

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

RECEIVED

AUG 13 2009

BEFORE THE ADMINISTRATOR

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the ADR Matter of)


MBH Trucking, LLC,)

) Docket Nos. CERCLA-05-2009-0005
) EPCRA-05-2009-0017
) MM-05-2009-0005

**ORDER GRANTING SECOND EXTENSION OF
ALTERNATIVE DISPUTE RESOLUTION PROCESS**

On August 5, 2009, Complainant filed an Agreed Motion to Extend the Alternative Dispute Resolution Period for 30 days. The parties have represented that while they have agreed to a proposed Consent Agreement and Final Order (CAFO), one of the provisions of the proposed Supplemental Environmental Projects (SEP) was not confirmed. A final 30 day extension will give Respondent the opportunity to confirm whether or not the proposed SEP is achievable. For good cause shown, the alternative dispute resolution process in this matter is extended for a final 30 days or through September 4, 2009.

Dated this 12th day of August 2009.


Spencer T. Nissen
Administrative Law Judge

So Ordered.



Susan L. Biro
Chief Administrative Law Judge

Dated: August 12, 2009
Washington, D.C.

In the Matter of MBH Trucking, LLC, Respondent.
Docket Nos. CERCLA-05-2009-0005; EPCRA-05-2009-0017 & MM-05-2009-0005

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Second Extension of Alternative Dispute Resolution Process**, dated August 12, 2009, 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:

LaDawn Whitehead
Regional Hearing Clerk
U.S. EPA, Region V, MC-E-13J
77 West Jackson Blvd., 13th Floor
Chicago, IL 60604-3590

Copy by Facsimile and Pouch Mail to:

Nicole Wood, Esq.
Office of Regional Counsel
U.S. EPA, Region V
77 West Jackson Blvd., C-14J
Chicago, IL 60604-3590
Fx: 312.886.0747

Copy by Facsimile and Regular Mail to:

Joseph E. Quandt, Esq.
Zimmerman, Kuhn, Darling, Boyd, Quandt & Phelps, PLC
412 S. Union Street
Traverse City, MI 49684
Fx: 231.941.5154

Dated: August 12, 2009
Washington, D.C.

RECEIVED
AUG 13 2009

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY