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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX

REGIONAL HEARING CLERK

IN THE MATTER OF:

AbTech Industries, Inc.,  
Respondent

)  
)  
) U.S. EPA Docket No.  
) FIFRA-09-2008-0025  
)

ORDER GRANTING RESPONDENT'S FIRST MOTION FOR EXTENSION

OF TIME TO FILE ANSWER

By motion filed November 5, 2008, Respondent, AbTech Industries, Inc. seeks a forty-five (45) calendar day extension of time, up to and including December 22, 2008 to file an answer to the Complaint.

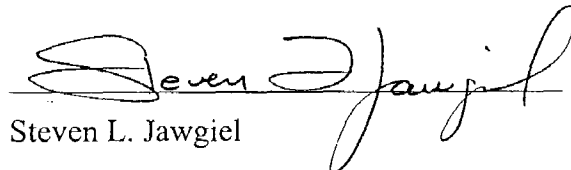
Consolidated Rules of Practice, 40 C.F.R. § 22.07(b), provides that a motion for extension of time may be granted "for good cause shown, and after consideration of prejudice to other parties."

On the basis of Respondent's motion, it appears that good cause exists for the extension of time, and there will be no prejudice to either party from granting the requested extension. Respondent conferred with Complainant and Complainant does not oppose this motion.

IT IS THEREFORE ORDERED THAT:

The time for Respondent to answer the Complaint and request a hearing is extended to and including December 22, 2008.

Dated: November 7, 2008



Steven L. Jawgiel

Regional Judicial Officer

## CERTIFICATE OF SERVICE

I hereby certify that the original of the foregoing **ORDER GRANTING RESPONDENT'S FIRST MOTION FOR EXTENSION OF TIME TO FILE ANSWER** in the matter of AbTech Industries, Inc., **Docket #FIFRA-09-2008-0025**, signed Steven L. Jawgiel, Regional Judicial Officer, was served on each of the parties at the address given below by mailing first class as here indicated:

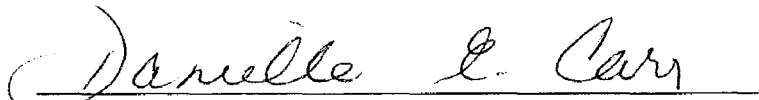
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Hand Delivered

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Phoenix, AZ 85016-9225

First Class Mail

Dated at San Francisco, California, this 7th day of November, 2008

A handwritten signature in cursive script, reading "Danielle E. Carr", is written over a horizontal line.

Danielle E. Carr  
Regional Hearing Clerk  
U.S. EPA, Region 9