

**U. S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

**BEFORE THE ADMINISTRATOR**

<b>In the Matter of:</b>	)
	) <b>Complainant's Status Report</b>
<b>BJZ Development</b>	) <b>Docket No. RCRA-07-2019-0052</b>
<b>and Construction, L.L.C.,</b>	)
	)
	)
<b>Respondent.</b>	)

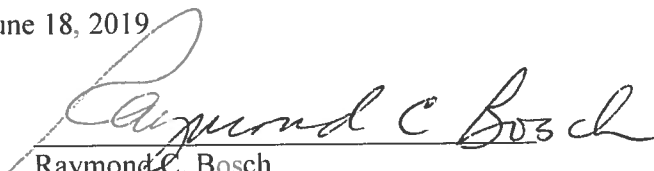
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**COMPLAINANT'S STATUS REPORT**

Comes now the Complainant and, pursuant to the Prehearing Order entered by EPA Administrative Law Judge Christine Donelian Coughlin on June 4, 2019, sets forth the following Status Report concerning settlement negotiations between Complainant and Respondent:

Complainant filed the Complaint in this matter on March 20, 2019 which was served upon Respondent on March 26, 2019. Thereafter the parties entered negotiations during which, they agreed that Respondent could file a motion requesting an extension of time to file an answer. Respondent filed such a motion which was granted by the EPA Regional Judicial Officer of EPA Region 7, giving the Respondent until May 24, 2019 to file its answer. The Respondent filed an answer in accordance with the extension and in its Answer, Respondent admitted the violations alleged in the Complaint. The Respondent has requested Complainant to consider reducing the amount of the penalty demanded in the Complaint based upon Respondent's inability to pay the penalty. During the week of June 10<sup>th</sup> through the 14<sup>th</sup>, the parties discussed Respondent's challenges in obtaining the information necessary to demonstrate its ability to pay the penalty. Respondent represented that it will diligently continue to obtain this information, and Complainant has represented that it will duly consider such information in adjusting the penalty.

Respectfully submitted on June 18, 2019

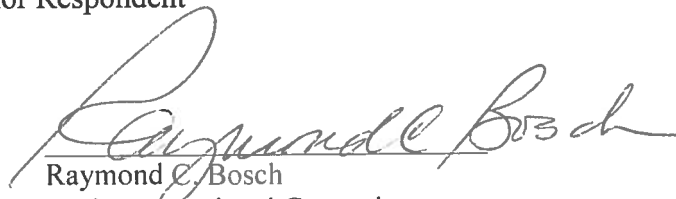


Raymond C. Bosch  
Counsel for Complainant  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region 7

## CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of June 2019, I filed via the OALJ E-filing system one true and correct copy of this Complainant's Status Report with the Office of Administrative Law Judges Hearing Clerk and was served via email upon:

Henry P. Elster, Esq.  
henry@elsterlaw.com  
Attorney for Respondent

A handwritten signature in cursive script that reads "Raymond C. Bosch". The signature is written in black ink and is positioned above the printed name and title of the signatory.

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