

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

RECEIVED
DEC 14 2010

In the Matter of:)
)
Batesville Water & Gas Utility and)
Don Gunter Excavating, LLC,)
)
Respondents.)

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY


Docket No. CWA 05-2010-0013

ORDER TERMINATING ALTERNATIVE DISPUTE RESOLUTION PROCESS

On November 8, 2010, the Complainant submitted a Motion to extend the Alternative Dispute Resolution Period, which expired on December 8, 2010. The stated reason for the motion is that the parties have reached a settlement in principle and will require additional time to memorialize the terms of the settlement. No CAFO has been submitted and the ADR process has expired. Accordingly, the ADR process is terminated and these proceedings are returned to the Chief Administrative Law Judge.

Dated this 8th day of December 2010.

So Ordered.



Spencer T. Nissen
Administrative Law Judge

In the ADR matter of *Batesville Water & Gas Utility and Don Gunter Excavating, LLC*
Respondent.
Docket No. CWA-05-2010-0013

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Terminating Alternative Dispute Resolution Process**, dated December 8, 2010 was sent this day in the following manner to the addressees listed below.



Knolyn R. Jones
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

LaDawn Whitehead
Regional Hearing Clerk
U.S. EPA, Region V, MC-E-19J
77 West Jackson Blvd.,
Chicago, IL 60604-3590

One Copy by Pouch Mail to:

Jeffrey A. Cahn, Esq.
Associate Regional Counsel
U.S. EPA, Region V
77 West Jackson Blvd., C-14J
Chicago, IL 60604-3590

One Copy by Regular Mail to:

Larry Kane
Bingham McHale, LLP
2700 Market Tower
10 West Market Street
Indianapolis, IN 46204

Kathryn Watson
Spalding & Hilmes, PC
330 South Downey Avenue
Indianapolis, IN 46219

RECEIVED
DEC 14 2010

**REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY**