

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

**In the Matter of:** )  
 )  
**Allied Waste of Ponce, Inc.,** )  
 )  
**(f/k/a BFI of Ponce, Inc.)** )  
 )  
**Respondent.** )

**Docket No. CWA-02-2010-3462**

U.S. ENVIRONMENTAL  
PROTECTION AGENCY  
2011 MAY 17 P 5:16  
REGIONAL HEARING  
CLERK

**ORDER GRANTING JOINT MOTION  
FOR EXTENSION OF TIME AND TO AMEND RESPONDENT'S NAME**

After the parties alleged to have reached a settlement in principle on this matter, an Initial Prehearing Order was issued on March 22, 2011, ordering the parties to submit a Consent Agreement and Final Order (CAFO) by April 13, 2011. By Joint Motion dated April 12, 2011, the parties moved for a thirty day extension of time to file the CAFO. That Motion was granted on April 15, 2011 and the deadline for filing the CAFO was extended until May 13, 2011. By Joint Motion dated May 12, 2011, the parties now move for an extension of time until May 30, 2011, to file the CAFO.<sup>1</sup> The Motion states that the parties have reached an agreement in principle which has been signed by Respondent, but require additional time to alter the CAFO to reflect Respondent's legal name and to obtain the Regional Administrator's concurrence and signature on the CAFO.

The parties also request to amend the caption of the CAFO and all further documents related to this matter. Respondent's name was listed as "BFI of Ponce, Inc." in the Complaint filed September 21, 2010. The May 12, 2011 Motion indicates that "Allied Waste of Ponce, Inc.," is the true party in interest and became Respondent's legal name effective September 10, 2007.

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).

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<sup>1</sup> May 30, 2011 is the Memorial Day federal holiday. Thus, this Order grants an extension to May 31, 2011.

For good cause shown, the Motion is hereby **GRANTED**. The caption is amended as reflected above. The parties shall have until **May 31, 2011** to file the fully executed CAFO.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end, positioned above a horizontal line.

Susan L. Biro  
Chief Administrative Law Judge

Dated: May 12, 2011  
Washington, D.C.

In the Matter of Allied Waste of Ponce, Inc., (f/k/a BFI of Ponce, Inc.), Respondent  
Docket No. CWA-02-2010-3462

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Joint Motion For Extension Of Time And To Amend Respondent's Name**, dated May 12, 2011, was sent this day in the following manner to the addressees listed below:

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: May 12, 2011

Original And One Copy By Pouch Mail To:

Karen Maples  
Regional Hearing Clerk  
U.S. EPA  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

Copy By Regular Mail And Facsimile To:

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