



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

In the Matter of: )
ISP Freetown Fine Chemicals, Inc., ) Docket No. RCRA-01-2018-0062
Respondent. )

ORDER ON COMPLAINANT'S MOTION FOR EXTENSION OF TIME

On September 26, 2018, the United States Environmental Protection Agency, Region 1, ("Agency") initiated this proceeding by filing a Complaint against Respondent under Section 3008(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6928(a).

The Agency filed an Amended Complaint on June 7, 2019. On June 26, 2019, Respondent filed an Answer to the Amended Complaint along with a Motion to Dismiss Counts Two through Eight. The case was transferred by the Regional Hearing Clerk from Region 1 to this Tribunal on July 1, 2019, and on July 11, 2019, the Agency filed a Motion for Extension of Time ("Motion") to file its response to the motion to dismiss. In its Motion, the Agency states that it needs additional time to respond given the complexity of the arguments raised by Respondent and time lost to the July 4 holiday. The Agency states that Respondent agrees to the extension.

This Tribunal "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).

In this case, I find there is good cause for an extension of time. Consequently, the Agency's motion is GRANTED. The Agency has through July 26, 2019, to file a response to the motion to dismiss. Respondent may file a reply brief within 10 days of being served with the response.

SO ORDERED.

Handwritten signature of Susan L. Biro

Susan L. Biro
Chief Administrative Law Judge

Dated: July 11, 2019
Washington, D.C.

In the Matter of *ISP Freetown Fine Chemicals, Inc.*, Respondent.  
Docket No. RCRA-01-2018-0062

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order on Complainant's Motion for Extension of Time**, dated July 11, 2019, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.

  
\_\_\_\_\_  
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Office of Administrative Law Judges  
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Dated: July 11, 2019

Washington, D.C.