

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CALIFORNIA 94105

IN RE:)
)
) DOCKET NO. CAA-9-2011-0004
KILAUEA CRUSHERS, INC.,)
) STATUS REPORT
)
)
RESPONDENT)
_____)

On August 22, 2012, the Presiding Officer in the above-captioned matter issued a Prehearing Order (the "Order") directing the parties to engage in a settlement conference and requiring Complainant to file a status report as to the progress of settlement in the above-captioned matter on or before September 7, 2012.

Pursuant to the Order, Complainant hereby files this status report and wishes to inform the Presiding Officer that the parties have reached an agreement in principle and will file a Consent Agreement and Final Order no later than September 21, 2012.

Respectfully submitted,

DATED: 8/31/12



David H. Kim
Assistant Regional Counsel

CERTIFICATE OF SERVICE

I certify that the original and one copy of the foregoing Status Report was hand delivered to:

Sybil Anderson
Headquarters Hearing Clerk
Office of Administrative Law Judges (Mail Code 1900L)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-2001

and that a true and correct copy of the Status Report was placed in the United States Mail, addressed to the following:

The Honorable M. Lisa Buschmann
Administrative Law Judge
Office of Administrative Law Judges (Mail Code 1900L)
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-2001

Patrick J. Paul, Esq.
Snell & Wilmer LLP
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004

Dated: 8-31-2012

By:



Office of Regional Counsel
U.S. Environmental Protection Agency, Region IX