

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.II
2009 AUG 26 PM 3:00
REGIONAL HEARING
CLERK

In the Matter of

MUNICIPALITY OF HATILLO,

)
)
)
)
)
)

DOCKET NO. CWA-02-2009-3455

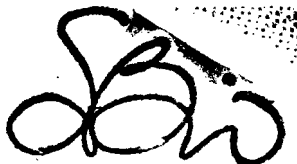
Respondent

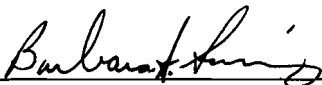
REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of June 25, 2009 provides that this alternative dispute resolution (ADR) process terminates August 24, 2009. The recommendation of this Report is that the ADR process be continued for another month, to September 24, 2009.

This continuation of the ADR process is recommended because the parties' negotiations have developed the possibility of a settlement, but additional time is needed if a settlement is to be actually concluded. During a conference call on August 25, 2009 the parties requested continuation of the ADR process. The parties' chances of achieving a settlement are sufficient to justify continuation of ADR for one month.¹

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 September 24, 2009 unless otherwise directed by her.




Barbara A. Gunning
Administrative Law Judge
Dated: August 25, 2009

Approved: _____

Susan L. Biro
Chief Administrative Law Judge

Dated: 8/25/09

¹ A conference call is scheduled for September 22, 2009.

**In the ADR Matter of *Municipality of Hatillo*, Respondent.
Docket No. CWA-02-2009-3455**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Continuation of Alternative Dispute Resolution Process**, dated August 25, 2009, 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:

Karen Maples
Regional Hearing Clerk
US EPA, Region II
290 Broadway, 16th Floor
New York, NY 10007-1866

One Copy by Pouch Mail to:

Roberto Durango, Esq.
Assistant Regional Counsel
U.S. EPA, Region II, Caribbean Field Div.
Centro Europa Building
1492 Ponce de Leon Ave., Ste. 417
San Juan, PR 00907-1417

One Copy by Regular Mail to:

Alberto E. Folch-Diez, Esq.
Lcdo. Alberto E. Folch-Diez
Abogado-Notario
525 Avenida José A. Cedeño, Ste. 202
Arecibo, PR 00612-4004

**Dated: August 25, 2009
Washington, D.C.**