

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

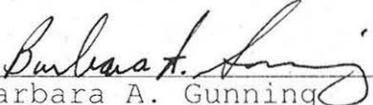
In the Matter of)
)
CHEMSTATION OF DENVER,) DOCKET NO. FIFRA-08-2008-0025
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)
)
Respondent)

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

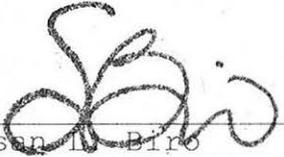
The Order of February 3, 2009 provides that this alternative dispute resolution (ADR) process terminates May 4, 2009. The recommendation of this Report is that the ADR process be terminated as scheduled, and that the case be assigned to a litigation Judge.

The parties have reached a settlement in principle regarding a penalty amount and are currently working to include a Supplemental Environmental Project as a component of the settlement. As such, the parties have not reached a final agreement.

The parties are encouraged to continue expeditiously their negotiations to try to conclude a final settlement agreement.



Barbara A. Gunning
Administrative Law Judge
Dated: May 5, 2009

Approved: 

Susan M. Bire
Chief Administrative Law Judge

Dated: 5/5/09

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 Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation**, dated May 5, 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 (8ENF-L)
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 45401-8801

Dated: May 6, 2009
Washington, D.C.