

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

RECEIVED BY OALJ
2013 FEB 15 AM 10:11

In the Matter of)
)
WISMARQ CORPORATION,) DOCKET NO. RCRA-05-2012-0015
)
Respondent.)

REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report dated January 16, 2013 provides that this alternative dispute resolution (ADR) process terminates February 21, 2013. In an Status Report on February 11, 2013, counsel for Complainant reported that all terms of a Consent Agreement and Final Order ("CAFO") have been agreed to. Nonetheless, the CAFO has not been executed. Therefore, I am recommending termination of the ADR process and assignment of the case to another Judge to preside over a hearing in the event that problems arise in concluding the settlement agreement.

The parties are commended for their success in negotiating their agreement. The undersigned further 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: 2/14/13

In the Matter of Wismarq Corporation, Respondent
Docket No. RCRA-05-2012-0015

CERTIFICATE OF SERVICE

I certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process**, dated February 14, 2013, was sent this day in the following manner to the addressees listed below.



Knolyn R. Jones
Legal Staff Assistant

Dated: February 15, 2013

Original And One Copy To:

Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, DC 20460-2001

Copy By Regular Mail To:

James Morris, Esquire
Associate Regional Counsel (C-14J)
U.S. EPA
77 West Jackson Boulevard
Chicago, IL 60604-3590

Donald P. Gallo, Esquire
Reinhart Boerner Van Deuren s.c.
N16 W23250 Stone Ridge Drive
Suite 1
Waukesha, WI 53188