

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2008 JUL 22 AM 10:51
REGIONAL HEARING
CLERK

IN THE MATTER OF:)
)
MACY'S RETAIL HOLDINGS, INC.,)
)
Respondent)

Docket No. RCRA-02-2008-710


**ORDER ON JOINT MOTION FOR EXTENSION OF TIME
TO FILE CONSENT AGREEMENT AND FINAL ORDER**

On May 29, 2008, a Prehearing Order issued in this matter required Complainant to file its Prehearing Exchange or for the parties to file a Consent Agreement and Final Order (CAFO) no later than July 18, 2008. On July 17, 2008, the parties filed a Joint Motion for Extension of Time to File Consent Agreement and Final Order ("Motion"), requesting an extension of one week to file the CAFO.

Grounds stated in the Motion are that Respondent has signed the CAFO, and Complainant has received it to obtain final concurrence from senior management, but it cannot be fully executed and filed by the due date tomorrow. Complainant states in the Motion that it will make the best efforts to have the CAFO filed by July 25.

For good cause, the Joint Motion for Extension of Time is **GRANTED**. Given that this case is relatively new, that it has not yet been scheduled for hearing and that Complainant expresses some doubt as to whether the CAFO will be filed in a week, an extension of few days more than the week requested will be granted. Accordingly, the parties shall file the fully executed Consent Agreement and Consent Order on or before **July 31, 2008**.

The parties are hereby reminded that failure to submit the CAFO in a timely manner may result in entry of an order of dismissal or default, as appropriate, without further notice.



Susan L. Biro
Chief Administrative Law Judge

Date: July 17, 2008
Washington, D.C.

In the Matter of Macy's Retail Holdings, Inc., Respondent
Docket No. RCRA-02-2008-7103

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Joint Motion For Extension Of Time To File Consent Agreement And Final Order**, dated July 17, 2008, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: July 18, 2008

Original And One Copy By Pouch Mail To:

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