



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Dimmid, Inc.,) Docket No. TSCA-02-2023-9226
)
Respondent.)

ORDER ON COMPLAINANT’S MOTION TO EXTEND PREHEARING EXCHANGE DEADLINES

On October 10, 2023, I issued a Prehearing Order setting dates for the parties to conduct their prehearing exchanges. Prehr’g Order at 4. On November 7, 2023, the Complainant filed a motion requesting a two-month extension of those deadlines to facilitate ongoing settlement discussions. Nov. 7, 2023, Mot. at 5-6. I granted the Complainant’s request and set deadlines of January 19, 2024, for the Complainant to submit its initial prehearing exchange; February 9, 2024, for Respondent to submit its prehearing exchange; and February 23, 2024, for the Complainant to submit a rebuttal prehearing exchange. See Order on Complainant’s Mot. to Extend Prehr’g Exchange Deadlines (Nov. 13, 2023).

Last month, the Complainant informed this Tribunal that the parties had agreed to a settlement, and on January 6, 2024, the Complainant filed a second motion to extend the prehearing exchange deadlines (“Motion”). The Motion asks that the deadlines be extended by two weeks to allow for sufficient time to circulate among the parties, revise, and finalize a draft settlement agreement. Mot. at 2. The Motion states that Respondent does not oppose an extension. Mot. at 2.

The Rules of Practice governing this proceeding provide that “the Presiding Officer may grant an extension 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). As a timely motion showing good cause has been filed, and Respondent does not oppose the Motion, the requested extension is hereby **GRANTED**.

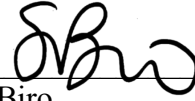
The new deadlines for the parties to file their prehearing exchanges shall be:

- February 2, 2024** Complainant’s Initial Prehearing Exchange
- February 23, 2024** Respondent’s Prehearing Exchange
- March 8, 2024** Complainant’s Rebuttal Prehearing Exchange

The fully executed Consent Agreement and Final Order shall be filed with the Regional Hearing Clerk no later than **February 2, 2024**, and a courtesy copy shall be filed with the

Headquarters Hearing Clerk. In the event that a fully executed Consent Agreement and Final Order is not filed on or before February 2, 2024, the parties must prepare for hearing and shall strictly comply with all other requirements of the Prehearing Order.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: January 9, 2024
Washington, D.C.

In the Matter of *Dimmid, Inc.*, Respondent.
Docket No. TSCA-02-2023-9226

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Complainant's Motion to Extend Prehearing Exchange Deadlines**, dated January 9, 2024, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



Mary Angeles
Paralegal Specialist

Copy by OALJ E-Filing System to:
U.S. Environmental Protection Agency
Office of Administrative Law Judges
https://yosemite.epa.gov/OA/EAB/EAB-ALJ_Upload.nsf

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For Respondent

Dated: January 9, 2024
Washington, D.C.