



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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In the Matter of:)
)
Advanced Recovery, Inc.,) Docket No. RCRA-02-2013-7106
)
Respondent)

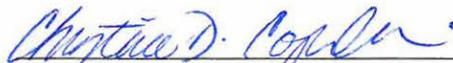
**ORDER ON MOTION TO REQUEST EXTENSION OF TIME
TO FILE DISPOSITIVE MOTIONS**

On August 1, 2014, Complainant filed an Updated Status Report and Motion to Request Extension of Time to Amend the Deadline for Filing Dispositive Motions to Grant Complainant Leave to File a Motion for Accelerated Decision on Liability (“Motion”). Therein, Complainant seeks an extension of the deadline for filing dispositive motions, so that Complainant may file a motion for accelerated decision against Respondent on liability. Complainant contends that even if the hearing needs to be rescheduled to accommodate the filing of dispositive motions, “it is nevertheless advantageous to narrow the issues for hearing” by allowing it to file such a motion.

The procedural rules governing this proceeding, set forth at 40 C.F.R. Part 22, provide 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; or upon its own initiative.” 40 C.F.R. § 22.7(b).

The parties completed their prehearing exchange in this matter on June 4, 2014, and the hearing was scheduled on June 11, 2014, more than three months in advance of the first day of hearing, September 23, 2014. Complainant now seeks to streamline the hearing by entering a motion filing schedule that would not conclude until the week before the scheduled hearing, and which would necessitate a postponement of the hearing. No good cause has been shown for this course of action. The hearing and all deadlines set forth in the June 11, 2014 Scheduling Order will proceed as scheduled. Complainant’s Motion is hereby **DENIED**.

SO ORDERED.


Christine D. Coughlin
Administrative Law Judge

Date: August 4, 2014
Washington, D.C.

In the Matter of *Advanced Recovery*, Respondent.
Docket No. RCRA-02-2013-7106

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Motion to Request Extension of Time to File Dispositive Motions**, issued by Christine D. Coughlin, Administrative Law Judge, in Docket No. RCRA-02-2013-7106, were sent to the following parties on this 4th day of August 2014, in the manner indicated:



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Dated: August 4, 2014
Washington, DC