

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

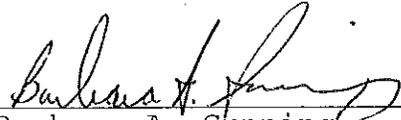
BEFORE THE ADMINISTRATOR

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

REPORT RECOMMENDING TERMINATION  
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report approved April 20, 2010 provides that this alternative dispute resolution (ADR) process terminates May 22, 2010. In a conference call on May 25, 2010 the parties stated that a Consent Agreement and Final Order ("CAFO") has been drafted and signed by Respondent. Nonetheless, the CAFO has not been fully executed. Therefore, I am recommending that this case be held in abeyance for a few weeks.

The parties are commended for their success in negotiating their agreement. The undersigned further expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.

  
\_\_\_\_\_  
Barbara A. Gunning  
Administrative Law Judge  
Dated: May 26, 2010

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

Dated: 5/26/10

**In the ADR Matter of *Nusser Oil Company*, Respondent.  
Docket No. CWA-07-2010-0011**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process**, dated May 26, 2010, was sent this day in the following manner to the addressees listed below.



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Mary Angeles  
Legal Staff Assistant

Original and One Copy by Hand Delivery to:

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

One Copy by Pouch Mail to:

Kristen Nazar, Esq.  
Office of Regional Counsel  
U.S. EPA, Region VII  
901 N. 5<sup>th</sup> Street  
Kansas City, KS 66101

One Copy by Regular Mail to:

Shawn L. Stogsdill, Esq.  
Van Osdol & Magruder, P.C.  
911 Main Street, Ste. 2400  
Kansas City, MO 64105

**Dated: May 26, 2010.  
Washington, D.C.**