

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

IN THE MATTER OF:

The Battery Recycling Company, Inc.

RESPONDENT

DOCKET NUMBER EPCRA-02-2011-4301

MOTION FOR CONTINUANCE

TO THE REGIONAL JUDICIAL OFFICER:

COMES NOW Complainant, the United States Environmental Protection Agency (EPA), by and through the undersigned attorney and very respectfully avers and prays as follows:

- 1 That on September 26, 2011, this Court issued the Order Granting an Extension of Time to File an Answer to the Complaint, allowing Respondent until January 3, 2012, to answer the Complaint.
- 2 That the Parties continue to negotiate in good-faith, presenting each other's arguments and settlement proposals, including Respondent's intention to perform a Supplemental Environmental Project (SEP) in order to settle this matter.
- 3 That it is the intention of the Parties to continue their good-faith settlement negotiations in an attempt to reach an amicable resolution of this matter.
- 4 That settlement of the matter at hand would promote procedural economy, avoiding the delays and costs resulting from the upcoming administrative hearing, in the interest of both Parties

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG. II
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REGIONAL HEARING
CLERK

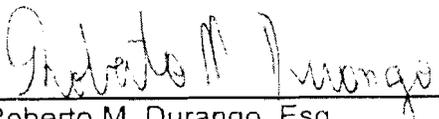
5. That the Parties, therefore, respectfully request an additional sixty (60) days, to be computed from January 3, 2012, extending Respondent's time to file an Answer the Complaint until Monday, March 5, 2012, in order to continue their efforts in settling this matter.

WHEREFORE, Complainant respectfully requests that Respondent's deadline to file a timely Answer to the Complaint is extended until Monday, March 5, 2012, in order for the Parties to continue to pursue settlement negotiations

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this 5th day of January
2012

ATTORNEY FOR COMPLAINANT

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CERTIFICATE OF SERVICE

hereby certify that the foregoing **Motion for Continuance**, dated January 5
2012, was sent in the following manner to the addresses listed below:

Original and Copy by Overnight:

Karen Maples
Regional Hearing Clerk
U.S. EPA, Region 2
290 Broadway, 16th Floor
New York, NY 10007-1866

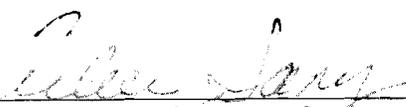
Copy by PDF:

Helen S. Ferrara
Regional Judicial Officer
U.S. EPA, Region 2
290 Broadway - Room 1626
New York, NY 10007-1866

Copy by PDF:

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Dated: 01/05/12



Aileen Sánchez, Program Support Assistant
EPA, Region 2, Office of Regional Counsel