

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR


In the Matter of)
)
CHEMSTATION OF DENVER,) DOCKET NO. FIFRA-08-2008-0025
)
)
Respondent)

REPORT RECOMMENDING NEW PERIOD OF
ALTERNATIVE DISPUTE RESOLUTION PROCESS

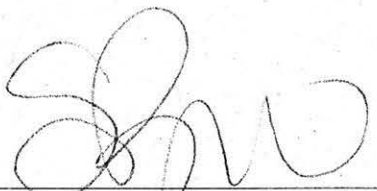
The Report approved December 16, 2008 provides that this alternative dispute resolution (ADR) process terminates February 8, 2009. The recommendation of this Report is that a new period of ADR, not to exceed three months, be granted.

In a conference call on January 30, 2009, both parties requested an extension of the ADR process. The extension of the ADR process is recommended because the parties' negotiations have developed the possibility of a settlement and there are extraordinary circumstances warranting the extension.

Inasmuch as the undersigned is without authority to grant an extended period of ADR, the case is returned to the Chief Administrative Law Judge for resolution of the pending request. Thereafter, if the request for an extension of ADR is granted, the case should be returned to the undersigned for continuation of ADR.



Barbara A. Gunning
Administrative Law Judge
Dated: January 30, 2009

Approved: 

Susan L. Biro
Chief Administrative Law Judge

Dated: 2/2/09

**In the ADR Matter of *Chemstation of Denver*, Respondent.
Docket No. FIFRA-08-2008-0025**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending New Period of Alternative Dispute Resolution Process**, dated January 30, 2009, 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:

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

One Copy by Pouch Mail to:

Dana Stotsky, Esq.
Enforcement Counsel (8ENFL)
U.S. EPA / Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

One Copy by Regular Mail to:

Stephen J. Axtell, Esq.
Nathan C. Hunt, Esq.
Thompson Hine, LLP
2000 Courthouse Plaza, NE
P.O. Box 8801
Dayton, OH 8801

**Dated: February 3, 2009
Washington, D.C.**