



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

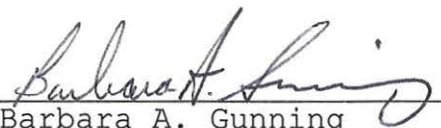
BEFORE THE ADMINISTRATOR

IN THE MATTER OF )  
 )  
 AMERIMART DEVELOPMENT COMPANY, ) DOCKET NO. RCRA-02-2012-7501  
 INC., QUAL-ECON LEASE CO., INC., )  
 COMMERCIAL REALTY FUND II, MJG )  
 ENTERPRISES INC., AND CLEAR )  
 ALTERNATIVE OF WESTERN NY, INC., )  
 (dba G & G PETROLEUM), )  
 )  
 RESPONDENTS )

ORDER RETURNING CASE TO CHIEF ADMINISTRATIVE LAW JUDGE

As you previously have been notified, the October 18, 2012 Order of the Chief Administrative Law Judge designated the undersigned as a neutral in the Alternative Dispute Resolution ("ADR") process in the above-captioned matter. The Report approved November 21, 2012 provides that this ADR process terminates January 18, 2013.

The parties have been engaging in settlement discussions as part of the ADR process. Due to the impending retirement of the undersigned, this case is being returned to the Chief Administrative Law Judge for reassignment to another ADR Judge.


  
 Barbara A. Gunning  
 Administrative Law Judge  
 Dated: December 19, 2012

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In the ADR Matter of Amerimart Development Company, Inc., Qual-Econ Lease Co., Inc.,  
Commercial Realty Fund, II, MJG Enterprises, Inc., and Clear Alternative of Western NY, Inc.,  
d/b/a G & G Petroleum, Respondents  
Docket No. RCRA-02-2012-7501

Certificate of Service

I certify that the foregoing **Order Returning Case To Chief Administrative Law Judge**, dated December 19, 2012, was sent this day in the following manner to the addressees listed below.

  
Mary Angeles  
Legal Staff Assistant

Dated: December 19, 2012

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

Copy By Regular Mail To:

Bruce Aber, Esquire  
Office of Regional Counsel  
U.S. EPA, Region II  
Waste & Toxic Substances Branch  
290 Broadway, 16<sup>th</sup> Floor  
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