

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY 06 NOV 22 AM 10:44

BEFORE THE ADMINISTRATOR

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

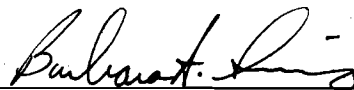
In the Matter of)
)
MISSOURI TIE AND TIMBER,) DOCKET NO. EPCRA-07-2006-0223
INC.,)
)
)
Respondent)

REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report approved October 18, 2006 provides that this alternative dispute resolution (ADR) process terminates November 23, 2006. The recommendation of this Report is that the ADR process be continued for a final month, to December 23, 2006.

This continuation of the ADR process is recommended because the parties' negotiations have made substantial progress toward a settlement, but additional time is needed if a settlement is to be actually concluded. In a conference call on November 20, 2006 the parties agreed to a continuance of the ADR process. The parties' chances of achieving a settlement are sufficient to justify the continuation.

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 December 23, 2006 unless otherwise directed by her.¹



Barbara A. Gunning
Administrative Law Judge
Dated: November 21, 2006

Approved:



Susan L. Biro
Chief Administrative Law Judge

¹ If a Consent Agreement and Final Order is not filed by December 23, 2006, Complainant shall file a status report by that date.

**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 Continuation of Alternative Dispute Resolution Process**, dated November 21, 2006, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Kathy Robinson
Regional Hearing Clerk
U.S. EPA, Region VII
901 North 5th Street
Kansas City, KS 66101

One Copy by Pouch Mail to:

Belinda Holmes, Esq.
Assistant Regional Counsel
U.S. EPA, Region VII
901 North 5th Street
Kansas City, KS 66101

One copy by Regular Mail to:

L. Dwayne Hackworth, Esq.
Hackworth, Hackworth & Ferguson, LLC
1401 North Main - Suite 200
Piedmont, MO 63957

**Dated: November 21, 2006
Washington, D.C.**