



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

**In the Matter of:**

**Bluestone Coke, LLC,**

**Respondent.**

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**Docket No. RCRA-04-2023-2106**

**ORDER GRANTING IN PART & DENYING IN PART**  
**JOINT MOTION FOR EXTENSION OF TIME**

I am in receipt of the parties' December 5, 2024, Joint Motion for Extension of Time ("Motion"). The Motion represents that the parties are engaged in ongoing settlement negotiations and requests an extension of the parties' dispositive motions deadline to facilitate their pursuit of a settlement agreement. Mot. 1. Specifically, the parties ask that the deadline be extended by 90 days, from January 6, 2025, to April 7, 2025. Mot. 2.

This matter 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. The Rules of Practice provide that I "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; or upon [my] own initiative." 40 C.F.R. § 22.7(b).

Here, the Motion was timely and shows good cause for an extension. As reflected in the Rules of Practice, Agency policy supports settlement of a proceeding without the necessity of a formal hearing. 40 C.F.R. § 22.18(b)(1). The interests of the parties and judicial economy are well served by the parties resolving this matter informally and expeditiously. However, justice and judicial economy also require the Tribunal to ensure that the cases on its docket proceed without undue delay where a negotiated resolution has not been reached. *See* 40 C.F.R. §§ 22.4(c), (c)(10) (requiring the Presiding Officer to "avoid delay" and permitting him to "take all measures necessary for the maintenance of order and for the *efficient*, fair and impartial adjudication of issues" (emphasis added)). At this stage, taking into account (i) the parties' filings, (ii) prior delays in adjudication caused by Respondent's failure to file a timely or complete prehearing exchange, and (iii) that a month yet remains before the current dispositive motions deadline, I find that a 30-day extension would better advance the efficient adjudication of this matter.

Therefore, the Motion is hereby **GRANTED IN PART AND DENIED IN PART**. The parties shall file any dispositive motions no later than **February 5, 2025**.

**SO ORDERED.**

A handwritten signature in black ink, appearing to read 'Michael B. Wright', is written over a horizontal line.

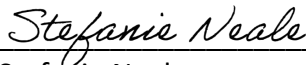
Michael B. Wright  
Administrative Law Judge

Dated: December 6, 2024  
Washington, D.C.

In the Matter of *Bluestone Coke, LLC*, Respondent.  
Docket No. RCRA-04-2023-2106

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order Granting in Part & Denying in Part Joint Motion for Extension of Time**, dated December 6, 2024, and issued by Administrative Law Judge Michael B. Wright, was sent this day to the following parties in the manner indicated below.

  
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Stefanie Neale  
Attorney Advisor

Original by OALJ E-Filing System to:  
Mary Angeles, Headquarters Hearing Clerk  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
<https://yosemite.epa.gov/OA/EAB/EAB-ALJ Upload.nsf>

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*Counsel for Respondent*

Dated: December 6, 2024  
Washington, D.C.