



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
August Mack Environmental, Inc.,) Docket No. CERCLA-HQ-2017-0001
)
Requestor.)

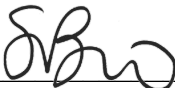
**ORDER ON REQUESTOR’S UNOPPOSED MOTION TO EXTEND DISPOSITIVE
MOTION DEADLINE**

On January 14, 2022, Requestor August Mack Environmental, Inc. filed an Unopposed Motion to Extend Dispositive Motion Deadline (“Motion to Extend”). August Mack requests that the dispositive motion deadline be extended “up to and including 60 days after the discovery deadline contained in the order granting [August Mack’s] motion to compel.” Mot. to Extend at 2. If the Motion to Compel is denied, August Mack “requests an extension of the dispositive motion deadline up to and including 60 days after service of the order denying the motion to compel.” *Id.* August Mack anticipates filing a motion for accelerated order and asserts that doing so before discovery occurs would be “unduly prejudicial and unfair.” Mot. to Extend at 2.

The rules governing this proceeding provide that I “may grant an extension of time for the filing of any pleading, document or motion 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. § 305.6(b). Here, given the discovery timeline, there is good cause to extend the dispositive motion deadline. This will not cause apparent prejudice to either party, especially considering the unopposed nature of this Motion.

Upon consideration, August Mack’s Unopposed Motion to Extend Dispositive Motion Deadline is **GRANTED**. If the Motion to Compel is granted, the dispositive motion deadline will be extended up to and including 60 days after the discovery deadline stated within the order granting the Motion to Compel. If denied, the dispositive motion deadline will be extended up to and including 60 days after the order denying the Motion to Compel is served.

SO ORDERED.



Susan L. Biro
Chief Administrative Law Judge

Dated: January 20, 2022
Washington, D.C.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order on Requestor's Unopposed Motion to Extend Dispositive Motion Deadline**, dated January 20, 2022, and issued by Chief Administrative Law Judge Susan L. Biro, was sent this day to the following parties in the manner indicated below.



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Attorney Advisor

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Dated: January 20, 2022
Washington, D.C.