

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN THE MATTER OF:)
)
THE COMMUNITY BUILDERS, INC., *ET AL.*,) Docket No. TSCA-01-2008-0079
)
Respondent.)


ORDER ON SECOND JOINT MOTION FOR EXTENSION OF TIME

A Prehearing Order was issued in this matter directing the parties to file prehearing exchanges, setting a due date of November 28, 2008 for a Consent Agreement and Final Order (CAFO) or Complainant's Prehearing Exchange and a due date of December 26, 2008 for Respondents' Prehearing Exchange. On November 19, 2008, the parties submitted a Joint Motion for Extension of Time, requesting a 90-day extension of the schedule, and the motion was granted by Order dated November 20, 2009, on the basis that the parties reached a settlement in principle but that it involves a significant Supplemental Environmental Project (SEP) and tripartite negotiations involving EPA, HUD, The Community Builders and the 23 other Respondents.

On February 18, 2009, the parties filed another Joint Motion for Extension of Time to File Pre-Hearing Exchanges, requesting an additional 30 days to file prehearing exchanges. The Motion states that the settlement involves policies that have presented unique challenges in the experience of counsel, and that the parties are currently documenting resolution of a small number of remaining issues.

The prehearing schedule will be modified for good cause, in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms rather than litigate the matter to conclusion. In that a hearing in this case has not been scheduled, no prejudice will result from the delay.

Accordingly, the parties shall file either a fully executed Consent Agreement and Consent Order or all parties shall file their prehearing exchanges, on or before **March 27, 2009**.



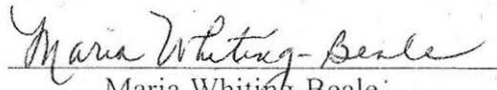
Susan L. Biro
Chief Administrative Law Judge

Date: February 20, 2008
Washington, D.C.

In the Matter of The Community Builders, Inc, et al., Respondents
Docket No. TSCA-01-2008-0079

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Second Joint Motion For Extension Of Time**, dated February 20, 2009, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: February 23, 2009

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