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June 17, 2002

MARY CAROLYN BROWN
202-862-5990

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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. (formerly L.G. Industries, Inc.).

USA Waste and the District of Columbia have been engaged in extensive settlement discussions regarding the operation and eventual closure of the solid waste handling facilities located at 1140 3rd Street, N.E., which is the subject of this appeal. The parties have been able to reach consensus on the business terms of a settlement. The agreement is now being reviewed for legal sufficiency by the Office of Corporation Counsel and the attorneys for USA Waste. The parties are hopeful that an agreement will be finalized and signed in the next several weeks, which would obviate the need for a hearing on July 30th. USA Waste will promptly notify the Board once an agreement has been executed by the parties.

BZA
Case No. 16239
Exhibit No. 40

Board of Zoning Adjustment
District of Columbia
CASE NO.16239
EXHIBIT NO.40

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.

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TO:

Board of Zoning Adjustment		(202) 727-6072
NAME	COMPANY/FIRM	FAX NUMBER
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Carolyn Brown	202-862-5990	Three (3)
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