UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

RECEIVED BY OAL J

In the Matter of
)
THE U.S. BUREAU OF RECLAMATION,) DOCKET NO. RCRA-08-2015-0002
NATIONAL ELECTRIC COIL,)
ENVIRONMENTAL CONTRACTORS, LLC,)
and CTA CONSTRUCTION and)
ENVIRONMENTAL, LLC,)
Respondents)

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

The Report approved October 22, 2015 provides that this alternative dispute resolution (ADR) process terminates December 2, 2015. The recommendation of this Report is that the ADR process be terminated, and that the case be assigned to a Judge for resolution through litigation. 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: December 22, 2015

In the Matter of The U.S. Bureau of Reclamation, National Electric Coil, environmental Contractors, LLC and CTA Construction and Environmental, LLC Respondents Docket No. RCRA-08-2015-0002

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Report Recommending Termination of Alternative Dispute Resolution Process and Assignment of a Judge for Litigation, issued by Administrative Law Judge Barbara A. Gunning, dated December 22, 2015, was served on December 23, 2015, to the addressee's indicated below:

Danielle L. Pope Paralegal

Original To:

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

Copy By Regular Mail And E-Mail To:

Amy Swanson, Esquire Sr. Enforcement Attorney (8ENF-L) U.S. EPA, Region VIII Legal Enforcement Program 1595 Wynkoop Street Denver, CO 80202-1129 swanson.amy@epa.gov

Gregg Dorrington, Esquire Crowley Fleek PLLC 900 North Last Chance Gulch, Ste 200 Helena, MT 59601 gdorrington@crowleyfleck.com

Bryan P. Wilson, Esquire Attorney-Advisor Office of the Solicitor U.S. Dept. of the Interior 2021 14th Avenue North, Suite 112 Billings, MT 59101 bryan.wilson@sol.doi.gov

Dated: December 23, 2015 Washington, DC Mark. L. Stermitz, Esquire Crowley Fleck, PLLP 305 South 4th Street, East, Suite 1200 Missoula, MT 59801 mstermitz@crowleyfleck.com

Tyler Dugger, Esquire Tolliver Law Firm, PC P.O. Box 1913 Billings, MT 59103 tdugger@tolliverlaw.com

Christopher Schraff
Porter Wright Morris & Arthur LLP
41 South Hugh Street, Suites 2800-3200
Columbus, Ohio 43215-6194
cschraff@porterwright.com