

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of )  
 )  
290 Pratt Street ) DOCKET NO. TSCA-01-2012-0049  
 )  
 )  
Respondent )

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REPORT RECOMMENDING TERMINATION  
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS  
AND ASSIGNMENT OF A JUDGE FOR LITIGATION

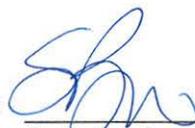
The Report approved January 25, 2013 provides that this alternative dispute resolution (ADR) process terminates February 22, 2013. The recommendation of this Report is that the ADR process be terminated, and that the case be assigned to a judge for resolution through litigation.

The reason for this recommendation is that the parties, after several months of the ADR process, have agreed upon a civil administrative penalty to settle the charges raised in the Complaint in this matter but have not reached a final agreement. The parties are negotiating conditions concerning site remediation to be met by Respondent as part of the Consent Agreement. In a conference call on February 13, 2013, both parties requested an extension of the ADR process based on the extraordinary circumstances of this case, but the undersigned is without authority to grant an extended period of ADR. Accordingly, the case is returned to the Chief Administrative Law Judge. Any joint request for reappointment of the ADR neutral must be filed with the judge assigned for adjudication of this case.

Finally, the undersigned expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.



M. Lisa Buschmann  
Administrative Law Judge  
Dated: February 14, 2013

Approved:   
Susan L. Biro, Chief Administrative Law Judge

Dated: 2/13/13

In the Matter of 290 Pratt Street, LLC, Respondent  
Docket No. TSCA-01-2012-0049

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation**, dated February 14, 2013 was sent in the following manner to the addressees listed below.

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

Dated: February 14, 2013

Original and One Copy To:

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