

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

In the Matter of:)
)
New York State) **Docket No. CWA-02-2016-3403**
Department of Transportation)
)
Respondent.)

JOINT MOTION FOR EXTENSION OF TIME

Judge Coughlin’s June 13, 2017 Prehearing Order sets deadlines for the parties’ filing of their prehearing exchange and dispositive motions regarding liability. The current deadline for filing Complainant’s Rebuttal Prehearing Exchange is September 1, 2017, and the deadline for filing dispositive motions regarding liability is 30 days after that, namely October 1, 2017.

Pursuant to 40 C.F.R. § 22.7, and after completion of the consultation required by Judge Coughlin’s Prehearing Order, the parties hereby jointly move this tribunal for an extension of both of those deadlines. Specifically, the parties move for a seven-day extension to the deadline for the filing of Complainant’s Rebuttal Prehearing Exchange, to September 8, 2017, and for a 30-day extension to the deadline for the filing of dispositive motions regarding liability, to November 8, 2017 (60 days from the proposed September 8 deadline for Complainant’s Rebuttal Prehearing Exchange). The causes for the requested extensions are the complexity of, and large record in, this matter, as well as the summer vacation schedules of key staff needed to prepare the subject filings. Therefore, on behalf of the parties in this matter, Complainant respectfully moves for the above extensions.



Christopher Saporita, Esq.
Assistant Regional Counsel
United States Environmental Protection Agency – Region 2
290 Broadway, 16th Floor
New York, NY 10007
(212) 637-3203
saporita.chris@epa.gov

Dated: August 14, 2017
New York, NY

In the Matter of *New York State Department of Transportation*, Respondent.
Docket No. CWA-02-2016-3403

CERTIFICATION OF SERVICE

I hereby certify that the foregoing Joint Motion for Extension of Time, dated August 14, 2017, was sent this day to the following parties in the manner indicated below.


Yolanda Majette, Secretary

Original and One Copy by OALJ E-Filing System to:

Headquarters Hearing Clerk
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Mail Code 1900R
Washington, DC 20460

Copy by Certified Mail to:

Alicia McNally, Esq.
Assistant Counsel
Division of Legal Affairs
New York State Department of Transportation
50 Wolf Road, 6th Floor
Albany, NY 12232
For Respondent

Dated: August 14, 2017
New York, NY