



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

**U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
2012 FEB 22 A 11:21
REGIONAL HEARING
CLERK**

In the Matter of:)	
)	
Valiant Aluminum Products Co., Inc.,)	Docket No. TSCA-02-2011-9166
d/b/a Valiant Home Remodelers,)	
)	
Respondent.)	

ORDER ON COMPLAINANT’S MOTION FOR EXTENSION

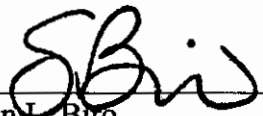
By Order dated January 20, 2012, the undersigned directed Complainant to file a status report regarding the status of settlement negotiations on or before February 10, 2012, and established deadlines for each party to file a “prehearing exchange” of information. Complainant subsequently submitted a Status Report and Motion for Extension, dated February 10, 2012, in which Complainant requests a 45-day extension of the deadlines for the parties to file their prehearing exchanges. As grounds for this request, Complainant relates that Respondent “recently submitted information regarding the financial situation of the company that Respondent wishes to be evaluated for the purpose of settlement of this case” and that a 45-day extension of the filing deadlines is necessary because the information “has only recently come to [Complainant’s] attention” and “time [is] required to evaluate this claim.” Complainant further represents that Respondent does not object to its request.

This proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (“Rules of Practice”), set forth at 40 C.F.R. Part 22. Section 22.7(b) of the Rules of Practice provides that the undersigned 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).

Upon consideration, Complainant’s request is hereby **GRANTED, in part**. While U.S. Environmental Protection Agency policy, found at Section 22.18(b) of the Rules of Practice, 40 C.F.R. § 22.18(b), strongly supports settlement of a proceeding, the amount of time requested by Complainant would extend the deadline for the filing of its Initial Prehearing Exchange to April 16, 2012, nearly two months from the date of this Order. Complainant has not shown why an extension of such a lengthy duration is necessary to evaluate the information submitted by Respondent. Accordingly, the undersigned will extend the deadlines for the parties to file their prehearing exchanges, but only by **21 days**. The deadlines for the parties to file their prehearing exchanges are hereby modified as follows:

Complainant's Initial Prehearing Exchange	<u>March 23, 2012</u>
Respondent's Prehearing Exchange	<u>April 13, 2012</u>
Complainant's Rebuttal Prehearing Exchange	<u>April 27, 2012</u>

SO ORDERED.



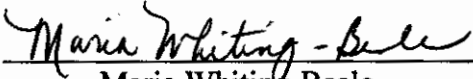
Susan L. Biro
Chief Administrative Law Judge

Dated: February 21, 2012
Washington, D.C.

In the Matter of Valiant Aluminum Products Co., Inc. d/b/a Valiant Home Remodelers, Respondent
Docket No. TSCA-02-2011-9166

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Complainant's Motion For Extension**, dated February 21, 2012, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: February 21, 2012

Original And One Copy By Regular Mail To:

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