



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Professional Contract Sterilization, Inc.,) Docket No. CAA-01-2022-0059
)
Respondent.)

ORDER GRANTING REQUEST FOR AN EXTENTION OF TIME

In a Prehearing Order issued by the undersigned on August 8, 2022, deadlines were set for completing the prehearing exchange of information in this matter.

On September 2, 2022, Complainant United States Environmental Protection Agency, Region 1, filed a Status Report and Request for Extension of Time (“Request for Extension”). The Request for Extension was submitted with the consent and on behalf of Counsel for Respondent Professional Contract Sterilization, Inc. In the Request for Extension, Complainant requests that the deadline for its Initial Prehearing Exchange be extended by five weeks. Request for Ext. at 1.

To support its Request for Extension, Complainant reports that the parties have “engaged in settlement discussions.” Request for Ext. at 1. Complainant asserts that:

[t]o enable further negotiation, the Complainant has requested that the Respondent provide information related to these proceedings and to do so within 14 days if possible. The Respondent also made a request of the Complainant. That request may engender further back and forth. Further substantive negotiation will not be fruitful until the exchange of information is completed.

Request for Ext. at 1. Thus, Complainant “requests that the date for the Complainant Prehearing Exchange be moved to October 28, 2022, to allow for negotiation of a settlement.” Request for Ext. at 1.

Under the Consolidated Rules of Practice governing this proceeding, set forth at 40 C.F.R. Part 22, 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[.]” 40 C.F.R. § 22.7(b). Here, I find that there is good cause to grant the requested five-week extension of time to allow for further settlement negotiations. I further find that neither party will be prejudiced by granting this request. The Request for Extension is thereby **GRANTED**. The new deadlines are as follows:

The Prehearing Exchanges called for in the Prehearing Order shall now be filed and served on or before the following deadlines:

October 28, 2022	Complainant's Initial Prehearing Exchange
November 18, 2022	Respondent's Prehearing Exchange
December 2, 2022	Complainant's Rebuttal Prehearing Exchange

Any remaining deadlines set by the Prehearing Order, such as that for filing a joint motion for the appointment of a neutral, are extended accordingly.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: September 7, 2022
Washington, D.C.

In the Matter of *Professional Contract Sterilization, Inc.*, Respondent.
Docket No. CAA-01-2022-0059

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Request for an Extension of Time**, dated September 7, 2022, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.

Emilie Schwartz

Emilie Schwartz
Attorney-Advisor

Copy by OALJ E-Filing System to:
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Dated: September 7, 2022
Washington, D.C.