

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

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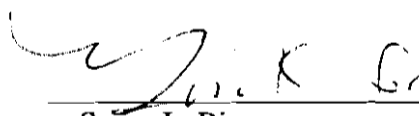
In the Matter of: )  
 )  
RUSSELL WISE, ) Docket No. CWA-04-2009-5504  
 )  
Respondent. )

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

An Initial Prehearing Order was issued in this matter directing the parties to file a Consent Agreement and Final Order (CAFO) on or before April 15, 2010, based on a report that the parties had reached a settlement of this matter. A Joint Motion to stay the proceedings for sixty days was granted by Order dated April 15, 2010, requiring the parties to file the CAFO on or before June 15, 2010. On June 15, 2010, the parties filed a Joint Motion to Extend the Stay of the Proceedings for another sixty days.


The Motion states that Respondent has signed the CAFO and a Consent Decree and Compliance Order (CACO), that EPA has also signed the CACO but it is being scheduled for public notice on or around June 24, 2010 with a 30-day comment period thereafter, and that public notice has been made for the CAFO, but its comment period expires on July 11, 2010. The parties in their Motion request the 60 days to finalize the documents after the public comment period closes and to execute and file the CAFO. As required under Section 311(b)(6)(C)(i) of the Clean Water Act, EPA must provide public notice (by publication in the Federal Register) and comment on the settlement after the CAFO is signed by the parties.

The Motion is hereby **GRANTED**. Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to finalize the settlement of this matter. In that a hearing in this case has not been scheduled, no prejudice will result from the delay. Accordingly, proceedings in this case are hereby stayed, and Complainant shall file the fully executed Consent Agreement and Consent Order on or before **August 16, 2010**.



Susan L. Biro  
Chief Administrative Law Judge

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

  
Maria Whitig-Beale  
Staff Assistant

Dated: June 15, 2010

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