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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
 American Cyanamid Company,) Docket No. V-W-009-94
)
 Respondent)

ORDER DISPOSING OF SUNDRY PLEADINGS

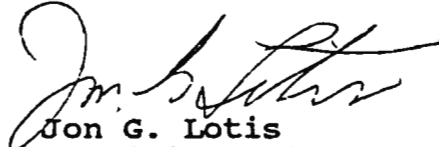
By motion dated September 9, 1994, Cytec Industries requested, among other things, an extension of thirty days to file its response to Complainant's motion for accelerated decision. The movant recommends that the thirty days start running from the date the Complainant amends its motion to remove matter protected from disclosure by virtue of the settlement privilege. Cytec Industries also moved that the undersigned issue an order striking the objectionable material.

On September 19, 1994, the Complainant filed an amended motion for accelerated decision eliminating the material Cytec Industries found objectionable.

For good cause shown Cytec Industries is granted an extension to file its response to Complainant's amended motion for accelerated decision. Its response shall be filed on or before October 19, 1994.

By pleading dated September 22, 1994, Cytec's suggests that, while the Complainant may have withdrawn all references to the objectionable material from its amended motion and its prehearing exchange, it fears that the Complainant may have reserved the possibility of reintroducing the material at the hearing. The undersigned does not read as much into Complainant's statements. Further, it would be inappropriate and wasteful of this agency's resources to decide issues that are not before it. Of course, material that is within the settlement privilege may not be introduced at the trial. And, I would not expect any party to indulge in such an attempt.

By motion dated August 30, 1994, Complainant moves to supplement its prehearing exchange to include certain additional designated documents. The motion has not been answered and is deemed unopposed. For good cause shown, Complainant's motion to supplement its prehearing exchange is granted.



Jon G. Lotis
Acting Chief Administrative Law Judge

Dated: September 28, 1994
Washington D.C.

IN THE MATTER OF AMERICAN CYANAMID COMPANY, Respondent
Docket No. V-W-009-94

CERTIFICATE OF SERVICE

I certify that the foregoing Order Disposing of Sundry Pleadings, dated September 28, 1994, was sent in the following manner to the addressees listed below:

Original by Regular Mail to:

Marie Hook
Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region V
77 West Jackson Boulevard
Chicago, IL 60604-3590

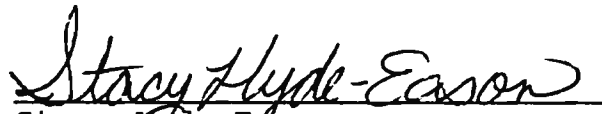
Copies by Regular Mail to:

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Agency
401 M Street, S.W.
Washington, D.C. 20460

Dated: September 28, 1994
Washington, D.C.