

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

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In the Matter of :
 :
U.S. Department of the Army and :
Army and Air Force Exchange Service :
 :
West Point Garrison :
 :
Respondents. :
 :
Proceeding Under Section 9006 :
of the Solid Waste Disposal Act, :
as amended. :
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MOTION FOR EXTENSION OF TIME
Docket No. RCRA-02-2009-7507

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. 2
2010 MAR -4 AM 11:19
REGIONAL HEARING
CLERK

MOTION FOR EXTENSION OF TIME
TO FILE PREHEARING EXCHANGE

Representatives of the United States Environmental Protection Agency (“EPA”), the United States Department of the Army (“Army”) and the Army and Air Force Exchange Service (“AAFES”) met on February 24, 2010 to discuss resolution of the above-captioned matter. As a result of that meeting, the parties have reached settlement in principle.

Accordingly, with consent of Counsels for Respondents, I respectfully move for an extension of the deadline to file prehearing exchange to permit the parties to draft and execute a Consent Agreement and Final Order (“CA/FO”). As concurrence and signature will be required from multiple levels of all three entities – EPA, Army, and AAFES, an extension of three months is requested.

Respectfully,



Naomi P. Shapiro
Counsel for Complainant

Date: March 3, 2010
New York, NY

CERTIFICATE OF SERVICE

I certify that I have this day caused to be sent the foregoing MOTION, bearing the below-referenced docket number, in the following manner to the respective addressees below:

Original and One Copy
by Hand:

Office of Regional Hearing Clerk
U.S. Environmental Protection Agency - Region 2
290 Broadway, 16th floor
New York, New York 10007-1866

Copy by Pouch Mail
and FAX:

Judge William B. Moran
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code 1900 L
Washington, D.C. 20460
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Copy by Mail:

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Captain Kyle C. VanDeWater
Office of the Staff Judge Advocate
and
Frank A. Bloomer, Acting Chief
Department of Public Works
U.S. Army Garrison, West Point
681 Hardee Place
West Point, New York 10996-1514

Dated: March 3, 2010
New York, New York


