

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

06 SEP 13 AM 10:33
ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

In the Matter of)
)
UNITED STATES DEPARTMENT OF) DOCKET NO. RCRA-07-2006-0153
AGRICULTURE ANIMAL RESEARCH)
SERVICE/NATIONAL ANIMAL)
DISEASE CENTER,)
)
Respondent)

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report of August 9, 2006 provides that this alternative dispute resolution (ADR) process terminates September 11, 2006.

In a conference call on September 8, 2006, the parties stated that there was a settlement in principle, that a Consent Agreement and Final Order ("CAFO") had been drafted, and that they shortly hoped to file the CAFO. Therefore, I am recommending 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 parties are commended for their success in negotiating their agreement. The undersigned further expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.



Barbara A. Gunning
Administrative Law Judge
Dated: September 11, 2006

Approved: 

Susan L. Biro
Chief Administrative Law Judge

Dated: 9/11/06

In the ADR Matter of *United States Department of Agriculture Animal Research Service / National Animal Disease Center, Respondent.*
Docket No. RCRA-05-2006-0153

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process**, dated September 11, 2006, 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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Pollution Control Team
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Dated: September 11, 2006
Washington, D.C.