

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

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BEFORE THE ADMINISTRATOR


In the Matter of)
)
Amerimart Development Company,) DOCKET NO. RCRA-02-2012-7501
Inc., Qual-Econ Lease Co., Inc,)
Commercial Realty Fund II,)
MJG Enterprises, Inc, and)
Clear Alternative or Western NY,)
Inc., (d/b/a G & G Petroleum),)
)
Respondents.)

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS
AND RETURNING CASE TO CHIEF ADMINISTRATIVE LAW JUDGE


The Order dated March 22, 2013 provides that this alternative dispute resolution (ADR) process terminates May 6, 2013. The parties have reached a settlement in this matter and are in the process of drafting a Consent Agreement and Final Order ("CAFO"), which includes a detailed compliance order.

As the parties have expended a great deal of effort and time in negotiating their settlement, the undersigned recommends that this case be held in abeyance to afford the parties an opportunity to finalize the CAFO. Additional time to finalize the settlement is also needed because the parties expect to be filing a joint motion to amend the complaint.

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.



M. Lisa Buschmann
Administrative Law Judge
Dated: May 9, 2013

Approved: 

Susan L. Biro
Chief Administrative Law Judge


Dated: 5/9/13

In the ADR Matter of Amerimart Development Company, Inc., Qual-Econ Lease Co., Inc., Commercial Realty Fund, II, MJG Enterprises, Inc., and Clear Alternative of Western NY, Inc., d/b/a G & G Petroleum, Respondents

Docket No. RCRA-02-2012-7501

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation** dated May 9, 2013 was sent in the following manner to the addressees listed below.



Knolyn R. Jones
Staff Assistant

Dated: May 9, 2013

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