

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of)
)
PENINSULA OIL COMPANY, INC.,) DOCKET NO. CWA-03-2009-0288
)
)
Respondent)

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

The Report of February 17, 2010 provides that this alternative dispute resolution (ADR) process terminates March 19, 2010. The parties continue to make significant progress toward settlement and have reached a settlement in principle in this matter. Nonetheless, the Consent Agreement and Final Order has not been executed.

Therefore, I am recommending to the litigation judge that the parties, who have expended a great deal of effort and time in negotiating this settlement, be afforded additional time to finalize their settlement before the litigation process is initiated.

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: March 19, 2010



Approved: _____
Susan L. Biro
Chief Administrative Law Judge

Dated: 3/19/10

**In the ADR Matter of *Peninsula Oil Company, Inc.*, Respondent.
Docket No. CWA-03-2009-0288**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation**, dated March 19, 2010, was sent this day in the following manner to the addressees listed below.



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Original and One Copy by Pouch Mail to:

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**Dated: March 19, 2010
Washington, D.C.**