HOLLAND & KNIGHT LLP

2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006-6801

202-955-3000
FAX 202-955-5564
www.hklaw.com

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*Representative Offices

July 15, 2002

MARY CAROLYN BROWN
202-862-5990

Internet Address: mcbrown@hklaw.com

VIA FACSIMILE

Board of Zoning Adjustment for the
District of Columbia
441 4th Street, N.W., Suite 210-S
Washington, D.C. 20001

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Re: BZA Appeal No. 16239
USA Waste of D.C., Inc.

Dear Members of the Board:

In accordance with the instructions of the Board of Zoning Adjustment at the May 14, 2002 hearing in the above-referenced appeal, we are submitting herewith this status report on behalf of USA Waste of D.C., Inc. ("USA Waste", formerly known as L.G. Industries, Inc.).

On July 2, 2002, the Council for the District of Columbia adopted emergency and temporary legislation that authorizes the District of Columbia to enter into a Solid Waste Transfer Station and Settlement Agreement with USA Waste. (See Bill Nos. 14-775, 14-776, 14-777 and 14-778.) One of the major achievements of the proposed agreement is USA Waste's voluntary closure by August 31, 2002, of its transfer station located at 1140 3rd Street, N.E., which is the subject of this appeal. The Mayor is expected to sign the legislation no later than July 26, 2002. Thereafter, the District will have the authority to sign the settlement agreement.

The parties are hopeful that the agreement will be signed prior to the July 30th hearing date in this matter, thereby obviating the need for the hearing. USA Waste will promptly notify the Board once an agreement has been executed by the parties.

BZA
Case No. 16239
Exhibit No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO.16239
EXHIBIT NO.39

Undersigned counsel has consulted with Assistant Corporation Counsel Arthur Parker in the preparation of this status report. He has authorized me to state that he agrees with the representations made herein. Accordingly, no separate status report will be filed.

Respectfully submitted,

HOLLAND & KNIGHT LLP

Carolyn Brown

Carolyn Brown

Enclosure

cc: Advisory Neighborhood Commission 6A
Institute For Public Representation
Arthur J. Parker, Esq.

HOLLAND & KNIGHT LLP

2100 Pennsylvania Avenue, N. W.
Suite 400
Washington, D.C. 20037-3202

202-955-3000
FAX 202-955-5564
Http://www.hklaw.com

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FACSIMILE

TO:

Name:	Board of Zoning Adjustment	Fax Number: (202) 727-6072
Company:		
Name:	Lawrence H. Levine	Fax Number: (202) 662-9634
Company:	Institute for Public Representation	

FROM:

Mary Carolyn Brown.	202-862-5990	
NAME	TELEPHONE	TOTAL PAGES (Including Cover Sheet) 3

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