UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the ADR Matter of)
Wilkins Dairy Farm, LLC,) Docket No. CWA-02-2010-3404
)
)
Respondent)

ORDER GRANTING MOTION for EXTENSION OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Alternative Dispute Resolution (ADR) process in this matter expired on December 17, 2010. However, in a teleconference on December 16, 2010, Complainant represented that it needed additional time and information to evaluate Respondent's claim that it lacked the ability to pay the proposed penalty. The parties's joint motion, dated December 16, 2010, confirms this representation and indicates that it is likely that granting the motion will lead to a settlement of this proceeding. Good cause having been shown, the motion is granted and the ADR process in this matter is extended to and including <u>January 18, 2011</u>.

Dated this ______ day of December 2010.

Spencer T. Nissen

Administrative Law Judge

So Ordered.

Susan L. Biro

Chief Administrative Law Judge

Dated: December 29, 2010.

Washington, D.C.

In the ADR Matter of *Wilkins Dairy Farm, LLC*, Respondent. Docket No. CWA-02-2010-3404

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order Granting Motion for Extension of Alternative Dispute Resolution Process, dated December 29, 2010, was sent this day in the following manner to the addressees listed below.

Mary Angel for Knolyn Jones

Legal Staff Assistant

Original and One Copy by Pouch Mail to:

Karen Maples Regional Hearing Clerk US EPA, Region II 290 Broadway, 16th Floor New York, NY 10007-1866

One Copy by Pouch Mail to:

Chris Saporita, Esq. Assistant Regional Counsel U.S. EPA, Region II 290 Broadway, 16th Floor New York, NY 10007-1866

One Copy by Regular Mail to:

Scott Wilkins Wilkins Dairy Farm, LLC 5811 Unionville Road Bath, NY 14810

David L. Cook, Esq. Faraci Lange 28 East Main Street, Ste. 1100 Rochester, NY 14614

Dated: December 29, 2010 Washington, D.C.