



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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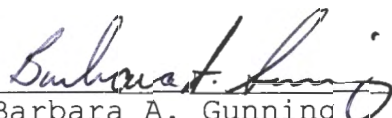
IN THE MATTER OF)
)
RHODES TECHNOLOGIES,) DOCKET NO. RCRA-01-2011-0124
)
)
RESPONDENT)

ORDER RETURNING CASE TO CHIEF ADMINISTRATIVE LAW JUDGE

As you previously have been notified, the April 10, 2012 Order of the Chief Administrative Law Judge designated the undersigned as a neutral in the Alternative Dispute Resolution ("ADR") process in the above-captioned matter.

On July 18, 2012, Complainant filed a Motion for Leave to Amend Complaint. Respondent does not oppose the motion.

During a conference call on July 6, 2012, both parties stated that they have reached a settlement in principle to resolve this matter and they desire to continue the ADR process. Inasmuch as the undersigned as a neutral in the ADR process is without authority to act on the motion, the case is returned to the Chief Administrative Law Judge for resolution of the pending motion. Thereafter, the case should be returned to the undersigned for continuation of ADR.



Barbara A. Gunning
Administrative Law Judge
Dated: July 19, 2012

**In the ADR Matter of *Rhodes Technologies*, Respondent.
Docket No. RCRA-01-2011-0124**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Returning Case to Chief Administrative Law Judge**, dated July 19, 2012, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Electronic and Regular Mail to:

Wanda Santiago
Regional Hearing Clerk
U.S. EPA, Region I
Mail Code ORA 18-1
5 Post Office Square, Suite 100
Boston, MA 02109-3912

One Copy by Electronic and Regular Mail to:

Steven J. Viggiani, Esq.
Sr. Enforcement Counsel
Office of Environmental Stewardship
U.S. EPA, Region I, MC OES04-3
5 Post Office Square, Suite 100
Boston, MA 02109-3219

One Copy by Electronic and Regular Mail to:

Andrew L. Kolesar, Esq.
Christopher Wiest, Esq.
Thompson Hines, LLP
312 Walnut Street, 14th Floor
Cincinnati, OH 45202-4089

**Dated: July 19, 2012
Washington, D.C.**