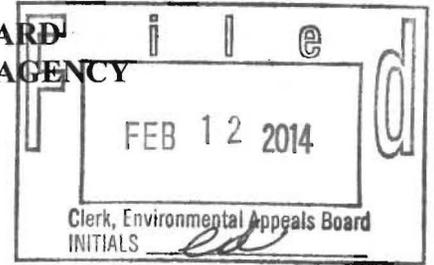


**BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.**



In re: )  
)  
E.I. DuPont De Nemours & Co. )  
)  
HSWA Permit Modification )  
DuPont Pompton Lakes Works )  
EPA ID No. NJD002173946 )  
)

RCRA Appeal Nos. 13-01 & 13-02

**ORDER GRANTING FOURTH MOTION TO EXTEND STAY OF PROCEEDINGS**

On February 10, 2014, Region 2 (“Region”) of the U.S. Environmental Protection Agency submitted a status report and motion for an extension of time to the Environmental Appeals Board (“Board”) pursuant to the Board’s December 19, 2013, order staying proceedings in the above-captioned matters. The Region explained that another senior level meeting occurred on January 27, 2014, in which substantial progress was made regarding resolution of the outstanding issues in these consolidated appeals. As a result, the Region is optimistic that the parties can reach settlement, pending further technical discussions, final negotiations, and management approval by each party. The Region has also consulted with the Passaic River Coalition, both to discuss its appeal and to brief the Coalition on the negotiations between the Region and DuPont.

In support of its motion the Region avers that DuPont has performed major parts of the technical work required under the permit modification since the appeals in the above-captioned matters were filed. The Region continues that in its view, remedial work in the Acid Brook Delta and adjacent areas is moving ahead through the performance of permit-related work despite the extensions of time the parties have requested.

Upon consideration, the Board grants the Region’s unopposed motion to extend the stay of

proceedings in the above-captioned appeals until April 30, 2014. The parties shall inform the Board as soon as practicable of any settlement agreement they reach. In consultation with the parties, the Region shall submit a status report to the Board no later than April 15, 2014. Should the parties fail to settle any of the issues raised in the petitions, the Region shall file its response to the petitions for review no later than April 30, 2014.

So ordered.

Date: *February 12, 2014*

**ENVIRONMENTAL APPEALS BOARD**



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Leslye M. Fraser  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Fourth Motion to Extend Stay of Proceedings in the matter of E.I. DuPont De Nemours and Company, RCRA Appeal Nos. 13-01 & 13-02, were sent to the following persons in the manner indicated:

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Dated: FEB 12 2014

  
Annette Duncan  
Secretary