



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Nicor Gas,) Docket No. TSCA-HQ-2015-5017
)
Respondent.)

ORDER ON COMPLAINANT'S MOTION FOR EXTENSION OF TIME

The United States Environmental Protection Agency, Office of Enforcement and Compliance Assurance, Office of Civil Enforcement, Waste and Chemical Enforcement Division ("Complainant" or "Agency") initiated this proceeding by filing a Complaint and Notice of Opportunity for Hearing against Nicor Gas ("Respondent") on September 15, 2015. The parties subsequently completed their prehearing exchanges, and, after related extensions, the deadline for filing dispositive motions was set for November 7, 2016.

The Agency now moves to extend the dispositive motion deadline to December 5, 2016, because "[o]ne of the attorneys on Complainant's case team has encountered an unexpected family event for which she has taken leave to attend to emergency family affairs." Unopposed Motion for Extension of Time to File Dispositive Motions (Oct. 20, 2016). The Agency further states that it contacted Respondent prior to filing its motion and that Respondent does not oppose the extension.

The Rules 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." 40 C.F.R. § 22.7(b). In this case, the Agency's motion is timely, it has presented good cause for an extension, and Respondent apparently agrees it will not be prejudiced by an extension.

Consequently, the motion is **GRANTED**. The deadline for filing dispositive motions regarding liability, such as a motion for accelerated decision or motion to dismiss under 40 C.F.R. § 22.20(a), is extended through **December 5, 2016**. *Motions not filed in a timely manner may not be considered.*

SO ORDERED.

Christine Donelian Coughlin

Christine Donelian Coughlin
Administrative Law Judge

Dated: October 21, 2016
Washington, D.C.

In the Matter of *Nicor Gas*, Respondent.
Docket No. TSCA-HQ-2015-5017

CERTIFICATE OF SERVICE

I certify that the foregoing **Order on Complainant's Motion for Extension of Time**, dated October 21, 2016, 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: October 21, 2016
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