

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII

901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

09 DEC 30 PM 3:12

ENVIRONMENTAL PROTECTION
AGENCY-REGION VII
REGIONAL HEARING CLERK

IN THE MATTER OF:)

Clean Harbors Environmental Services, Inc.)
2247 South Highway 71)
Kimball, Nebraska 69145)

) MOTION TO EXTEND
) ALTERNATIVE DISPUTE
) RESOLUTION
)

EPA ID Number NED981723513)

Respondent.)

) Docket No. RCRA-07-2009-0009

Proceeding under Section 3008 (a) and (g) of)
the Resource Conservation and Recovery Act)
as amended, 42 U.S.C. § 6928(a) and (g).)
_____)

MOTION TO EXTEND ALTERNATIVE
DISPUTE RESOLUTION

The Complainant, the United States Environmental Protection Agency, Region 7, by and through its attorney, respectfully requests an extension of time for the Alternative Dispute Resolution Process, based on the reasons specified below:

1. Negotiations between the parties are still ongoing.
2. Several components of the injunctive relief requested by Complainant require coordination with Respondent's Kimball, Nebraska facility's personnel.
3. Counsel for Complainant is advised that Respondent is gathering information concerning potential Supplemental Environmental Projects that may be a component of settlement of this matter.

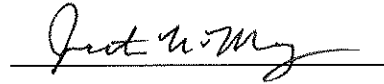
4. Counsel for Complainant is advised that Respondent has no objection to this extension.

5. It is in the best interest of the parties to continue negotiations.

Therefore, Complainant respectfully requests that this Motion be granted allowing Alternative Dispute Resolution to continue for an additional thirty days from January 12, 2010.

Dated this 30th day of December, 2009.

Respectfully submitted,



Jonathan W. Meyer
Assistant Regional Counsel
U.S. Environmental Protection Agency
Region 7
901 N. 5th Street
Kansas City, Kansas 66101
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ATTORNEY FOR COMPLAINANT

CERTIFICATE OF SERVICE

I hereby certify that on this 30 day of December, 2009, I filed the original and one copy of the Motion to Extend Alternative Dispute Resolution with the Regional Hearing Clerk, EPA, Region 7, 901 North 5th Street, Kansas City, Kansas 66101, and sent this day in the following manner to the addressees listed below:

Via Pouch Mail to:

The Honorable Susan L. Biro
Chief Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900L
Ariel Rios Building
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

and

The Honorable Spencer T. Nissen
Administrative Law Judge
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Mail Code 1900L
Ariel Rios Building
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

Via Regular Mail to:

Raeferd Craig Lackey, Esquire
Vice President & Chief Counsel
Environmental Law & Litigation
Clean Harbors Environmental Services, Inc.
400 Arbor Lake Drive, Suite B-900
Columbia, SC 29223

12/30/09
Date

