



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

In the Matter of: )  
 )  
United States Department of the Army, ) Docket No. CERCLA-08-2020-0001  
 )  
Respondent. )

**ORDER STAYING PROCEEDING**

On July 14, 2021, I issued an Order on Motions for Accelerated Decision that granted in part and denied in part Complainant’s Motion for Partial Accelerated Decision on Liability and that denied Respondent’s Motion for Accelerated Decision. The remaining issues related to assessment of an appropriate penalty were set to be scheduled for hearing.

On August 16, 2021, the parties filed a Joint Motion for a Stay of the Proceeding (“Motion”). In the Motion, the parties state that they “have agreed to a resolution to the matter at issue in this case,” but that resolution involves seeking and receiving congressional authorization for Respondent to pay past costs to EPA. Once EPA receives that payment, it will withdraw the Complaint. Mot. at 1. The parties estimate it will take them eight months to complete this process, and they ask that this proceeding be stayed until April 13, 2022. Mot. at 2.

Among other powers and duties, I am authorized to “issue all necessary orders” and to “take all measures necessary for the maintenance of order and for the efficient, fair and impartial adjudication of issues arising” in this proceeding. 40 C.F.R. § 22.4(c)(2), (10). Here, I find it necessary to stay the proceeding so that the parties can execute their agreed upon resolution. At the same time, I note that the duration of the stay requested is significant. Therefore, if the parties have not resolved their dispute by April 13, 2022, a hearing will be scheduled to consider the remaining penalty issues, and no further extensions of time will be granted.

Accordingly, the parties’ Motion is **GRANTED**, and this proceeding is stayed until **April 13, 2022**.

**SO ORDERED.**

*Christine Donelian Coughlin*

Christine Donelian Coughlin  
Administrative Law Judge

Dated: August 18, 2021  
Washington, D.C.

In the Matter of *United States Department of the Army*, Respondent.  
Docket No. CERCLA-08-2020-0001

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order Staying Proceeding**, dated August 18, 2021, 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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Attorney Advisor

Copy by OALJ E-Filing System to:

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*For Complainant*

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*For Respondent*

Dated: August 18, 2021  
Washington, D.C.