

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)

CHEM-WAY CORPORATION,)

Respondent)

) Docket No. EPCRA-04-2010-2015
)
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)
)

ORDER GRANTING UNOPPOSED MOTION FOR EXTENSION OF TIME

By Order dated March 9, 2010, the parties were directed to file prehearing exchanges, setting due dates of April 16 and April 30, 2010 respectively for Complainant's and Respondent's prehearing exchanges, and a due date of May 14, 2010 for Complainant's rebuttal prehearing exchange. On May 11, 2010, Complainant filed an Unopposed Motion for Extension of Time, requesting a seven day extension of time, until May 21, 2010, to file its rebuttal prehearing exchange. Grounds stated for the Motion are that EPA counsel needs additional time to discuss the matter and the rebuttal with EPA headquarters personnel. The Motion represents that the Respondent indicated that it does not oppose the Motion.

The Motion is hereby **GRANTED**, as set forth below:

Section 22.7(b) of the Rules of Practice (40 C.F.R. § 22.7(b)) provides 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.

Good cause exists for granting of the Motion in that it is in the interest of the parties and judicial economy for a party to submit a carefully prepared and complete prehearing exchange. In that a hearing has not yet been scheduled in this proceeding, a brief delay will not result in any prejudice.

Therefore, Complainant shall have until **May 21, 2010** to file its rebuttal prehearing exchange.



Susan L. Biro
Chief Administrative Law Judge

Dated: May 12, 2010
Washington, D.C.

In the Matter of Chem-Way Corporation, Respondent
Docket No. EPCRA-04-2010-2015

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Unopposed Motion For Extension Of Time**, dated May 12, 2010, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Staff Assistant

Dated: May 12, 2010

Original And One Copy By Pouch Mail To:

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