

**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)

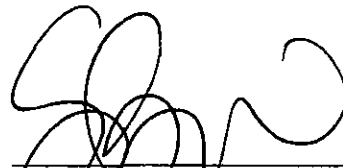
ORDER GRANTING MOTION FOR EXTENSION OF TIME

By Motion dated May 26, 2010, Complainant moved for another extension of time to file the Consent Agreement and Final Order, indicating that both Respondents concurred in the request.

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 settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. The Motion indicates that the parties have reached an agreement in principle and are in the process of obtaining the final signatures on the Consent Agreement. 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 **JUNE 11, 2010** to file the fully executed Consent Agreement and Final Order.



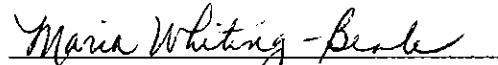
Susan L. Biro
Chief Administrative Law Judge

Dated: May 27, 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 May 27, 2010, was sent this day in the following manner to the addressees listed below.



Maria Whitting-Beale
Staff Assistant

Dated: May 27, 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