

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. III
2010 JAN -8 PM 2:25
REGIONAL HEARING
CLERK

In the Matter of:

LANDMARK AT RAHWAY, LLC,

Respondent.

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Docket No. CWA-02-2009-3405

**JOINT MOTION FOR TEMPORARY STAY
OF THE ADMINISTRATIVE PROCEEDING**

On September 29, 2009, Chief Administrative Law Judge Biro issued an Initial Prehearing Order in the above matter, granting a stay of the administrative proceedings until December 8, 2009 in order for the parties to pursue mediation. On December 14, 2009, upon the joint motion of the parties, Judge Biro granted an additional stay of the proceedings until January 8, 2010, for the parties to complete the then-imminent settlement.

The parties have reached a settlement and have drafted a Consent Agreement and Final Order ("CAFO"). The CAFO is now in concurrence at EPA, after which it will be sent to the Respondent for signature, and returned to EPA for final execution, filing and service. This process should take no longer than two weeks. Therefore, the parties jointly move for an additional stay of the proceeding until Thursday, January 21, 2010.

Respectfully submitted by



Chris Saporita
Assistant Regional Counsel
U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007

Dated: January 7, 2010

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ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
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LANDMARK AT RAHWAY, LLC,) Docket No. CWA-02-2009-3405
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CERTIFICATE OF SERVICE

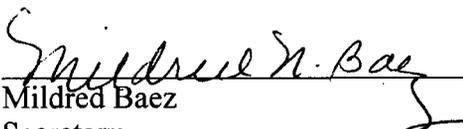
I certify that the foregoing **Joint Motion for Temporary Stay of the Administrative Proceeding**, dated January 7, 2010, was sent this day in the following manner to the addressees listed below:

Original and One Copy)
By Hand:) Office of Regional Hearing Clerk
) U.S. Environmental Protection Agency - Region 2
) 290 Broadway, 16th floor
) New York, New York 10007-1866

Copy by Certified Mail)
Return Receipt Requested:) Landmark of Rahway, LLC
) 1200 Sunnyview Oval
) Keasbey, NJ 08832

Neil Yoskin, Esquire
Sokol, Behot & Fiorenzo
229 Nassau Street
Princeton, NJ 08542-4601

Dated: JAN - 7 2010


Mildred Baez
Secretary
U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007