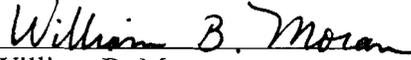


Upon consideration, the Court GRANTS EPA's unopposed Motion, which describes that it is the parties' joint request to extend the time to file post-hearing briefs. Per the Motion, the Initial Post-hearing Briefs will now be due on **January 5, 2009** and the Reply Briefs will be due on **February 19, 2009**.

As to the Motion to Withdraw Count I, the Court will withhold its ruling until after the expiration of the 15 day time period provided for the Respondent to respond to the motion, pursuant to 40 C.F.R. § 22.14(b), and the consideration of any response which may be filed.

So Ordered.


William B. Moran
United States Administrative Law Judge

Dated: October 27, 2008
Washington, D.C.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Complainant's Motion for Extension of Time to File Post-Hearing Briefs**, dated October 27, 2008, was sent in the following manner to the addressees listed below.



Knolyn R. Jones
Legal Staff Assistant

Dated: October 27, 2008

Original and One Copy by Pouch Mail to:

Kathy Robinson
Regional Hearing Clerk
U.S. EPA
901 North 5th Street
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Copy by Facsimile and Pouch Mail to:

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