

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

In the Matter of:)
)
)
Feather Crest Farms,) **Docket No. CWA-06-2011-1702**
)
)
Respondent)

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On May 10, 2011, the Administrative Law Judge serving as a neutral in the ADR proceeding issued an Order Terminating Alternative Dispute Resolution Process and Returning Proceeding to Chief Judge. The May 10, 2011 Order stated that the parties had reached a settlement and decided to terminate the ADR process. The undersigned therefore issued an Initial Prehearing Order on May 12, 2011 that ordered the parties to file their fully executed Consent Agreement and Final Order (“CAFO”) no later than June 24, 2011.

On June 22, 2011, Complainant filed a Motion for Extension of Time (“Motion”) requesting an extension to file the parties’ CAFO. Complainant states that the CAFO “is currently being circulated for concurrence and final signature” and expects its filing to be completed within 45 days. Motion at 1.

Section 22.7(b) of the Rules of Practice 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. 40 C.F.R. § 22.7(b). Section 22.7(b) further states that motions for extensions should be filed far enough in advance of the deadline to allow other parties time to respond and to allow the Presiding Officer time to issue an order. *Id.*

The Motion did not indicate whether Respondent opposed the request for extension and the Motion was not filed “sufficiently in advance of the due date so as to allow other parties reasonable opportunity to respond” as required by the Rules, 40 C.F.R. § 22.7(b). (See the time specifications in 40 C.F.R. §§ 22.7(c) and 22.16(b).) However, given that the record in this case indicates the parties have achieved a settlement in principle, the undersigned presumes that Respondent does not object to the Motion and will suffer no prejudice from a grant of the requested extension. Accordingly, for good cause, the Motion is **GRANTED**. The Parties are **ORDERED** to file the fully executed CAFO no later than **August 8, 2011, with a copy contemporaneously sent to the undersigned by facsimile or mail.**

SO ORDERED.



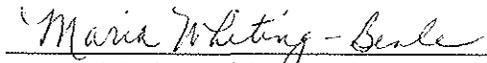
Susan L. Biro
Chief Administrative Law Judge

Dated: June 23, 2011
Washington, D.C.

In the Matter of Feather Crest Farms, Respondent
Docket No. CWA-06-2011-1702

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion For Extension Of Time**, dated June 23, 2011, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: June 23, 2011

Original And One Copy By Pouch Mail To:

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