

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR


In the Matter of:)
)
Dr. Daniel J. McGowan,) Docket No. CWA-07-2014-0060
)
Respondent.)

**ORDER EXTENDING ALTERNATIVE DISPUTE RESOLUTION PROCESS
AND REAPPOINTING NEUTRAL**

This case was initiated on March 6, 2014 by the filing of a Complaint by the Director of Water, Wetlands and Pesticides Division of the United States Environmental Protection Agency (EPA), Region 7, on behalf of the EPA Administrator. The case alleges a violation of Section 301 of the Clean Water Act, 33 U.S.C. § 1311 by the Respondent, Dr. Daniel J. McGowan, and proposes imposition of a monetary penalty in the amount of \$177,500.

With the consent of the parties, on April 15, 2014, the matter was referred to Alternative Dispute Resolution (ADR) and the Honorable Barbara A. Gunning was appointed to serve as the neutral in such process for a period of no more than four (4) months. After the expiration of that period, specifically on September 9, 2014, Judge Gunning requested the exceptional relief of an additional two month period to conduct ADR, representing that there were "extraordinary circumstances warranting the extension" in this case.

For good cause shown, the request is hereby granted and the case is hereby referred back and reassigned to Judge Gunning to continue to conduct ADR processes for up to an additional 60 days. At that time, if no settlement has been reached, the case will be remanded to the undersigned and assigned to the litigation docket on an expedited schedule.



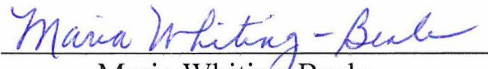
Susan L. Biro
Chief Administrative Law Judge

Dated: September 18, 2014
Washington, D.C.

In the Matter of Dr. Daniel J. McGowan, Respondent
Docket No. CWA-07-2014-0060

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Extending Alternative Dispute Resolution Process And Reappointing Neutral**, dated September 18, 2014, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: September 18, 2014

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