



**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 GRANTING JOINT MOTION FOR EXTENSION OF TIME
FOR FILING DISPOSITIVE MOTIONS**

On January 14, 2021, the U.S. Environmental Protection Agency, Region 1 (“Complainant”) and ISP Freetown Fine Chemicals, Inc. (“Respondent”) jointly moved this Tribunal to extend the time for filing dispositive motions, pursuant to 40 C.F.R. § 22.7(b). *See* Joint Motion for Extension of Time for Filing Dispositive Motions (“Joint Motion”). The current deadline for filing any dispositive motion is February 22, 2021. Jt. Mot. at 1; Prehearing Order (October 22, 2020) at 5. The parties request that this deadline be extended by 30 days.¹ Jt. Mot. at 1.

As grounds for the Joint Motion, the parties state:

Since the [Complainant’s] submission of its Initial Prehearing Exchange, the parties have discussed the scope of documents and witnesses relevant to the parties’ claims. The parties anticipate these discussions to continue following [Respondent’s] submission of its Prehearing Exchange and [Complainant’s] Rebuttal Prehearing Exchange. These discussions may result in further document exchange and potential stipulations, both of which could affect the scope of any dispositive motions.

Jt. Mot. at 1.

The record reflects that the parties have been working diligently to crystallize the outstanding issues that were not resolved by their Partial Consent Agreement and Final Order, and I commend them for their efforts. Now the parties are asking for additional time so that they can continue to refine the issues that are still disputed—a process that may elucidate or simplify the arguments put forth in any future dispositive motions and assist the Tribunal in disposing of

¹ The parties concomitantly suggest that the new deadline be March 22, 2021. Jt. Mot. at 1. However, this date is only 28 days after the present deadline (or 29 days after what would be the present deadline if it did not fall on a weekend, *see* 40 C.F.R. § 22.7(a)). The Tribunal is inclined to give the parties the extra two days.

said motions. Rule 22.7(b) empowers the Presiding Officer to “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). I therefore find that good cause exists to allow the requested extension of time. The Joint Motion is **GRANTED**. The parties shall file and serve their dispositive motions, if any, on or before **Wednesday, March 24, 2021**.

SO ORDERED.


Christine Donelian Coughlin
Administrative Law Judge

Dated: January 22, 2021
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 Granting Joint Motion for Extension of Time for Filing Dispositive Motions**, dated January 22, 2021, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.


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Dated: January 22, 2021
Washington, D.C.