

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY, REGION 6  
DALLAS, TEXAS

FILED  
2012 MAY 30 PM 3:44

In the matter of:

EXIDE TECHNOLOGIES  
a Texas Company,

RESPONDENT

§  
§  
§  
§  
§  
§  
§

REGIONAL HEARING CLERK  
Docket No. CWA-06-2012-1730

COMPLAINANT'S AND  
RESPONDENT'S JOINT MOTION  
FOR EXTENSION OF PREHEARING  
ORDER DEADLINES

---

COMPLAINANT'S AND RESPONDENT'S JOINT MOTION FOR  
EXTENSION OF PREHEARING ORDER DEADLINES

---

The U.S. Environmental Protection Agency, Region 6 ("Complainant") and Exide Technologies ("Respondent") respectfully request that the Administrative Law Judge grant a 45-day extension to all the deadlines specified in the PREHEARING ORDER, issued by the Administrative Law Judge on May 2, 2012, in the above-captioned matter for the reasons discussed below.

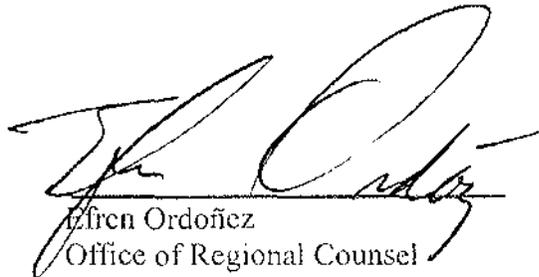
1. The Parties have engaged in substantive negotiations and have reached an agreement in principle. Complainant is currently drafting a Consent Agreement and Final Order (CAFO) that will go through internal concurrence and will be mailed to Respondent for review and signature. The Parties need additional time to complete their respective review processes. It is the expectation of Complainant that the CAFO will be finalized and filed with the Regional Hearing Clerk before July 31, 2012.

2. Accordingly, Complainant and Respondent respectfully request an extension of 45 days for each deadline specified in the PREHEARING ORDER issued by the Administrative Law Judge.

3. The jointly requested extension is not sought for the purpose of delay, but rather for the purpose of seeking and finalizing settlement to avoid the expense and time associated with administrative litigation.

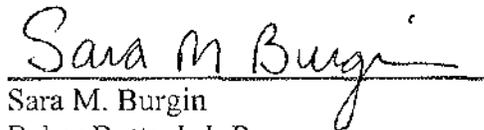
FOR THESE REASONS, Complainant and Respondent respectfully request that this Motion be granted and that each of the PREHEARING ORDER deadlines be extended by 45 days.

Respectfully Submitted,



Jefren Ordoñez  
Office of Regional Counsel  
U.S. EPA, Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733  
Telephone: (214) 665-2181

ATTORNEY FOR COMPLAINANT



Sara M. Burgin  
Baker Botts, L.L.P.  
98 San Jacinto Blvd., Suite 1500  
Austin, Texas 78701  
Telephone: (512)322-2649

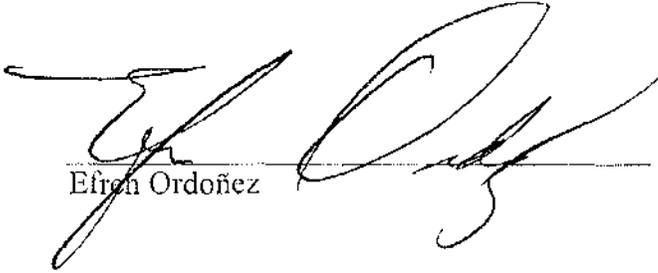
ATTORNEY FOR RESPONDENT

**CERTIFICATE OF SERVICE**

I hereby certify that on May 30, 2012, the original of the foregoing RESPONDENT AND COMPLAINANT'S JOINT MOTION FOR EXTENSION OF PREHEARING ORDER DEADLINES was hand delivered to the Regional Hearing Clerk, U.S. EPA, Region 6, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733, and a true and correct copy was placed in the United States mail addressed to the following:

The Honorable M. Lisa Buschmann  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Sara M. Burgin  
Baker Botts, L.L.P.  
98 San Jacinto Blvd., Suite 1500  
Austin, Texas 78701

  
Efron Ordoñez