



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
New York State) Docket No. CWA-02-2016-3403
Department of Transportation,)
)
Respondent.)

ORDER ON RESPONDENT’S MOTION FOR EXTENSION OF TIME

By Order dated November 22, 2017, I scheduled the hearing in this matter to commence on February 13, 2018, and continue as necessary through February 16, 2018. On January 30, 2018, Respondent filed a Motion for Extension of Time, wherein Respondent requests that the hearing be postponed on account of an “unforeseen reduction in staff that has been working closely on this case[,] necessitating reassignment and familiarization with the complex and voluminous record in this matter.” Respondent represents that Complainant does not object to this request, and Respondent proposes March 27 through March 30, 2018, or April 3 through April 6, 2018, as mutually agreed-upon dates for rescheduling the hearing.

For good cause shown, Respondent’s Motion for Extension of Time is hereby **GRANTED**. The hearing in this matter shall begin promptly at **9:00 a.m.** on **Tuesday, April 3, 2018**, and shall continue as necessary through **Friday, April 6, 2018**, at the following location:

**James T. Foley Courthouse
Courtroom 6
445 Broadway
Albany, NY 12207**

RESPONDENTS ARE ADVISED THAT FAILURE TO APPEAR AT THE HEARING, WITHOUT GOOD CAUSE HAVING BEEN SHOWN, MAY RESULT IN THE ENTRANCE OF DEFAULT JUDGMENT AGAINST THEM.

IF ANY PARTY DOES NOT INTEND TO ATTEND THE HEARING, OR HAS GOOD CAUSE FOR NOT BEING ABLE TO ATTEND THE HEARING AS SCHEDULED, IT SHALL NOTIFY THE UNDERSIGNED AT THE EARLIEST POSSIBLE MOMENT.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Biro', positioned above a horizontal line.

Susan L. Biro
Chief Administrative Law Judge

Dated: February 1, 2018
Washington, D.C.

In the Matter of *New York State Department of Transportation*, Respondent.
Docket No. CWA-02-2016-3403

CERTIFICATE OF SERVICE

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

Jennifer Almase
Attorney Advisor

Original and One Copy by Hand Delivery to:

Mary Angeles
Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Ave., NW
Washington, DC 20004

Copy by Electronic Mail to:

Christopher Saporita, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007
Email: saporita.chris@epa.gov
For Complainant

Jason P. Garelick, Esq.
Assistant Regional Counsel
U.S. Environmental Protection Agency, Region 2
290 Broadway, 16th Floor
New York, NY 10007
Email: garelick.jason@epa.gov
For Complainant

Alicia McNally, Esq.
Assistant Counsel
Division of Legal Affairs
New York State Department of Transportation
50 Wolf Road, 6th Floor
Albany, NY 12232
Email: Alicia.McNally@dot.ny.gov
For Respondent

Dated: February 1, 2018
Washington, D.C.