



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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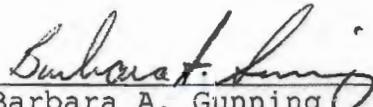
IN THE MATTER OF )  
 )  
RHODES TECHNOLOGIES, ) DOCKET NO. RCRA-01-2011-0124  
 )  
 )  
RESPONDENT )

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

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U.S. EPA  
Washington, D.C.

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.



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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, 14<sup>th</sup> Floor  
Cincinnati, OH 45202-4089

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