



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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BEFORE THE ADMINISTRATOR

In the Matter of )
Nustar Refining, LLC ) Docket No. CWA-06-2012-3444
Respondent )

Order on Complainant's Unopposed Motion for Extension of Time to File Prehearing Exchanges

The Prehearing Order issued in this proceeding directed the parties to file their prehearing exchanges, and set the due date for Complainant's Prehearing Exchange as June 8, 2012, and the due date for Respondent's prehearing exchange as July 6, 2012. On May 30, 2012 Complainant submitted a Motion seeking an extension of time until July 9, 2012 to file its prehearing exchange. Grounds stated in the Motion are the parties have reached a settlement in principle and exchanged drafts of a Consent Agreement and Final Order (CAFO), but need additional time for review, approval and final execution of it. The Motion states further that Respondent's counsel has no objection to the request.

The Rules of Practice that govern this proceeding, 40 C.F.R. Part 22, provide that the presiding officer may grant an extension of time for filing any document "upon timely motion . . . , for good cause shown, and after consideration of prejudice to other parties." 40 C.F.R. § 22.7(b).

For good cause shown, Complainant's Motion for Extension of time is GRANTED. In the event the parties have not filed a fully executed Consent Agreement and Final Order settling this matter beforehand, Complainant shall file its Prehearing Exchange on or before July 9, 2012, Respondent shall file its Prehearing Exchange on or before August 6, 2012, and Complainant shall file its Rebuttal Prehearing Exchange on or before August 21, 2012.

SO ORDERED.

Dated: May 30, 2012

M. Lisa Buschmann
Administrative Law Judge

In the matter of *Nustar Refining, LLC*. Respondent.  
Docket No. CWA-06-2012-34444

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Unopposed Motion for Extension of Time to File Prehearing Exchange**, dated May 30, 2012 was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
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Dated: May 30, 2012  
Washington, DC