

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

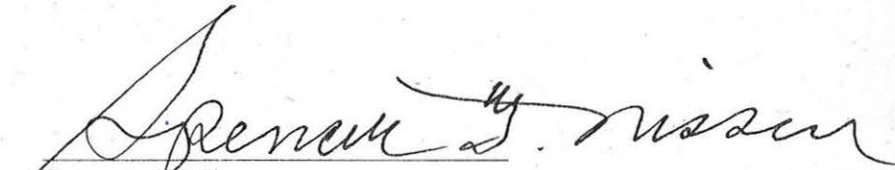
In the ADR Matter of)
Neil R. Kennedy,) TSCA-05-2008-0016
Respondent.)

ORDER TERMINATING ALTERNATIVE DISPUTE RESOLUTION PROCESS

Although the parties are reportedly engaged in settlement negotiations, Complainant is still evaluating Respondent's claimed inability to pay, and no settlement has been reached. The Alternative Dispute Resolution process expired on March 13, 2009. Accordingly, the ADR process is terminated and the proceeding is returned to the Chief Administrative Law Judge.

Dated this 30th day of March 2009.

So Ordered.


Spencer T. Nissen
Administrative Law Judge

Issued: March 30, 2009
Washington, D.C.

In the ADR matter of *Neil R. Kennedy*, Respondent.
Docket No. TSCA-05-2008-0016

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Terminating Alternative Dispute Resolution Process**, dated March 30, 2009, 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:

Tywanna Greene
Acting Regional Hearing Clerk
U.S. EPA / Region V / E-13J
77 West Jackson Boulevard
Chicago, IL 60604-3590
Fx: 312.886.9697

One Copy by Facsimile and Pouch Mail to:

Leslie A. Kirby-Miles, Esq.
Associate Regional Counsel
U.S. EPA / Region V / MC 13-J
77 West Jackson Boulevard
Chicago, IL 60604-3590
Fx: 312.886.0747

One Copy by Facsimile and Regular Mail to:

Damian DeGenova, Esq.
DeGenova, Frederick, Vouros & Yarwood, LTD
The Liberty Building
42 North Phelps Street
Youngstown, OH 44503-1130
Fx: 330.743-2536

Dated: March 30, 2009
Washington, D.C.