

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF:)
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)
Elementis Chromium, L.P.,)
)
)
Respondent.)
)
)

Docket No. TSCA-HQ-2010-5022

UNOPPOSED MOTION FOR EXTENSION OF TIME

Comes now, Complainant, the United States Environmental Protection Agency (Agency), by and through its counsel, pursuant to Rule 22.7(b) of the Consolidated Rules of Practice (40 C.F.R. § 22.7(b)) and respectfully requests an eight-day extension of time until January 7, 2011 to file its Response to Respondent's Motion for Judgment on the Pleadings (Motion) and as good cause therefore states as follows:

The significance of the substantive issues raised in Respondent's dispositive Motion and the need for consideration among various offices within the Agency constitute good cause for the requested extension of eight days extending the deadline to January 7, 2011. Furthermore, without an extension Complainant's Response would be due December 30, 2010. It would be impracticable for the Agency to conduct the necessary reviews and obtain the approvals required prior to filing in light of the fact that the original December 30, 2010 deadline for the Agency's response falls within a week when many senior decisionmakers are on scheduled annual leave.

Prior to filing this Motion, the undersigned contacted the opposing party as to the extension requested herein and counsel for the Respondent indicated that it does not oppose the Motion. Complainant also submits that an eight-day extension of time for filing its Response will not cause prejudice or harm to Respondent in any way.

Respectfully submitted,

12/17/2010
Date

Ein Saylor
for Mark A.R. Chalfant, Attorney
Waste and Chemical Enforcement Division
Office of Civil Enforcement
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W. (MC 2249A)
Washington, D.C. 20460-0001

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of December 2010, the *Unopposed Motion for Extension of Time*, Docket No. TSCA-HQ-2010-5022, has been filed with the Headquarters Hearing Clerk, and that copies were sent accordingly:

one copy by hand and email to:

Sybil Anderson
Headquarters Hearing Clerk
United States Environmental Protection Agency
1099 14th Street, N.W.
Washington, DC 2005

one copy by hand and email to:

Judge Susan L. Biro
Office of Administrative Law Judges
United States Environmental Protection Agency
1099 14th Street, N.W., Suite 350, Franklin Court
Washington, DC 2005

one copy by first class mail and email to:

John J. McAleese, III
Ronald J. Tenpas
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Tony R. Ellis, Case Officer
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Email: ellis.tony@epa.gov

Date: 12-17-10

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ORDER

The Presiding Officer having considered Complainant Environmental Protection Agency's Unopposed Motion for Extension and finding good cause for granting Complainant's Motion,

IT IS ORDERED that Complainant's Motion for Extension of Time until January 7, 2011 is GRANTED.

Presiding Officer