

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. J.  
2009 AUG -3 AM 7:38  
REGIONAL HEARING  
CLERK

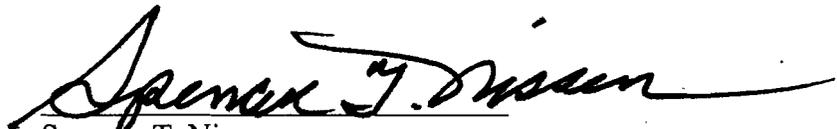
In the ADR Matter of )  
)  
U.S. Department of Agriculture, ) Docket No. RCRA-02-2008-7505  
Agricultural Research Service )  
Tropical Agricultural Research Station, )  
Mayaguez and Isabela, Puerto Rico, )  
Respondent )

**ORDER TERMINATING ALTERNATIVE DISPUTE RESOLUTION PROCESS  
and RETURNING PROCEEDING TO THE CHIEF JUDGE**

The period for Alternative Dispute Resolution in this matter expired on February 9, 2009. While Complainant has indicated that a Consent Agreement and Final Order ("CAFO") is in process, for all that appears no final settlement has been reached. Accordingly, this case is being returned to the Chief Administrative Law Judge.

So Ordered.

Dated this 13<sup>th</sup> day of March 2009.

  
Spencer T. Nissen  
Administrative Law Judge

Dated: March 13, 2009  
Washington, D.C.

In the ADR matter of *U.S. Department of Agriculture, ARS, Tropical Agricultural Research Station, Mayaguez and Isabela, Puerto Rico*, Respondent.  
Docket No. RCRA-02-2008-7505

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Terminating Alternative Dispute Resolution Process and Returning Proceeding to the Chief Judge**, dated March 13, 2009, was sent this day in the following manner to the addressees listed below.



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Mary Angeles  
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Karen Maples  
Regional Hearing Clerk  
U.S. EPA / Region II  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fx: 212.637.3199 or 3155

One Copy by Facsimile and Pouch Mail to:

Rudolph S. Perez, Esq.  
Assistant Regional Counsel  
U.S. EPA / Region II  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866  
Fx: 212.637.3199

One Copy by Facsimile and Regular Mail to:

Kirk Minckler, Esq.  
U.S. Department of Agriculture  
USDA Office of the General Counsel  
740 Simms Street, Room 309  
Golden, CO 80401-4720  
Fx: 303.275.5557

**Dated: March 13, 2009**  
**Washington, D.C.**