

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of

MUNICIPALITY OF TOA BAJA,

Respondent

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DOCKET NO. RCRA-02-2009-7111

REPORT RECOMMENDING CONTINUATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Chief Administrative Law Judge's Order of November 19, 2009 provides that this alternative dispute resolution (ADR) process terminates January 18, 2010. The recommendation of this Report is that the ADR process be continued for another month, to February 18, 2010.

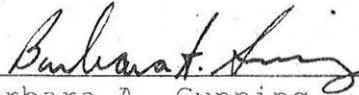
This continuation of the ADR process is recommended because the parties' negotiations have developed the possibility of a settlement, but additional time is needed if a settlement is to be actually concluded. During a conference call on January 20, 2010 the parties requested continuation of the ADR process. The parties' chances of achieving a settlement are sufficient to justify continuation of ADR for one month.¹

Accordingly, the undersigned will continue to work as a Neutral in this case and will file another report with the Chief Administrative Law Judge by February 18, 2010 unless otherwise directed by her.



Approved: _____

Susan L. Biro
Chief Administrative Law Judge



Barbara A. Gunning
Administrative Law Judge
Dated: January 20, 2010

Dated: 1/20/10

¹A conference call is scheduled for February 10, 2010.

**In the ADR Matter of *Municipality of Toa Baja*, Respondent.
Docket No. RCRA-02-2009-7111**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Continuation of Alternative Dispute Resolution Process**, dated January 20, 2010, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

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One Copy by Regular Mail to:

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**Dated: January 20, 2010
Washington, D.C.**