

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of)
)
CFMOTO POWERSPORTS, INC., and) DOCKET NO. CAA-HQ-2013-8038
CFMOTO AMERICA, INC.,)
)
)
Respondents)

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REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report approved September 5, 2013 provides that this alternative dispute resolution (ADR) process terminates in December 2013.¹ In a Joint Status Report dated December 16, 2013 the parties state that a Consent Agreement and proposed Final Order ("CAFO") has been drafted. The parties are awaiting signature of the Consent Agreement by Respondents and the Directors of EPA's Air Enforcement Division and Office of Civil Enforcement before the proposed Final Order is transmitted to the Environmental Appeals Board for approval. Thus, although the parties have agreed to settle this matter, the CAFO has not been fully executed. Therefore, I am recommending that this case be held in abeyance for a short period of time to allow for full execution.

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.

S. L. Biro

Barbara A. Gunning

Barbara A. Gunning
Administrative Law Judge
Dated: December 18, 2013

Approved: _____
Susan L. Biro
Chief Administrative Law Judge

Dated: 12/18/13

¹ The Federal Government was in furlough status from October 1 through October 16, 2013.

**In the ADR Matter of CFMOTO Powersports, Inc., and CFMOTO America, Inc., Respondents.
Docket No. CAA-HQ-2013-8038**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process**, dated December 18, 2013, was sent this day in the following manner to the addressees listed below.



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Lead Legal Staff Assistant

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**Dated: December 18, 2013
Washington, D.C.**