

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REGION 2
2009 DEC 16 PM 7:52
REGIONAL HEARING
CLERK

In the Matter of:)
)
Wallace Silversmiths)
de Puerto Rico, Ltd.,)
) Docket No.: RCRA-02-2008-7109
)
)
Respondent.)

STATUS REPORT AND MOTION FOR EXTENSION OF TIME

Counsel for Complainant, the Director of the Division of Enforcement and Compliance Assistance, Region 2 of the Environmental Protection Agency ("EPA") hereby files a status report and motion for extension of time in the above referenced action.

Pursuant to the Court's Prehearing Order dated November 25, 2008, the parties had settlement discussions prior to December 19, 2008. Subject to concurrence by EPA's senior management, the parties have reached a settlement in principle.

Counsel for Complainant hereby respectfully moves this Court for a 45 day extension of time until March 2, 2009 to file a Consent Agreement and Final Order (CA/FO) signed by the parties or Complainant's Initial Prehearing Exchange. If Counsel for Complainant files an Initial Prehearing Exchange, rather than a CA/FO, on March 2, 2009, it respectfully requests that the Court extend the date for Respondent to file its Prehearing Exchange to March 12, 2009, and for Complainant to file its Rebuttal Prehearing Exchange to March 27, 2009. These latter *in seriatim* filing dates are consistent with the filing scheduled prescribed by the Court in its Prehearing Order.

Counsel for Respondent has indicated that he agrees with this Status Report and supports

this Motion for an Extension of Time.

Respectfully submitted,



Amy R. Chester
Office of Regional Counsel
U.S. EPA- Region II
290 Broadway
New York, New York 10007
ON BEHALF OF REGION 2 OF EPA
December 16, 2008

cc: Certificate of Service List

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2008 I caused a copy of Complainant's Status Report and Motion for Extension of Time in In the Matter of Wallace Silversmiths de Puerto Rico, Ltd., Docket No: RCRA-02-2008-7109 to be sent to the following persons in the manner indicated:

By United States First Class Mail:

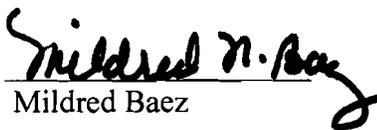
The Honorable Susan L. Biro
Chief Administrative Law Judge
Office of Administrative Law Judges
United States Environmental Protection Agency
Mail Code 1900L
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460
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By Hand Delivery:

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Date: December 16, 2008


Mildred Baez