



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

FILED

2012 JUN -6 PM 3:37

BEFORE THE ADMINISTRATOR

REGIONAL HEARING CLERK EPA REGION VI

In the Matter of )

Exide Technologies, )

Respondent )

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Docket No. CWA-06-2012-1730

Dated: June 1, 2012

Order on Joint Motion for Extension of Time to File Prehearing Exchange

The Prehearing Order issued in this proceeding directed Complainant and Respondent to submit prehearing exchanges on June 15 and July 13, 2012, respectively. On May 30, 2012, the parties submitted a Joint Motion for Extension of Prehearing Order Deadlines, seeking a 45-day extension of the due dates for the prehearing exchange. Grounds stated in the Motion are the parties have reached a settlement in principle and need additional time to finalize and execute a Consent Agreement and Final Order.

The Rules of Practice that govern this proceeding, 40 C.F.R. Part 22, provide that the presiding officer may grant an extension of time for filing any document "upon timely motion . . ., for good cause shown, and after consideration of prejudice to other parties." 40 C.F.R. § 22.7(b). A 45- day extension of time is rather lengthy and the parties have not described any unusual circumstances necessitating such an extended period of time to complete the settlement. In the circumstances of this case, a four-week extension of time is deemed sufficient.

For good cause shown, an extension of time is granted. In the event the parties have not filed a fully executed Consent Agreement and Final Order settling this matter beforehand, Complainant shall file its Prehearing Exchange on or before July 13, 2012, Respondent shall file its Prehearing Exchange on or before August 10, 2012, and Complainant shall file its Rebuttal Prehearing Exchange on or before August 24, 2012.

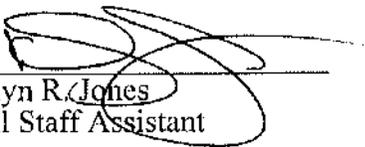
SO ORDERED.

M. Lisa Buschmann  
Administrative Law Judge

In the matter of *Exide Technologies, LLC* Respondent.  
Docket No. CWA-06-2012-1730

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Joint Motion for Extension of Time to File Prehearing Exchange**, dated June 1, 2012 was sent this day in the following manner to the addressees listed below.

  
Knolyn R. Jones  
Legal Staff Assistant

Original and One Copy by Pouch Mail to:

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One Copy by Regular Mail to:

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Dated: June 1, 2012  
Washington, DC