



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
E. I. du Pont de Nemours) DOCKET NOS. TSCA-HQ-2004-0016
) RCRA-HQ-2004-0016
and Company,) TSCA-HQ-2005-5001
)
RESPONDENT)

**ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME TO FILE
COMPLAINANT'S PROPOSED PENALTY CALCULATION FOR COUNT I
AND GRANTING JOINT MOTION TO FILE COMPLAINANT'S
REBUTTAL PREHEARING EXCHANGE FOR COUNT I**

On April 21, 2005, the United States Environmental Protection Agency, Office of Civil Enforcement ("Complainant") and E.I. du Pont de Nemours and Company ("Respondent") filed a Joint Motion for Extension of Time to File Complainant's Proposed Penalty Calculation for Count I, requesting an extension of time until August 15, 2005. The Complainant and the Respondent ("the parties") state that there is good cause to grant this extension because the parties have successfully reached an Agreement in Principle to resolve DuPont's liability for the violations alleged in Counts I-IV in this matter. On April 22, 2005, the parties filed a Joint Motion for Extension of Time to File Complainant's Rebuttal Prehearing Exchange for Count I, requesting an extension of time until August 15, 2005, so that Complainant's Rebuttal Prehearing Exchange for Count I would be due on the same day as its Rebuttal Prehearing Exchange for Counts II, III, and IV.

For good cause shown, both motions are GRANTED.¹ Complainant's Rebuttal Prehearing Exchange and Proposed Penalty Calculation for Counts I-IV shall be due on August 15, 2005. The parties are reminded that Complainant's Initial Prehearing Exchange and Respondent's Prehearing Exchange on Counts II, III, and IV are still due on July 1, 2005, and August 1, 2005, respectively.

Dated: April 28, 2005
Washington, D.C.

Barbara A. Gunning
Administrative Law Judge

¹ This Order provides a written record of my previous oral granting of the parties' motions.