

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2008 NOV 24 11:11:30  
REGIONAL HEARINGS  
OFFICE

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 GRANTING EXTENSION OF  
ALTERNATIVE DISPUTE RESOLUTION PROCESS

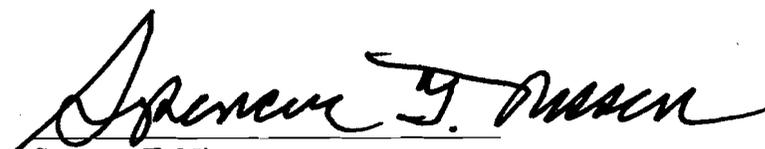
Complainant has filed a Joint Motion for Extension of Time for 30 days in this ADR matter. The ADR process will expire on November 24, 2008. Complainant indicates that although the parties have had settlement discussions, a settlement has not been reached. Complainant however, is optimistic that this matter can be resolved outside of the litigation. Respondent has provided EPA information regarding groundwater usage in the area of the facilities which EPA is now evaluating in order to determine whether it may have an impact in the initial proposed penalty. Accordingly, the time period provided for ADR is extended to and including December 24, 2008.

So Ordered.

Dated this 19<sup>th</sup> day of November 2008.



Susan L. Biro  
Chief Administrative Law Judge



Spencer T. Nissen  
Administrative Law Judge

Dated: November 19, 2008  
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 Granting Extension of Alternative Dispute Resolution Process**, dated November 19, 2008, was sent this day in the following manner to the addressees listed below.



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  
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New York, NY 10007-1866  
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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: November 19, 2008**  
**Washington, D.C.**