

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

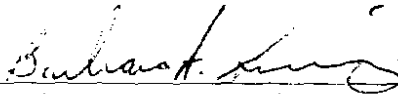
In the Matter of)
)
RUSSELL WISE,) DOCKET NO. CWA-04-2009-5504
)
)
Respondent)

REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report approved December 16, 2009 provides that this alternative dispute resolution (ADR) process terminates February 5, 2010. The recommendation of this Report is that the ADR process be continued for a final month, to March 5, 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 February 3, 2010 the parties agreed that the ADR process should be continued.

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 March 5, 2010 unless otherwise directed by her.



Barbara A. Gunning
Administrative Law Judge

Dated: February 3, 2010

Approved:  _____
Susan L. Biro
Chief Administrative Law Judge

Dated: 2/4/10

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Dated: February 4, 2009
Washington, D.C.