



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

**In the Matter of:** )  
 )  
**August Mack Environmental, Inc.,** ) **Docket No. CERCLA-HQ-2017-0001**  
 )  
**Requestor.** )

**ORDER ON AGENCY’S MOTION FOR EXTENSION OF TIME**

On September 16, 2022, the parties filed cross motions for accelerated order under 40 C.F.R. § 305.27(a). *See* August Mack Environmental, Inc.’s Motion for Accelerated Order; EPA’s Renewed Motion for Accelerated Decision. Deadlines for filing response and reply briefs were previously set for September 30, 2022 and October 7, 2022, respectively. *See* Order on Requestor’s Motion to Compel Discovery and for Sanctions (May 12, 2022).

On September 22, 2022, the Agency moved to extend the response and reply brief deadlines (“Motion”), asserting that the parties require additional time to compose their briefs “due to the extensive pleadings and arguments at issue.” Mot. at 2. The Agency further represents that August Mack Environmental, Inc. “concur[s] in the motion.” Mot. at 2.

Under the rules governing this proceeding, I “may grant an extension of time for the filing of any pleading, document or motion upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties,” or sua sponte. 40 C.F.R. § 305.6(b). Here, I find that good cause has been shown and that no prejudice will result.

Accordingly, the Motion is **GRANTED**. The deadline for the parties to file response briefs to the cross motions for accelerated order is extended through **October 28, 2022**, and the deadline for the parties to file reply briefs is extended through **November 11, 2022**.

**SO ORDERED.**


\_\_\_\_\_  
Susan L. Biro  
Chief Administrative Law Judge

Dated: September 22, 2022  
Washington, D.C.

In the Matter of *August Mack Environmental, Inc.*, Requestor.  
Docket No. CERCLA-HQ-2017-0001

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **Order on Agency's Motion for Extension of Time**, dated May 12, 2022, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.

  
\_\_\_\_\_  
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*For the Agency*

Dated: September 22, 2022  
Washington, D.C.