

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

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Before the Administrator

2010 JUN 15 PM 1:22

HEARING CLERK

In the Matter of:)

) Docket No. CWA-04-2009-5504

Russell Wise)
_____)

JOINT MOTION TO EXTEND THE STAY OF THE PROCEEDINGS

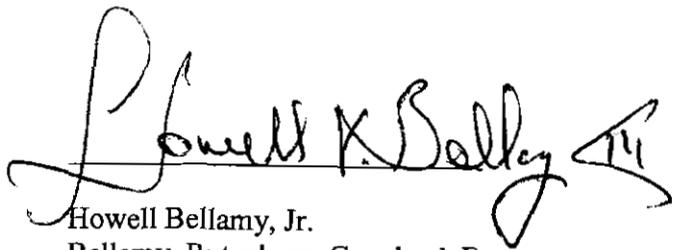
Counsel for the U.S. Environmental Protection Agency (EPA) Region 4 and Counsel for Russell Wise jointly request that the stay in the proceedings in the above-captioned matter be extended. On April 15, 2010, the Honorable Judge Biro had granted the parties April 15, 2010 Joint Motion for a Stay until June 15, 2010. At this time the parties are seeking an extension of the Stay until August 15th to ensure that all documents will be finalized after the public comment period closes. In support of this motion the Parties offer that Mr. Wise has signed both the Consent Decree and Final Order (CAFO) and the Consent Decree and Compliance Order (CACO). The CACO has been signed by EPA and is being scheduled for public notice on approximately June 24, 2010 with a 30 day comment period. The CAFO has been noticed and the comment period ends on July 11, 2010. Accordingly, the parties request 60 days to execute that document and file it in accordance with 40 CFR Part 22.

For the reasons set forth above, and in the interest of judicial economy, counsel for the Parties respectively request that the Joint Motion for a 60 day Stay of the Proceedings pending completion of the Consent Agreement and Final Order be granted.

Respectfully submitted this 15th day of June, 2010.



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CERTIFICATE OF SERVICE

I certify that on June 15, 2010, I filed with the Regional Hearing Clerk the original of the JOINT MOTION TO EXTEND THE STAY OF THE PROCEEDINGS, and served this day by the following manner to the addressees listed below.


Philip G. Mancusi-Ungaro
Counsel for the Environmental
Protection Agency

Dated: June 15, 2010

Original and one Copy to:

Patricia Bullock
Regional Hearing Clerk
USEPA
Atlanta Federal Center
61 Forsyth St, SW
Atlanta, GA 30303-8960

Copy by Electronic and Pouch Mail to:

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