

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

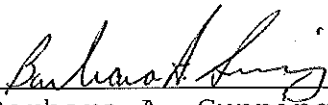
In the Matter of )  
)  
NUSSEER OIL COMPANY, ) DOCKET NO. CWA-07-2010-0011  
)  
)  
Respondent )


REPORT RECOMMENDING CONTINUATION  
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of January 19, 2010 provides that this alternative dispute resolution (ADR) process terminates March 22, 2010. The recommendation of this Report is that the ADR process be continued for another month, to April 22, 2010.

This continuation of the ADR process is recommended because the parties' negotiations have developed the possibility of a settlement, but additional time is needed if a settlement is to be actually concluded. In a conference call on March 22, 2010 the parties requested continuation of the ADR process for another month. The parties' chances of achieving a settlement are sufficient to justify a continuation of ADR.

Accordingly, the undersigned will continue to work as a Neutral in this case and will file another report with the Chief Administrative Law Judge by April 22, 2010 unless otherwise directed by her.

  
\_\_\_\_\_  
Barbara A. Gunning  
Administrative Law Judge  
Dated: March 22, 2009

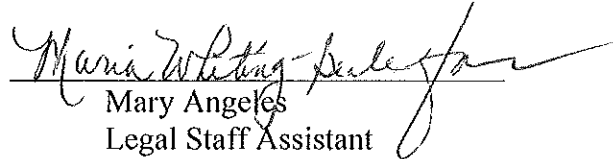
Approved:   
\_\_\_\_\_  
Susan L. Bire  
Chief Administrative Law Judge

Dated: 3/23/10

In the Matter of Nusser Oil Company, Respondent  
Docket No. CWA-072-2010-0011

Certificate of Service

I certify that the foregoing **Report Recommending Continuation Of Alternative Dispute Resolution Process**, dated March 22, 2010, was sent this day in the following manner to the addressees listed below.

  
Mary Angeles  
Legal Staff Assistant

Dated: March 23, 2010

Original And One Copy To:

Sybil Anderson  
Headquarters Hearing Clerk  
U.S. EPA  
Office of Administrative Law Judges  
Mail Code 1900L  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460-2001

Copy By Pouch Mail To:

Kristen Nazar, Esquire  
Assistant Regional Counsel  
U.S. EPA  
901 North 5<sup>th</sup> Street  
Kansas City, KS 66101

Copy by Regular Mail To:

Shawn L. Stogsdill, Esquire  
Van Osdol & Magruder, P.C.  
911 Main Street, Suite 2400  
Kansas City, MO 641059