

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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MAR 22 2010

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

In the Matter of)

Carley Foundry, Inc.,)

Respondent)

) Docket No. EPCRA-05-2009-0031
)
)
)

ORDER GRANTING MOTION FOR EXTENSION OF TIME

A Prehearing Order was issued in this matter directing the parties to file a Consent Agreement and Final Order (CAFO) or Complainant to file an initial prehearing exchange on March 12, 2010, and directing Respondent to file a prehearing exchange on April 2, 2010, and Complainant to file a rebuttal prehearing exchange on April 16, 2010. Complainant mailed on March 12, 2010 an Agreed Motion for an Extension of Time, requesting a one week extension, until March 19, 2010, to file the CAFO.

The Motion states that Respondent does not object to the Motion, and that the parties have reached a settlement in principle of this matter, that Respondent has mailed signed copies of the CAFO to Complainant, and that additional time is needed to obtain final signatures before the CAFO is filed.

Section 22.7(b) of the Rules of Practice (40 C.F.R. § 22.7(b)) provides that the Presiding Officer 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. Good cause exists for granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than to litigate this matter to a conclusion. In that a hearing has not yet been scheduled in this proceeding, a brief delay will not result in any prejudice.

Therefore, the Motion is **GRANTED**. The parties shall have until **March 19, 2010** to file the fully executed CAFO in this matter.



Susan L. Biro
Chief Administrative Law Judge

Date: March 18, 2010
Washington, D.C.

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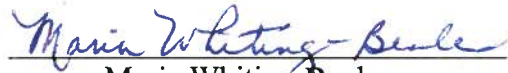
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In the Matter of Carley Foundry, Inc., Respondent
Docket No. EPCRA-05-2009-0031

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion For Extension Of Time**, dated March 18, 2010, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: March 18, 2010

Original And One Copy By Pouch Mail To:

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