



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)
)
OAKITE PRODUCTS, INC., d/b/a) DOCKET NO. TSCA-02-2009-9148
CHEMETALL OAKITE,)
AND CHEMETALL US, INC.,)
)
RESPONDENTS)

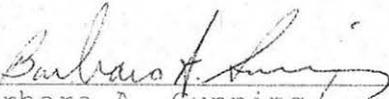
ORDER GRANTING MOTION FOR ADDITIONAL TIME
FOR FILING PREHEARING EXCHANGE

On March 18, 2010 Complainant filed a Motion for Additional Time For Filing Prehearing Exchange ("Motion"). The Complaint in this matter was filed on September 28, 2009 and answered by Respondents on October 29, 2009. As noted by Complainant in its Motion, Complainant seeks a penalty in the amount of \$438,400 against Respondents. In the Prehearing Order, dated November 23, 2009, the parties were directed to submit their prehearing exchanges in accordance with the schedule set forth therein.

On December 11, 2009 Respondent filed the first Motion to Extend Time For Filing the prehearing exchange, citing the need for an additional 60 days to pursue settlement negotiations, including consideration of a Supplemental Environmental Project ("SEP"). An extension was granted in a December 16, 2009 Order issued by the undersigned. On March 18, 2010, Complainant filed the present Motion, seeking an additional extension. As with the first motion for extension, the instant Motion is concurred upon by the parties. In support of its Motion, Complainant asserts that good cause exists for the requested extension. Specifically, Complainant explains that the proposed SEP is complex and requires additional consideration. Complainant estimates that such process requires an additional 60 days.

Based on the parties' detailed representations, the Motion is **GRANTED**. The parties are given a final extension of 60 days

in which to reach a settlement. The new schedule for the prehearing exchange is as follows: Complainant's initial exchange is due May 28, 2010; Respondent's initial exchange is due June 11, 2010; and Complainant's rebuttal, if any, is due June 25, 2010.

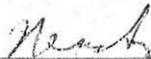

Barbara A. Gunning
Administrative Law Judge

Dated: March 18, 2010
Washington, DC

In the Matter of *Oakite Products, Inc., d/b/a Chemetall Oakite, and Chemetall US, Inc.,*
Respondents.
Docket No. TSCA-02-2009-9148

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Motion for Additional Time for Filing Prehearing Exchange**, dated March 18, 2010, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Karen Maples
Regional Hearing Clerk
US EPA, Region II
290 Broadway, 16th Floor
New York, NY 10007-1866
Fx: 212.637.3199 or 3115

Copy by Facsimile and Pouch Mail to:

Lee Spielmann, Esq.
Assistant Regional Counsel
US EPA, Region II
290 Broadway, 16th Floor
New York, NY 10007-1866
Fx: 212.637.3199 or 3115

Copy by Facsimile and Regular Mail to:

Benne C. Hutson, Esq.
McGuire Woods, LLP
201 North Tryon Street
P.O. Box 31247 (28231)
Charlotte, NC 28202
704.343.2300

Dated: March 18, 2010
Washington, D.C.