

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of)
)
MUNICIPALITY OF HATILLO,) DOCKET NO. CWA-02-2009-3455
)
)
)
Respondent)

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REC-11
2009 NOV -3 PM 2:39
REGIONAL HEARING
CLERK

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS
AND ASSIGNMENT OF A JUDGE FOR LITIGATION

The Report of September 22, 2009 provides that this alternative dispute resolution (ADR) process terminates October 24, 2009. The parties continue to make significant progress toward settlement in this matter. Nonetheless, the Consent Agreement and Final Order have not been executed.

Therefore, I am recommending to the litigation judge that the parties, who have expended a great deal of effort and time in negotiating this settlement, be afforded additional time to finalize their settlement before the litigation process is initiated.

The undersigned expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.

SBiro

Barbara A. Gunning
Barbara A. Gunning
Administrative Law Judge
Dated: October 29, 2009

Approved: _____
Susan L. Biro
Chief Administrative Law Judge

Dated: 10/29/09

**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 Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation**, dated October 29, 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:

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One Copy by Regular Mail to:

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**Dated: October 29, 2009
Washington, D.C.**