

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

In the Matter of:) Professional Contract Sterilization, Inc.,) Respondent.)

Docket No. CAA-01-2022-0059

ORDER INITIATING ALTERNATIVE DISPUTE RESOLUTION PROCESS AND APPOINTING NEUTRAL

At the request of the parties, Administrative Law Judge Christine Donelian Coughlin is hereby designated as a neutral to initiate and conduct such processes as may facilitate a settlement of this proceeding.

The following procedures shall apply:

1. The Alternative Dispute Resolution ("ADR") process will be conducted in a confidential manner. The neutral will not disclose to anyone the contents of any of the parties' ADR communications.

2. For the ADR process to be effective, the persons communicating with the neutral must either have authority to commit his or her side to a settlement or have ready access to someone with such authority.

3. Unless terminated earlier at the request of either party, the ADR process shall automatically terminate on **November 20, 2023**. An extension of up to 60 days may be granted by the undersigned, but in no event shall ADR continue for longer than four months. At that time, if no settlement has been reached, the case will be assigned to a litigation Judge to proceed with the litigation process.

4. A party requesting termination of this process shall so advise the neutral either orally or in writing. The ADR process initiated by this Order shall terminate upon order of the undersigned.

5. At the termination of the ADR process, the parties will be sent a questionnaire to elicit their views and experience with the process. The contents of individual questionnaires will be kept confidential and made available to the neutral and others only in a composite format.

Susan F Chief Administrative Law Judge

Dated: September 20, 2023 Washington, D.C. In the Matter of *Professional Contract Sterilization, Inc.*, Respondent. Docket No. CAA-01-2022-0059

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Initiating Alternative Dispute Resolution Process and Appointing Neutral**, dated September 20, 2023, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.

<u>Alyssa Katzanalson</u> Alyssa Katzenelson

Attorney-Advisor

Original by OALJ E-Filing System to: Mary Angeles, Headquarters Hearing Clerk U.S. Environmental Protection Agency Office of Administrative Law Judges https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf

<u>Copies by Electronic Mail to</u>: Jaegun Lee Attorney-Advisor U.S. Environmental Protection Agency, Region 1 Email: lee.jaegun@epa.gov *Counsel for Complainant*

Robert A. Fasanella, Esq. Rubin and Rudman LLP Email: rfasanella@rudinrudman.com Email: tfranklin@rubinrudman.com *Counsel for Respondent*

Dated: September 20, 2023 Washington, D.C.