



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

RECEIVED BY OALJ 2013 FEB -5 PM 12:24

In the Matter of

Cactus Hill Ranch Company ) DOCKET NO. CWA-08-2012-0033
Respondent )

REPORT RECOMMENDING CONTINUATION OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report approved January 7, 2013 provides that this alternative dispute resolution (ADR) process terminates February 6, 2013. The recommendation of this Report is that the ADR process be continued until March 15, 2013.

This continuation of the ADR process is recommended because the parties' negotiations have made some progress toward a settlement, but additional time is needed if a settlement is to be actually concluded. In a letter dated February 1, 2013, the parties requested that the ADR process should be continued for another month. Due to the schedule of the undersigned, a few days should be added to the one-month extension. The parties' chances of achieving a settlement are sufficient to justify the requested continuation.

Accordingly, the undersigned will continue to work as a Neutral in this case and will file another report with the Chief Administrative Law Judge by March 15, 2013, unless otherwise directed by her.

M. Lisa Buschmann Administrative Law Judge Dated: February 5, 2013

Approved: Susan L. Biro Chief Administrative Law Judge

Dated: 2/5/13

In the Matter of Cactus Hill Ranch Company, Respondent  
Docket No. CWA-08-2012-0033

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Continuation of Alternative Dispute Resolution Process**, dated February 5, 2013, was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Knolyn R. Jones  
Legal Staff Assistant

Dated: February 5, 2013

Original And One Copy To:

Sybil Anderson  
Headquarters Hearing Clerk  
U.S. EPA  
Mail Code 1900L  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460-2001

Copy By Regular Mail To:

Margaret "Peggy" Livingston, Esquire  
Enforcement Counsel (8ENF-L)  
U.S. EPA  
1595 Wynkoop Street  
Denver, CO 80202-1129

Nicole M. Abbott, Esq.  
Davis Graham & Stubbs LLP  
1550 Seventeenth Street, Suite 500  
Denver, CO 80202