

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

BEFORE THE ADMINISTRATOR

In the Matter of

**Pan American Grain Manufacturing Co.,
Inc.,**

Respondent

Docket No. EPCRA-02-2010-4004

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.II
2011 MAR - 8 P 2:08
REGIONAL HEARING
CLERK

MOTION TO EXTEND TIME TO FILE PREHEARING EXCHANGE

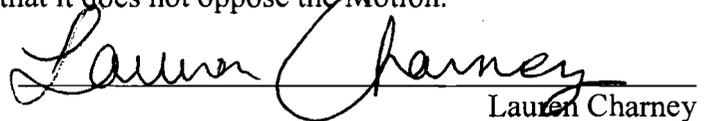
Comes now Complainant, the U.S. Environmental Protection Agency, through the undersigned attorney, pursuant to Rule 22.7(b) of the Consolidated Rules of Practice, 40 C.F.R. § 22.7(b), and respectfully requests a thirty (30) day extension of time to file its initial prehearing exchange ("PHE") and as good cause therefor states as follows:

Complainant and Respondent, Pan American Grain Manufacturing Co., Inc. have reached a settlement in principle but need additional time to execute the settlement document. Complainant submits that it would be an unnecessary expenditure of resources and time to complete its PHE when settlement has already been reached and the only matter remaining is the execution of the settlement document. Complainant requests an additional thirty days to ensure that the parties will have sufficient time to obtain all necessary signatures and approvals, and provide copies of the executed settlement document to the necessary parties.

Complainant submits that the good cause requirement of 40 C.F.R. § 22.7(b) has been satisfied and thus, pursuant to 40 C.F.R. §§22.4(c)(2), 22.7(b), 22.16(a) and 22.19(a), moves for an order extending the time for to file its PHE from March 11, 2011 to April 10, 2011.

Prior to filing this Motion, the undersigned contacted Respondent as to the extension requested herein and Respondent indicated that it does not oppose the Motion.

Dated: March 7, 2011



Lauren Charney
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CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing **Motion to Extend Time to File a Prehearing Exchange**, dated March 7, 2011, and bearing the above-referenced docket number, in the following manner to the respective addressees below:

original and copy by inter-office mail to:

Karen Maples
Regional Hearing Clerk, Region II
U.S. Environmental Protection Agency
290 Broadway, 16th Floor
New York, NY 10007-1866;

copy by email and regular mail to:

Gretchen Mendez-Vilella
Goldman Antonetti & Córdova, P.S.C.
American International Plaza, Suite 1400
250 Muñoz Rivera Avenue
San Juan, Puerto Rico 00918
gmendez@gaclaw.com

copy by email and overnight mail, to:

Administrative Law Judge:
The Honorable Susan L. Biro
Chief Administrative Law Judge
Office of Administrative Law Judges
U.S. Environmental Protection Agency
Mail Code 1900L
401 M Street, S.W.
Washington, D.C. 20460
oaljfilng@epa.gov

3.8.11

Date

Rayetta Martin

Name