

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the ADR Matter of

Heritage- WTI, Inc.

Respondent

)  
)  
)  
)  
)

Docket No. CAA-05-2011-0012

**ORDER TERMINATING**  
**ALTERNATIVE DISPUTE RESOLUTION PROCESS AND RETURNING**  
**PROCEEDING TO CHIEF JUDGE**

The ADR Process in this matter, as extended, expired on May 26, 2011. While complainant's status report, dated May 26, 2011 indicates that Complainant anticipate filing a fully executed CAFO on or before June 30, 2011, the report also makes it clear that the parties have yet to resolve their differences as to the reduction in the proposed penalty attributable to a SEP proposed by Respondent and accepted by the Agency.

In view of the foregoing, the ADR process is terminated and this proceeding is returned to the chief Judge.

Dated this 1<sup>th</sup> day of June 2011.

  
\_\_\_\_\_  
Spencer T. Nissen  
Administrative Law Judge

So Ordered.

RECEIVED  
JUN - 6 2011  
REGIONAL HEARING CLERK  
USEPA  
REGION 5

In the ADR matter of *Heritage- WTI, Inc.* Respondent.  
Docket No. CAA-05-2011-0012

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.

  
Knolyn R. Jones  
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

LaDawn Whitehead  
Regional Hearing Clerk  
U.S. EPA, Region V, MC-E-19J  
77 West Jackson Blvd.,  
Chicago, IL 60604-3590

One Copy by Pouch Mail to:

John Matson, Esq.  
Associate Regional Counsel  
U.S. EPA, Region V  
77 West Jackson Blvd., C-14J  
Chicago, IL 60604-3590

One Copy by Regular Mail to:

Michael Scanlon  
Barnes & Thornburg, LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204

**RECEIVED**  
JUN -6 2011  
REGIONAL HEARING CLERK  
USEPA  
REGION 5