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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

May 9, 2012

**Via Facsimile and US Mail**

Eurika Durr  
Clerk of the Board  
U.S. Environmental Protection Agency  
Environmental Appeals Board  
Ronald Regan Building, EPA Mail Room  
1300 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
Facsimile 202-233-0121

**Re: CLEVELAND TRENCHER  
U.S. EPA DOCKET NO.: V-W-10-C-950  
PETITION NO. CERCLA 106(b) 12-02**

Dear Ms. Durr:

Pursuant to the Environmental Appeals Board's correspondence of April 26, 2012, Petitioner Safe Environmental Corporation of Indiana ("Petitioner") and the United States Environmental Protection Agency, Region 5 ("U.S. EPA"), jointly notify the Clerk of the Board of their intent to participate in the EAB's pilot alternative dispute resolution program ("ADR").

{00522013; 1; 0929-0008}

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Ms. Eurika Durr  
May 9, 2012  
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The parties have received the "Environmental Appeals Board Pilot Alternative Dispute Resolution Program Information Sheet," which the parties have used in their respective consideration of ADR as a means of resolution of the Petition. If there is additional documentation, counsel look forward to receipt of it at the Clerk's earliest convenience.

We understand that the EAB will issue a Stay Order and that EAB Settlement Counsel will schedule a status conference, at which time further instructions will be given to the parties.

Please feel free to contact the undersigned should you have any questions regarding the foregoing.

Very truly yours,

On behalf of Petitioner,

On behalf of the U.S. EPA,

/s/Patrick J. Thomas

/s/Kevin Chow

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