

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

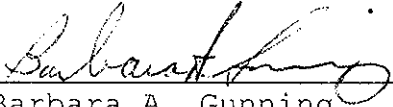
BEFORE THE ADMINISTRATOR

In the Matter of)
)
GOWAN CONSTRUCTION, INC.) DOCKET NO. CWA-08-2011-0039
and)
NORTH DAKOTA DEPT. OF)
TRANSPORTATION,)
)
Respondents)

REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of January 4, 2012 provides that this alternative dispute resolution (ADR) process terminates March 5, 2012. The recommendation of this Report is that the ADR process be continued for another month, to April 5, 2012.

This continuation of the ADR process is recommended because the parties have agreed to settle this matter, but additional time is needed for the execution and filing of the Consent Agreement and Final Order. The parties are commended for their success in negotiating their agreement.



Barbara A. Gunning
Administrative Law Judge
Dated: February 24, 2012



Approved: _____
Susan L. Biro
Chief Administrative Law Judge

Dated: 2/24/2012

**In the ADR Matter of *Gowan Construction, Inc., and North Dakota Dept. of Transportation,*
Respondent.
Docket No. CWA-08-2011-0039**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Continuation of Alternative Dispute Resolution Process**, dated February 24, 2012, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Facsimile and Regular Mail to:

Tina Artemis
Regional Hearing Clerk
U.S. EPA / Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129
Fx: 303.312.6859

One Copy by Facsimile and Regular Mail to:

Sheldon Muller, Esq.
Enforcement Attorney
U.S. EPA, Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129
Fx: 303.312.6953

One Copy by Facsimile and Regular Mail to:

DeWayne Johnston, Esq.
Johnston Law Office
221 South 4th Street
Grand Forks, ND 58201
Fx: 701.775.2230

**Dated: February 24, 2012
Washington, D.C.**