

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

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BEFORE THE ADMINISTRATOR

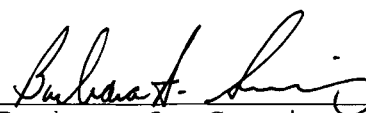
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

In the Matter of)
)
MISSOURI TIE AND TIMBER, INC.,) DOCKET NO. EPCRA-07-2006-0223
)
)
)
Respondent)

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report of November 21, 2006 provides that this alternative dispute resolution (ADR) process terminates December 23, 2006. The parties continue to make significant progress toward settlement in this matter. In a status report dated December 20, 2006 the parties indicated that they have reached a final settlement and that a Consent Agreement and Final Order ("CAFO") has been drafted. Nonetheless, the CAFO has not been executed. Therefore, I am recommending assignment of the case to another Judge in the event that problems arise in concluding the settlement agreement. In that event, the Judge responsible for the case would direct the parties to a process that would produce a resolution, such as a litigated hearing if required.

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: December 27, 2006

Approved: 

Susan L. Biro
Chief Administrative Law Judge

Dated: 12/27/06

**In the ADR Matter of *Missouri Tie and Timber, Inc.*, Respondent.
Docket No. EPCRA-07-2006-0223**

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process**, dated December 27, 2006, was sent this day in the following manner to the addressees listed below.



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Legal Staff Assistant

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**Dated: December 27, 2006
Washington, D.C.**