

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

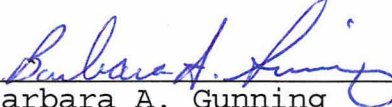
In the Matter of)
)
DR. DANIEL J. MCGOWAN,) DOCKET NO. CWA-07-2014-0060
)
)
)
Respondent)

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of September 28, 2016 provides that this alternative dispute resolution (ADR) process terminates October 12, 2016. The parties have reached a firm settlement in this matter and are in the process of drafting and finalizing a Consent Agreement and Final Order ("CAFO"). Nonetheless, the CAFO has not been executed.

I am recommending to the Chief Administrative Law Judge that the case be held in abeyance for a short period of time because the parties have expended a great deal of effort and time in negotiating this settlement.

The parties are commended for their success in negotiating their agreement. The undersigned expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.



Barbara A. Gunning
Administrative Law Judge
Dated: October 13, 2016

Approved: 

Susan L. Biro
Chief Administrative Law Judge

Dated: 10/13/16

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Report Recommending Termination of Alternative Dispute Resolution Process dated October 13, 2016, issued by Judge Barbara Gunning were sent in the following manner to the addressees listed below.



Mary Angeles
Paralegal Specialist

Original and One Copy By Hand Delivery To:

Mary Angeles
Headquarters Hearing Clerk
U.S. EPA / Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Ave., NW
Washington, DC 20460

Copy By Electronic and Regular Mail To:

Christopher Muehlberger, Esq.
Elizabeth Huston, Esq.
Assistant Regional Counsel
U.S. EPA, ORC, Region VII
11201 Renner Boulevard
Lenexa, KS 66219
Email: muehlberger.christopher@epa.gov
Email: huston.elizabeth@epa.gov

Copy By Electronic and Regular Mail To:

Stephen D. Mossman, Esq.
Mattson Ricketts Law Firm
134 South 13th Street, Suite 1200
Lincoln, NE 68508
Email: sdm@mattsonricketts.com

Dated: October 13, 2016
Washington, DC