UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
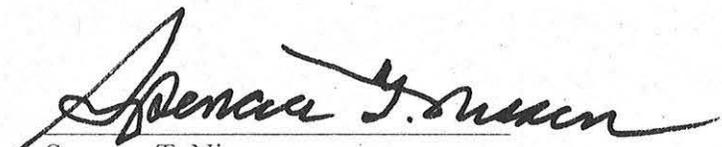
BEFORE THE ADMINISTRATOR

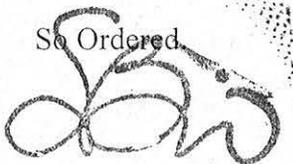|	
In the ADR Matter of)	
)	
Abtech Industries, Inc.,)	Docket No. FIFRA-09-2008-0025
)	
)	
)	
Respondent)	

ORDER GRANTING EXTENSION OF
ALTERNATIVE DISPUTE RESOLUTION PROCESS

Complainant has filed an unopposed motion for a 30-day extension of time to continue the alternative Dispute Resolution process. ADR expires on July 6, 2009. The parties have represented that they are presently making good progress in their settlement negotiations. Specifically, the extension will allow the Complainant (through its financial consulting expert) to perform a thorough financial analysis of Respondent's ability to pay the penalty proposed. Additionally, the extension will provide the parties with time to address compliance issues. For good cause shown, the time period provided for ADR is extended to and including August 6, 2009.

Dated this _1st_ day of July 2009.

Spencer T. Nissen
Administrative Law Judge

So Ordered.

Susan L. Biro
Chief Administrative Law Judge

Dated: July 2, 2009
Washington, D.C.

In the ADR matter of *Abtech Industries, Inc.*, Respondent.
Docket No. FIFRA-09-2008-0025

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Extension of Alternative Dispute Resolution Process**, dated July 1, 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:

Steve Armsey
Acting Regional Hearing Clerk
U.S. EPA / Region XI
75 Hawthorne Street, MC ORC-1
San Francisco, CA 94105

One Copy by Pouch Mail to:

Edgar P. Coral, Esq.
Assistant Regional Counsel
U.S. EPA / Region IX
75 Hawthorne Street, MC ORC-2
San Francisco, CA 94105

One Copy by Regular Mail to:

Dalva L. Moellenberg, Esq.
Jerald C. Thompson, Esq.
Gallagher & Kennedy, PA
2575 East Camelback Road
Phoenix, AZ 85016-9225

Dated: July 1, 2009
Washington, D.C.