



**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

<b>In the Matter of:</b>	)	
	)	
<b>New Jersey Department of Corrections,</b>	)	<b>Docket No. RCRA-02-2014-7102</b>
	)	
<b>Respondent.</b>	)	<b>Dated: November 13, 2014</b>

**ORDER ON MOTION FOR EXTENSION OF TIME  
TO FILE PREHEARING EXCHANGES**

The Prehearing Order issued in this proceeding set filing deadlines for the parties to submit their respective prehearing exchanges. An Order issued September 10, 2014, granted a 30 day extension to allow the parties to ascertain the feasibility of a Supplemental Environmental Project and negotiate a settlement agreement. A second 30 day extension request was granted by Order dated October 17, 2014. The current due date for Complainant’s prehearing exchange is November 19, 2014.

On November 12, 2014, Complainant filed another motion requesting an additional 30 days for each party to file prehearing exchanges. The motion represents that Respondent’s counsel joins in this request and that the parties believe this 30 day extension should suffice to have a fully-executed Consent Agreement and Final Order (“CAFO”) filed with the Regional Hearing Clerk. According to the motion, EPA counsel has incorporated Respondent’s comments into a draft CAFO, which is now under review by Agency senior management. Upon EPA management approval, Respondent will be asked to sign.

The Rules of Practice governing this proceeding, 40 C.F.R. Part 22, provide at 40 C.F.R. § 22.7(b) that “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.” Given the parties’ steady progress toward settlement of this matter, there is good cause to grant the requested 30-day extension.

Therefore, the motion is hereby **GRANTED** and the deadlines for the prehearing exchanges are extended as follows:

- |                                  |  |
|----------------------------------|--|
| <b>Friday, December 19, 2014</b> | Complainant’s Initial Prehearing Exchange  |
| <b>Friday, January 16, 2015</b>  | Respondent’s Prehearing Exchange           |
| <b>Friday, January 30, 2015</b>  | Complainant’s Rebuttal Prehearing Exchange |

SO ORDERED.



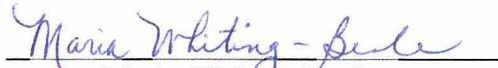
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M. Lisa Buschmann  
Administrative Law Judge

In the Matter of New Jersey Department of Corrections, Respondent  
Docket No. RCRA-02-2014-7102

CERTIFICATE OF SERVICE

I certify that copies of the foregoing **Order On Motion For Extension Of Time To File Pre-Hearing Exchanges**, dated November 13, 2014, was sent this day in the following manner to the addressees listed below:

  
\_\_\_\_\_  
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Staff Assistant

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**Dated: November 13, 2014**  
**Washington, DC**