

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

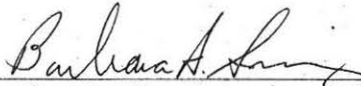
BEFORE THE ADMINISTRATOR

In the Matter of)
)
FLEXABAR CORPORATION and) DOCKET NO. FIFRA-02-2008-5120
FLEXDEL CORPORATION,)
)
Respondents)


REPORT RECOMMENDING TERMINATION
OF ALTERNATIVE DISPUTE RESOLUTION PROCESS

The Report approved January 7, 2009 provides that this alternative dispute resolution (ADR) process terminates February 8, 2009. In a conference call with both parties on February 3, 2009, the parties stated that a Consent Agreement and Final Order ("CAFO") is being finalized. Nonetheless, the CAFO, including a Supplemental Environmental Project, has not been fully executed. Therefore, I am recommending that this case be held in abeyance for a few weeks before being assigned to a litigation Judge.

The parties are commended for their success in negotiating their agreement. The undersigned further expresses her appreciation to the parties for the courtesy and candor with which they participated in the ADR process.



Barbara A. Gunning
Administrative Law Judge
Dated: February 9, 2009

Approved: 

Susan L. Biro
Chief Administrative Law Judge

Dated: 2/9/09

In the ADR matter of *Flexabar Corporation and Flexdel Corporation*, Respondent.
Docket No. FIFRA-02-2008-5120

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Report Recommending Termination of Alternative Dispute Resolution Process**, dated February 9, 2009, was sent this day in the following manner to the addressees listed below:



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Legal Staff Assistant

Original and One Copy by Pouch Mail to:

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Dated: February 9, 2009
Washington, D.C.