

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG-11
2009 FEB 18 PM 2:49
REGIONAL HEARING
CLERK

In the Matter of:)
)
STEVENSON COMMONS ASSOCIATES, L.P.,)
and)
GRENADIER REALTY CORPORATION,)
)
)
Respondents.)
)

Docket No. CAA-02-2008-120

ORDER ON RESPONDENTS' MOTION FOR EXTENSION OF TIME

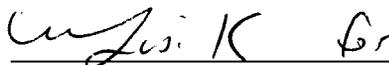
By Order dated December 2, 2008, the parties were directed to file Prehearing Exchanges and due dates were set, including a due date of January 16, 2009 for filing a Consent Agreement and Final Order (CAFO) or Complainant's Initial Prehearing Exchange. On December 15, 2008, Complainant submitted a Motion for an Extension of Time to File Prehearing Exchanges, requesting a 60-day extension of time for the parties to file their prehearing exchanges. By Order dated December 18, 2008, the parties were granted a five-week extension of time, setting due dates of February 20, 2009 for Complainant's Initial Prehearing Exchange, March 12 for Respondents' Prehearing Exchange, and March 26 for Complainant's Rebuttal Prehearing Exchange. On January 29, 2009, Respondents submitted a Motion for an Extension of Time to File Pre-hearing Exchanges (Motion), requesting a 30 day extension of the due dates.

The Motion states that after Complainant engaged a mediator to facilitate a settlement of this matter, the parties participated in mediation and reached a settlement in principle of this matter. The Motion states further that each of the Respondents have differing interests in the settlement process which must be reconciled, and that a complex Supplemental Environmental Project will have to be worked out, and therefore it will take several weeks to draft a CAFO.

Good cause exists for granting an extension of time in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than to litigate this matter to a conclusion. In that a hearing has not yet been scheduled in this proceeding, a brief delay will not result in any prejudice.

Accordingly, Respondents' Motion for an Extension of Time to File Pre-hearing Exchanges is hereby **GRANTED**. The parties shall file a fully executed CAFO in this matter or Complainant shall file its prehearing exchange on or before **March 23, 2009**. If a CAFO has not been filed beforehand, Respondents shall file their prehearing exchanges on or before **April 13,**

and Complainant shall file any rebuttal thereto on or before **April 27, 2009**.



Susan L. Biro
Chief Administrative Law Judge

Dated: February 13, 2009
Washington, D.C.

In the Matter of Stevenson Commons Associates, L.P. and Grenadier Realty Corp.
Docket No. CAA-02-2008-1220

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the **Order on Respondents' Motion for Extension of Time**, dated February 13, 2009 was sent this day in the following manner to the addressees listed below:

Original and One Copy by Pouch Mail to:

Karen Maples
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U.S. EPA - Region 2
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New York, NY 10007-1866

Copy by pouch mail to:

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M. Lisa Knight
Senior Staff Attorney

Dated: February 13, 2009