



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

RECEIVED BY Order 2014 JUN 26 PM 12:48

In the Matter of:)
Stockton Oil Company,) Docket No. RCRA-08-2014-0002
Respondent.)

ORDER ON JOINT MOTION FOR EXTENSION OF TIME TO FILE PREHEARING EXCHANGES

The United States Environmental Protection Agency ("Agency"), Region 8 ("Complainant"), initiated this proceeding on February 27, 2014, by filing a Complaint and Notice of Opportunity for Hearing ("Complaint") against Stockton Oil Company ("Respondent").

By Prehearing Order dated May 15, 2014, the undersigned established deadlines for a number of prehearing procedures, including a settlement conference and a prehearing exchange of information by the parties. On June 13 and June 20, 2014, Complainant filed a Settlement Status Update and a Supplemental Settlement Status Update, respectively.

This proceeding is governed by the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. §§ 22.1–22.45 (“Rules of Practice”). Section 22.7(b) of the Rules of Practice authorizes the undersigned to grant extensions of time for filing any document “upon timely motion of a party to the proceeding, for good cause shown, and after consideration of prejudice to other parties.” 40 C.F.R. § 22.7(b).


Upon consideration, the undersigned finds that good cause has been shown for the requested extension of the filing deadlines established by the Prehearing Order. As noted in the Prehearing Order, Agency policy strongly supports settlement of a proceeding without the necessity of a formal hearing. 40 C.F.R. § 22.18(b)(1). Undoubtedly, the interests of the parties and judicial economy are best served by the parties resolving this matter informally and expeditiously, and the undersigned recognizes that time and resources must be expended to prepare a prehearing exchange. In addition, Respondent agrees with the relief sought and does not otherwise appear to be prejudiced by it.

Thus, for good cause shown and after consideration of any prejudice, the Motion is hereby **GRANTED**. Upon agreement of the parties, the filing deadlines for their prehearing exchange are extended, as follows:

August 22, 2014	Complainant’s Initial Prehearing Exchange
September 12, 2014	Respondent’s Prehearing Exchange
September 26, 2014	Complainant’s Rebuttal Prehearing Exchange

Should the parties reach a settlement, a fully-executed Consent Agreement and Final Order shall be filed with the Regional Hearing Clerk, and a copy shall be served on the undersigned, in lieu of Complainant’s Initial Prehearing Exchange on or before August 22, 2014.

SO ORDERED.




Christine D. Coughlin
Administrative Law Judge

Dated: June 26, 2014
Washington, D.C.

In the Matter of Stockton Oil Company, Respondent
Docket No. RCRA-08-2014-0002

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Joint Motion For Extension Of Time To File Prehearing Exchanges**, dated June 26, 2014, was sent this day in the following manner to the addressees listed below:


Mary Angeles
Lead Legal Assistant

Original and One Copy By Hand Delivery To:

Sybil Anderson
Headquarters Hearing Clerk
U.S. EPA/Office of Administrative Law Judges
Mail Code 1900R
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Copy By Electronic and Regular Mail To:

Amy Swanson, Esquire
Sr. Enforcement Attorney
U.S. EPA, Region VIII
Mail Code ENF-L
1595 Wynkoop Street
Denver, CO 80202-1129
Email: swanson.amy@epa.gov

Copy By Facsimile and Regular Mail To:

Mykel Stockton, President
Stockton Oil Company
1607 4th Avenue, North
P.O. Box 1756
Billings, MT 59103-1522
Fx: 406-259-9598

Dated: June 26, 2014
Washington, DC