILD082068214)
)
Respondent)
_____)

Joint Status Report and Joint Motion for Extension of ADR

Counsel for Complainant and Respondent hereby submit this Joint Status Report and Joint Motion for Extension of ADR:

1. Counsel for Complainant, the Director, Land and Chemicals Division, Region 5, United States Environmental Protection Agency (U.S. EPA), and Respondent North American EN have reached an agreement in principle with respect to payment of a penalty with regard to the allegations alleged by Complainant in the above-entitled matter and with respect to the terms of payment of such penalty. Respondent will not admit to violations, but will admit to Complainant's jurisdiction in the matter.

2. Counsel for Complainant has prepared a draft consent order, and has obtained the concurrence of management of Region 5's Land and Chemicals Division (which, among other duties, has jurisdiction over the RCRA program), and from Region 5's Office of Regional Counsel, pursuant to EPA's delegations from EPA Headquarters.

3. This draft CAFO was sent to counsel for Respondent today for his review. Counsel for Complainant regrets that she had not sent it earlier; however, her illness

earlier in the month, and her unawareness that EPA's internal review process had become more exacting before a document can be sent to opposing counsel in the first instance, hindered her ability to send it to counsel for Respondent.

4. It remains the expectation of the parties that the consent order will be completed in final form and receive the necessary approvals from EPA management and Respondent's principals within the next thirty days.

WHEREFORE, Complainant and Respondent move the Honorable Administrative Law Judge for a thirty-day extension of ADR, which is otherwise scheduled to expire on February 7, 2008. The parties will submit a signed Consent Agreement and Final Order on or before March 7, 2008, or will provide an explanation at that time of the status of the matter.

Respectfully submitted,



Sherry L. Estes
Associate Regional Counsel
Region 5, U.S. EPA
(312) 886-7164

Certificate of Filing

Counsel certifies that on January 4, 2008, she filed the original of the Joint Status Report and Joint Motion for Extension of ADR with:

Sonja Brooks-Woodard
Regional Hearing Clerk
Office Enforcement Compliance Assurance
U.S. Environmental Protection Agency
77 W. Jackson Blvd., E-13J
Chicago, Illinois 60604-3590

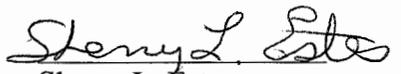
Certificate of Service

Counsel further certifies that on January 4, 2008, she sent a copy of Joint Status Report and Joint Motion for Extension of ADR , by telefax, to:

ALJ Barbara A. Gunning
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mailcode 1900L
(202) 565-0044 (fax)

and

Norman V. Chimenti
Attorney for North American EN
(630) 472-0048


Sherry L. Estes
Associate Regional Counsel
Region 5, U.S. EPA

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