

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

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In the Matter of:)
)
POTOMAC HOUSING REALTORS, LLC)
27 Polo Green Road)
Martinsburg, WV 25401)

RESPONDENT)
)
)
)
)

Docket No.: TSCA-03-2010-0070

Proceeding Under Section 16(a) of
the Toxic Substances Control Act, 15
U.S.C. Section 2614(a)

JOINT MOTION FOR
ALTERNATIVE DISPUTE RESOLUTION

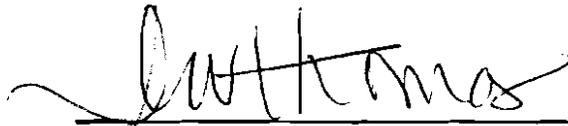
Complainant, the Director for the Land and Chemicals Division, of the United States Environmental Protection Agency, Region III (“EPA”), and Respondent, Potomac Housing Realtors, LLC, (“Potomac”) file this joint motion for alternative dispute resolution (“ADR”). EPA and Potomac (collectively, “the Parties”) submit that although the original time frame for officially requesting ADR has passed, they strongly believe that this matter may be resolved amicably through the ADR process, without the need for a formal hearing. In its Answer, Potomac stated its willingness to participate in a settlement conference to resolve this matter, without litigation. Potomac believed that such a response served as an official request for ADR. Conversely, EPA typically defers to a Respondent in making a request for ADR. Accordingly, no separate request for ADR was made by Potomac or EPA. Since receiving the March 8, 2012

Order of Designation, counsel for the Parties have engaged in dialogue and believe that this matter would benefit greatly from utilizing the ADR process.

By this motion, the Parties jointly request initiation of ADR and that all deadlines stated in the March 8, 2012 Prehearing Order be stayed until after exhaustion and/or termination of the ADR process.

Respectfully submitted,

COUNSEL FOR COMPLAINANT:



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COUNSEL FOR RESPONDENT



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CERTIFICATE OF SERVICE

I hereby certify that the original and one copy of the foregoing Joint Motion for Alternative Dispute Resolution (EPA Docket No. TSCA-03-2012-0072), was filed today with the Regional Hearing Clerk, EPA, Region III, and that a copy of the same was sent as follows:

Via Pouch Mail and fax (202) 565-0044:

The Honorable M. Lisa Buschmann
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mailcode 1900L
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Via Regular Mail and fax (304) 933-8708:

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3/13/12
Date



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