

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

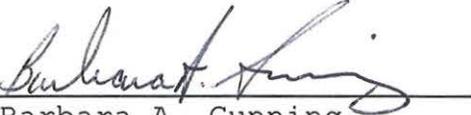
In the Matter of: )  
)  
Amerimart Development Company,) DOCKET NO. RCRA-02-2012-7501  
Inc., Qual-Econ Lease Co., )  
Inc., Commercial Realty Fund, )  
II, MJG Enterprises, Inc., )  
and Clear Alternative of )  
Western NY, Inc., (d/b/a )  
G & G Petroleum), )  
)  
Respondents )

REPORT RECOMMENDING CONTINUATION  
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of October 18, 2012 provides that this alternative dispute resolution (ADR) process terminates December 17, 2012. The recommendation of this Report is that the ADR process be continued for another month, to January 18, 2013.

This continuation of the ADR process is recommended because the parties were unable to initiate settlement discussions as scheduled during the week of October 29, 2012 due to closures of EPA's Region 2 offices caused by Hurricane Sandy. The parties have tentatively rescheduled the canceled hearing conference for November 28, 2012. Given the scope and breadth of the Complaint, both parties anticipate a full four months will be needed to reach settlement.

Accordingly, the undersigned will continue to work as a Neutral in this case.

  
Barbara A. Gunning  
Administrative Law Judge

Dated: November 21, 2012

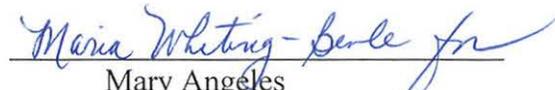
Approved:   
Susan L. Biro  
Chief Administrative Law Judge

Dated: 11/21/12

In the ADR Matter of Amerimart Development Company, Inc., Qual-Econ Lease Co., Inc., Commercial Realty Fund, II, MJG Enterprises, Inc., and Clear Alternative of Western NY, Inc., d/b/a G & G Petroleum, Respondents  
Docket No. RCRA-02-2012-7501

Certificate of Service

I certify that the foregoing **Report Recommending Continuation Of Alternative Dispute Resolution Process**, dated November 21, 2012, was sent this day in the following manner to the addressees listed below.

  
Mary Angeles  
Legal Staff Assistant

Dated: November 21, 2012

Original And One Copy To:

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Headquarters Hearing Clerk  
U.S. EPA  
Office of Administrative Law Judges  
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1200 Pennsylvania Avenue, NW  
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Copy By Regular Mail To:

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