# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

#### BEFORE THE ADMINISTRATOR

IN THE MATTER OF:	)	72.7	ر د د
E-Z CLEANERS, LLC, Respondent.	) Docket No. FIFRA-04-2007-3033		
	)		

### **ORDER ON MOTION FOR EXTENSION OF TIME**

By Order dated April 29, 2008, Respondent was required to file its prehearing exchange on or before July 13, 2008. Respondent did not do so, and on July 17, 2008, an Order to Show Cause was issued, ordering Respondent to show good cause by July 31, 2008 why it failed to submit its prehearing exchange and why a default order should not be issued against it. No response to either Order has been received by the undersigned.

On August 7, 2008, Complainant filed a Motion for Extension of Time ("Motion"), requesting an extension of seventy (70) days for Respondent to submit its prehearing exchange, apparently because Respondent is appearing pro se in this matter. The Motion states that the parties have a settlement in principle and that both parties believe this case may be resolved without litigation. The Motion does not, however, state any reason for needing seventy days to complete a settlement. An extension of sixty days or more is granted only in extraordinary circumstances. An extension of five weeks should be more than ample to complete a settlement.

Accordingly, given that Respondent is appearing *pro se* and that the parties are settling this matter, a default order will not be issued at this time. Instead, Respondent will be granted an extension of time to file a prehearing exchange. Good cause exists for allowing an extension in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from a brief delay. Accordingly, Respondent shall file its prehearing exchange on or before **September 12, 2008** if a fully executed Consent Agreement and Consent Order (CAFO) is not filed beforehand.

Susan L. Biro

Chief Administrative Law Judge

Date: August 8, 2008 Washington, D.C.

## Original and One Copy by Pouch Mail to:

Patricia Bullock Regional Hearing Clerk U.S. EPA - Region 4 Atlanta Federal Center 61 Forsyth Street, S.W. Atlanta, Georgia 30303-8960

## Copy by pouch mail to:

Elizabeth O'Sullivan, Esquire U.S. EPA - Region 4 Office of Environmental Accountability Atlanta Federal Center 61 Forsyth Street, S.W. Atlanta, Georgia 30303-8960

Copy by regular mail to:

Donna Seeman E-Z Cleaners, LLC 698 Bryant Boulevard Rock Hills, SC 29732

> M. Lisa Knight Senior Staff Attorney

Dated: August 8, 2008