

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

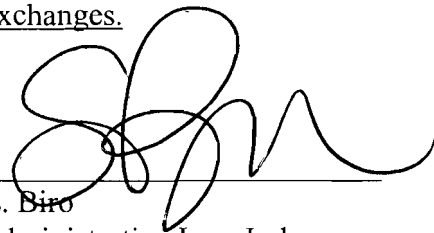
U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG-11
2010 JUL 16 PM 2:05
REGIONAL HEARING
CLERK

In the Matter of:)
)
TONAWANDA COKE CORP.,) Docket No. RCRA-02-2010-7104
)
Respondent)

**ORDER GRANTING THIRD MOTION FOR EXTENSION OF TIME
TO FILE PREHEARING EXCHANGES**

By Motion dated July 14, 2010, the parties requested a third extension of time to file their prehearing exchanges. The Motion states that EPA has drafted a Consent Agreement and Consent Order (CAFO) the finalization of which has been delayed by the July 4th holiday and the need for revision based upon comments of Agency senior management.

Good cause exists for granting an extension of time in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from another brief delay especially if the prehearing exchanges are rescheduled to occur simultaneously. Accordingly, on or before August 6, 2010, the parties shall file their fully executed CAFO or their Prehearing Exchanges.



Susan L. Biro
Chief Administrative Law Judge

Date: July 15, 2010
Washington, D.C.

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Third Motion For Extension of Time to File Prehearing Exchanges**, dated July 15, 2010 in the following manner to the addressees listed below:

Original by regular mail to:

Karen Maples
Regional Hearing Clerk
U.S. EPA - Region 2
290 Broadway, 17th Floor
New York, NY 10007-1866

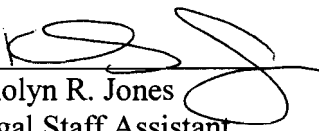
Copy by regular mail:

Attorney for Complainant:

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Assistant Regional Counsel
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Respondent:

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Buffalo, NY 15202-4040


Knolyn R. Jones
Legal Staff Assistant

Dated: July 15, 2010
Washington, D.C.