

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY
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REGIONAL HEARING
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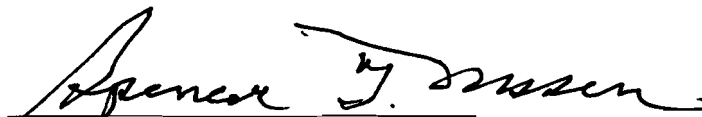
In the ADR Matter of)
)
Pepsi Cola Puerto Rico Bottling Co.)
)
)
)
Respondent)

Docket No. CWA-02-2010-3463

**ORDER TERMINATING ADR PROCESS AND RETURNING
PROCEEDING TO CHIEF JUDGE**

By an Order, dated April 27, 2011, the ADR process in this proceeding under the Clean Water Act was, pursuant to a joint motion of the parties, extended to and including May 24, 2011. By a Joint Motion, dated May 20, 2011 the parties moved for a second 30-day extension of the ADR process. This motion recited that the initial SEP proposed by Respondent had been rejected by EPA, that the parties were working on the submission of a second SEP, that once this SEP had been accepted by EPA, the parties would negotiate the cash component of the proposed penalty. Because this recitation made it appear that the parties had adopted a casual attitude toward time deadlines in the ADR process and it appeared unlikely that a settlement would be reached within the ADR period, as extended, this joint motion was denied by an Order dated May 25, 2011. In view of the forgoing, the ADR process is terminated and because the ADR process is no longer extant, this proceeding is returned to the Chief Judge for such disposition as she considers appropriate.

So Ordered.


Spencer T. Nissen
Administrative Law Judge

Issued: June 1, 2011
Washington, D.C.

In the ADR Matter of *Pepsi Cola Puerto Rico Bottling Co., LLC.*, Respondent.
Docket No. CWA-02-2010-3463

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Terminating Alternative Dispute Resolution Process**, dated June 1, 2011, was sent this day in the following manner to the addressees listed below.



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Legal Staff Assistant

Original and One Copy by Pouch Mail to:

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