UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

RECEIVED In the Matter of)) OASIS FOOD MART INC.) DOCKET NO. RCRA-03-2011 Y & A INVESTMENTS, LLC, Respondents

REPORT RECOMMENDING TERMINATION OF ALTERNATIVE DISPUTE RESOLUTION PROCESS AND ASSIGNMENT OF A JUDGE FOR LITIGATION

The Report approved February 29, 2012 provides that this alternative dispute resolution (ADR) process terminates March 16, 2012. The recommendation of this Report is that the ADR process be terminated, and that the case be assigned to a Judge for resolution through litigation.

Barbara A. Gunning Administrative Law Judge

Dated: March 21, 2012

In the ADR Matter of *Oasis Food Mart*, Respondent. Docket No. RCRA-03-2011-0284

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation, dated March 21, 2012, was sent this day in the following manner to the addressees listed below.

Nent

Mary Angeles Legal Staff Assistant

Original and One Copy by Regular Mail to:

Lydia Guy Regional Hearing Clerk U.S. EPA / Region III 1650 Arch Street Philadelphia, PA 19103-2029

One Copy by Regular Mail to:

Rodney Travis Carter, Esq. Sr. Assistant Regional Counsel U.S. EPA, Region III 1650 Arch Street Philadelphia, PA 19103-2029

One Copy by Regular Mail to:

David S. Bailey, Esq. Jennifer A. French, Esq. The Environmental Law 5803 Staples Mill Road P.O. Box 6236 Richmond, VA 23230

Dated: March 21, 2012 Washington, D.C.