



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**

The original deadline for the filing of dispositive motions in this matter was February 22, 2021. *See* Prehearing Order (Oct. 22, 2020). The parties requested, and the undersigned granted, multiple extensions to this deadline; for each request, the parties declared that they were discussing factual issues and required additional time to clarify the matters still in dispute. *See* Order Granting Joint Motion for Extension of Time for Filing Dispositive Motions (Jan. 22, 2021); Order Granting Joint Motion for Extension of Dispositive Motion Deadline (Feb. 24, 2021). The present deadline for the filing of dispositive motions is May 24, 2021.

On April 23, 2021, the parties filed a Joint Status Report and Joint Motion for Extension of Time for Filing Dispositive Motions (“Joint Motion”). In their Joint Motion, the parties “request one final, reasonable extension of the time allowed for filing dispositive motions[.]” J. Mot. at 1. The parties report that their respective expert witnesses met at a recent technical conference and that this conference “resulted in both the clarification of factual issues and the exchange of additional technical information and documents.” J. Mot. at 1-2. The parties affirm that they hope to finalize stipulations of fact in the upcoming weeks, and they suggest that these stipulations “will narrow the issues in the case and refine the scope of any dispositive motions.” J. Mot. at 2.

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). I find that there is good cause to allow a final 30-day extension of the dispositive motion deadline so that the parties may complete their work on the stipulations. The Joint Motion is **GRANTED**. The parties shall comply with the following:

Any **Dispositive Motion** in this matter shall be filed with the Tribunal and served on the opposing party on or before **June 23, 2021**.

Any stipulations on which the parties reach agreement shall be filed as a **Joint Set of Stipulated Facts** by **June 23, 2021**.

SO ORDERED.



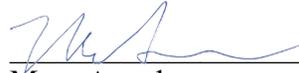
Christine Donelian Coughlin
Administrative Law Judge

Dated: May 3, 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 May 3, 2021, and issued by Administrative Law Judge Christine Donelian Coughlin, was sent this day to the following parties in the manner indicated below.



Mary Angeles
Paralegal Specialist

Copy by OALJ E-Filing System to:
Mary Angeles, Headquarters Hearing Clerk
U.S. Environmental Protection Agency
Office of Administrative Law Judges
Ronald Reagan Building, Rm. M1200
1300 Pennsylvania Ave. NW
Washington, DC 20004

Copy by Electronic Mail to:
Steven J. Viggiani
Andrea Simpson
U.S. Environmental Protection Agency, Region 1
Email: viggiani.steven@epa.gov
Email: simpson.andrea@epa.gov
Attorneys for Complainant

Copy by Electronic Mail to:
Aaron H. Goldberg
Eric L. Klein
Brook J. Detterman
Beveridge & Diamond, P.C.
Email: agoldberg@bdlaw.com
Email: eklein@bdlaw.com
Email: bdetterman@bdlaw.com
Attorneys for Respondent

Dated: May 3, 2021
Washington, D.C.