

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

In the Matter of)	
)	
United States Department of the Army,)	Docket No. RCRA-02-2009-7507
and)	
Army and Air Force Exchange Service,)	
West Point Garrison,)	
)	
)	
Respondents)	


ORDER GRANTING MOTION FOR EXTENSION OF TIME

By Joint Motion dated June 17, 2010, the parties moved for a sixth extension of time to file the Consent Agreement and Final Order (CAFO). The Motion indicates that the parties have approved the CAFO but that it awaits approval of the Regional Administrator's office, and that the parties cannot predict when that office will have opportunity to review and sign the CAFO.

The Motion is hereby, **GRANTED**, as set forth below:

Section 22.7(b) of the Rules of Practice (40 C.F.R. § 22.7(b)) provides that the Presiding Officer may grant an extension of time for filing any document upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties.

Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to finalize their settlement of this matter on mutually agreeable terms. In that a hearing in this case has yet to be scheduled, no prejudice will result from a brief delay. Therefore, the parties shall have until **July 2, 2010** to file the fully executed Consent Agreement and Final Order.




Susan L. Biro
Chief Administrative Law Judge

Dated: June 18, 2010
Washington, D.C.

In the Matter of U.S. Department of the Army and Army & Air Force Exchange Service, West Point Garrison, Respondents
Docket No. RCRA-02-2009-7507

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion For Extension Of Time**, dated June 18, 2010, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: June 18, 2010

Original And One Copy By Pouch Mail To:

Karen Maples
Regional Hearing Clerk
U.S. EPA
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy By Pouch Mail To:

Naomi Shapiro, Esquire
Assistant Regional Counsel
U.S. EPA
290 Broadway, 16th Floor
New York, NY 10007-1866

Copy By Regular Mail To:

Jennifer A. Butkus
Chief, Environmental Division
US Army Garrison, West Point
IMNE-MIL-PWE, 667A Ruger Road
West Point, NY 10996-1592

Michael C. Whittington, Esquire
Commercial and Financial Law Division
Army & Air Force Exchange Service
3911 S. Walton Walker Boulevard
Dallas, TX 75236-1598