



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:
(C-14J)

February 12, 2009

The Honorable Susan L. Biro
Chief Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Pennant Foods Company, Inc., Schaumburg, Illinois.
Docket Nos EPCRA- 05-2009-0005
CERCLA- 05-2009-0001
MM- 05-2009-0002

Dear Judge Biro:

Attached, please find a copy of COMPLAINANT'S STATUS REPORT for this civil administrative action which I filed today with the Regional Hearing Clerk pursuant to your Order, dated January 13, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffery M. Trevino".

Jeffery M. Trevino
Associate Regional Counsel

Attachment

cc: Andrew H. Perellis
Seyfarth Shaw LLP
Suite 2400
131 South Dearborn Street
Chicago, IL 60603-5577

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

RECEIVED

FEB 12 2009

In the Matter of:

PENNANT FOODS COMPANY,

Respondent

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Docket No. EPCRA-05-2009-0005
CERCLA-05-2009-0001
MM- 05-2009-0002

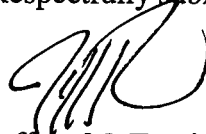
REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

COMPLAINANT'S STATUS REPORT

Complainant hereby reports to the Court the following facts and status of this civil administrative action.

1. On February 2, 2009, the parties agreed to a settlement-in-principle to resolve this action without resort to hearing.
2. Complainant is drafting for Respondent's review a Consent Agreement and Final Order ("CAFO").
3. The parties intend to have a signed, dated, and filed CAFO by March 6, 2009.

Respectfully submitted,



Jeffery M. Trevino
Associate Regional Counsel
Office of Regional Counsel
Region 5
U.S. Environmental Protection Agency
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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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In the Matter of:

PENNANT FOODS COMPANY,

Respondent

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REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY


) Docket No. EPCRA- 05-2009-0005
) CERCLA-05-2009-0001
) MM- 05-2009-0002

CERTIFICATE OF SERVICE

I hereby certify that today I filed with Tywana Greene, Acting Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, 77 West Jackson Boulevard (E-19J), Chicago, Illinois, 60604-3590, the original document entitled COMPLAINANT'S STATUS REPORT for this civil administrative action and I issued to the Court and Respondent by first class mail a copy of the original document:

The Honorable Susan L. Biro
Chief Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Andrew H. Perellis
Seyfarth Shaw LLP
Suite 2400
131 South Dearborn Street
Chicago, IL 60603-5577



Jeffery M. Trevino
Associate Regional Counsel.

12 February 2009
Dated