

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of

MUNICIPALITY OF TOA BAJA,

Respondent

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DOCKET NO. RCRA-02-2009-711

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-RCRA  
2010 JAN 22 PM 3:14  
REGIONAL HEARING  
CLERK

REPORT RECOMMENDING CONTINUATION  
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of November 19, 2009 provides that this alternative dispute resolution (ADR) process terminates January 18, 2010. The recommendation of this Report is that the ADR process be continued for another month, to February 18, 2010.

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 January 20, 2010 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.<sup>1</sup>

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 February 18, 2010 unless otherwise directed by her.

*SBi*

Approved: \_\_\_\_\_

Susan L. Biro  
Chief Administrative Law Judge

*Barbara A. Gunning*

Barbara A. Gunning  
Administrative Law Judge  
Dated: January 20, 2010

Dated: 1/20/10

<sup>1</sup>A conference call is scheduled for February 10, 2010.

**In the ADR Matter of *Municipality of Toa Baja*, Respondent.  
Docket No. RCRA-02-2009-7111**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Continuation of Alternative Dispute Resolution Process**, dated January 20, 2010, 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 Pouch Mail to:

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

One Copy by Pouch Mail to:

Lourdes del Carmen-Rodriguez, Esq.  
Office of Regional Counsel  
U.S. EPA, Region II  
Caribbean Field Division  
Centro Europa Building, Ste. 417  
1492 Ponce de Leon Ave.  
San Juan, PR 00907-1417

One Copy by Regular Mail to:

Braulio Garcia-Jimenez, Esq.  
Torres & Garcia, P.S.C.  
P.O. Box 19539  
San Juan, PR 00910-1539

**Dated: January 20, 2010  
Washington, D.C.**