



**In the Matter of John Sconiers, Docket No. RCRA-05-2010-0019: Alternative
Dispute Resolution**

Kevin Chow to: Maria Whiting-Beale

10/05/2010 04:25 PM

Cc: john, Spiros Bourgikos, Ladawn Whitehead

Dear Ms. Beale:

As counsel for Complainant EPA in this matter (In the Matter of John Sconiers, Docket No. RCRA-05-2010-0019), I am informing you that EPA is declining the offer of Alternative Dispute Resolution by the Administrative Law Judges set forth in Chief ALJ Biro's letter to the parties of September 28, 2010. Complainant has reached an agreement in principle with the Respondent, Mr. John Sconiers, to settle this matter short of hearing and any other further procedures. The expected settlement is based upon the Respondent's inability to pay the proposed penalty. EPA is preparing a Consent Agreement and Final Order for review and signature by Mr. Sconiers; EPA expects to mail it to him within the next week or two, after which he will return it to EPA for final approval and execution by Region 5 management and filing with the Regional Hearing Clerk. ADR will therefore be rendered moot.

Mr. Sconiers has authorized me to communicate to you that he also declines your offer of ADR, for the above reasons. He is not represented by counsel in this matter. Mr. Sconiers may be reached at (630) 248-7099 or john@thesconiers.com.

Sincerely,

Kevin Chow
Associate Regional Counsel
U.S. EPA, Region 5
77 W. Jackson Blvd.
Chicago, IL 60604
(312) 353-6181