



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

**In the Matter of:** )  
 )  
**Dave Erlanson, Sr.** ) **Docket No. CWA-10-2016-0109**  
 )  
**Respondent.** )

**ORDER GRANTING JOINT REQUEST FOR EXTENSION OF TIME**

On February 24, 2017, I issued a Second Prehearing Order in this matter, establishing certain prehearing filing deadlines. The Second Prehearing Order directed the parties to engage in a settlement conference on or before March 10, 2017, and ordered Complainant to file a Status Report regarding this conference and the status of settlement on or before March 17, 2017. Additionally, the Second Prehearing Order directed each party to file a statement identifying the party's preference for the location of the hearing no later than March 17, 2017.

On March 17, 2017, Complainant filed a Status Report and Request for Extension of Time ("Joint Request for Extension") on behalf of both parties in this proceeding. The Joint Request for Extension states that Complainant and Respondent were unable to meet for a settlement conference as a result of an unforeseen health-related issue, and that they agreed to request an extension of time for holding a settlement conference. The Joint Request for Extension requests that the deadline for holding a settlement conference be extended to March 24, 2017, and proposes March 29, 2017, as an extended deadline for Complainant to file a Status Report regarding the settlement conference.

The rules that govern this proceeding, set forth at 40 C.F.R. Part 22, authorize the Presiding Officer to grant an extension of time for filing of any document for good cause shown upon motion, after consideration of prejudice to the other parties. 40 C.F.R. § 22.7(b). As the request for extension shows good cause and is agreed upon by the parties, granting it is appropriate. Accordingly, the Joint Request for Extension is hereby **GRANTED**. The parties shall engage in a settlement conference **on or before March 24, 2017**, and Complainant shall file a Status Report regarding this conference and the status of settlement **on or before March 29, 2017**. The parties shall each file a statement identifying the party's preference for the location of the hearing no later than **March 29, 2017**.

**SO ORDERED.**



Christine Donelian Coughlin  
Administrative Law Judge

Date: March 21, 2017  
Washington, D.C.

In the Matter of *Dave Erlanson, Sr.*, Respondent  
Docket No. CWA-10-2016-0109

CERTIFICATE OF SERVICE

I certify that the foregoing Order Granting Joint Request for Extension of Time, dated and issued by Administrative Law Judge Christine Donelian Coughlin on March 21, 2017, was sent this day to the following parties in the manner indicated below.

  
\_\_\_\_\_  
Andrea Priest  
Attorney-Advisor

Original and One Copy by Hand Delivery to:

Mary Angeles  
Headquarters Hearing Clerk  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
Room M1200  
1300 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Copies by Regular and Electronic Mail to:

Endre Szalay, Esq.  
Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 900, MS ORC-113  
Seattle, WA 98101  
Email: szalay.endre@epa.gov  
*Counsel for Complainant*

Mark L. Pollot, Esq.  
772 E. Lava Falls Drive  
Meridian, ID 83646  
Email: conresctr@cableone.net  
*Counsel for Respondent*

**Dated: March 21, 2017**  
**Washington, D.C.**