



## **FOR IMMEDIATE RELEASE**

### **ADA-ES TAKES LEGAL ACTION AGAINST CALGON CARBON TO RECOVER COMMISSIONS ON SALES OF ACTIVATED CARBON**

#### **Company Seeks \$8.25 Million Under Terms of MOU**

**LITTLETON, CO** – November 5, 2008 – ADA-ES, Inc. (NASDAQ:ADES) today announced that on November 4, 2008 it filed a counterclaim in a matter pending in the United States District Court for the Western District of Pennsylvania between Calgon Carbon Corporation (“Calgon”) and ADA-ES, Inc (“ADA”). The counterclaim against Calgon seeks to recover commissions of \$8.25 million from Calgon as a result of sales of activated carbon (“AC”).

On March 20, 2007, ADA and Calgon signed a Memorandum of Understanding (MOU) providing that the parties would jointly market AC to the power industry, with Calgon supplying the AC and ADA leading the sales effort. The MOU further provided that Calgon would pay ADA a commission on all sales of Calgon-produced AC resulting from the joint marketing effort. Calgon has informed ADA that it will not pay the \$8.25 million commission on a \$55 million contract that resulted from this joint sales activity under the MOU, and instead commenced a declaratory judgment action in the Western District of Pennsylvania in which ADA has now filed the above counterclaim.

Dr. Michael Durham, President and CEO of ADA-ES, commented, “Over the past two decades ADA has built a leadership position in the mercury control field for coal burning power plants, and ADA’s capabilities and reputation in this field have been proven to enhance sales. This includes our success in bringing in as partners, new suppliers to this industry and in selling our own products. Since deciding to become an AC producer, we are currently leading all competitors with announced awards of \$160 million of AC for mercury emission control. We expect additional awards in the next several months. We regret Calgon has chosen to litigate this matter, but we are confident that our contractual rights will be vindicated in the courts.”

#### **About ADA-ES**

ADA-ES is a leader in clean coal technology and the associated specialty chemicals. The Company develops and implements proprietary environmental technology and specialty chemicals that enable coal-fueled power plants to enhance existing air pollution control equipment, maximize capacity and improve operating efficiencies. Through its largest and fastest-growing segment, Mercury Emission Control, ADA-ES supplies activated carbon injection systems, activated carbon, mercury measurement instrumentation, and related

services. To meet the needs of the power industry for mercury control, the Company is developing state-of-the-art facilities to produce activated carbon (AC) with the first plant projected to come on-line in 2010. Additionally, the Company is developing technologies for power plants to address issues related to the emissions of carbon dioxide.

*This press release contains forward-looking statements within the meaning of Section 21E of the Securities Exchange Act of 1934, which provides a "safe harbor" for such statements in certain circumstances. The forward-looking statements included in this release include statements regarding timing of commencement of operations at the planned AC facility, value of AC sales contracts and expectations regarding additional AC sales contract awards. These statements are based on current expectations, estimates, projections, beliefs and assumptions of our management. Such statements involve significant risks and uncertainties. Actual events or results could differ materially from those discussed in the forward-looking statements as a result of various factors, including but not limited to, changes in the costs and timing of construction of the planned AC facility; failure to raise additional equity financing needed for the facility; failure to satisfy funding or other conditions in the equity financing agreements providing financing for the facility; inability to sign or close acceptable definitive agreements for debt financing, coal supply or off-take agreements with respect to the facility in a timely manner; availability of raw materials and treatment and storage facilities; changes in laws or regulations, prices, economic conditions and market demand; impact of competition and litigation; changes in the political landscape; availability and cost of alternative energy sources; operational difficulties; availability of skilled personnel and other factors discussed in greater detail in our filings with the Securities and Exchange Commission (SEC). You are cautioned not to place undue reliance on our forward-looking statements and to consult filings we make with the SEC for additional risks and uncertainties that may apply to our business and the ownership of our securities. Our forward-looking statements are presented as of the date made, and we disclaim any duty to update such statements unless required by law to do so.*

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