



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

In the Matter of:)
ISP Freetown Fine Chemicals, Inc.,) Docket No. RCRA-01-2018-0062
Respondent.)

ORDER ON COMPLAINANT'S MOTION FOR EXTENSION OF TIME

On September 26, 2018, the United States Environmental Protection Agency, Region 1, ("Agency") initiated this proceeding by filing a Complaint against Respondent under Section 3008(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6928(a).

On July 29, 2019, the Agency filed a Motion to Strike the Third and Sixteenth Defenses from Respondent's Answer. After receiving an extension of time, Respondent submitted its response brief on August 23, 2019, and the Agency was given until September 3, 2019 to file a reply.

On August 29, 2019, the Agency requested an extension of time to file its reply brief, because counsel for the Agency will be on vacation. The Agency represents that Respondent consents to the extension.

This Tribunal "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 its own initiative." 40 C.F.R. § 22.7(b).

In this case, I find there is good cause for an extension of time. Consequently, the Agency may file a reply brief in support of its Motion to Strike no later than September 30, 2019. If the Agency elects not to file a reply brief, it shall notify the Tribunal of its intention.

SO ORDERED.

Christine Donelian Coughlin


Christine Donelian Coughlin Administrative Law Judge

Dated: August 29, 2019 Washington, D.C.

In the Matter of *ISP Freetown Fine Chemicals, Inc.*, Respondent.
Docket No. RCRA-01-2018-0062

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Motion for Extension of Time**, dated August 29, 2019, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



Matt Barnwell
Attorney-Advisor

Original and One Copy by Personal Delivery to:

Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Room M1200
1300 Pennsylvania Ave., NW
Washington, DC 20004

Copies by Electronic and Regular Mail to:

Audrey Zucker, Esq.
Enforcement Counsel
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code ORC 04-2
Boston, MA 02109-3912
Email: zucker.audrey@epa.gov
Attorney for Complainant

Aaron H. Goldberg, Esq.
Beveridge & Diamond, P.C.
1350 I Street, NW, Suite 700
Washington, DC 20005
Email: agoldberg@bdlaw.com
Attorney for Respondent

Eric L. Klein, Esq.
Brook J. Detterman, Esq.
Beveridge & Diamond, P.C.
155 Federal Street, Suite 1600

Boston, MA 02110

Email: eklein@bdlaw.com

Email: bdetterman@bdlaw.com

Attorneys for Respondent

Dated: August 29, 2019

Washington, D.C.