



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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In the Matter of:)
Barrick Cortez, Inc.)
Respondent) Docket No. EPCRA-09-2011-0004
Dated: December 21, 2012

ORDER ON SIXTH JOINT MOTION FOR STAY

A Prehearing Order was issued in this matter on February 29, 2012 directing the parties to file prehearing exchanges of information or a Consent Agreement and Final Order in settlement of the matter. The parties requested and were granted a stay of this proceeding to engage in third party mediation. Thereafter, the parties requested and were granted further stays of this proceeding on grounds including that the parties reached an agreement in principle, then broadened its scope to address potential claims at other facilities owned by Respondent and its related entities, and subsequently finalized several settlement documents, but needed additional time to finalize others and to receive and evaluate cost information from potential vendors for performance of tasks required as part of settlement.

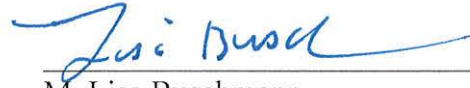
On December 20, 2012, the parties submitted a Sixth Joint Motion for Stay, requesting a 30-day extension of the stay, reporting that the parties have finalized all but two settlement documents and are still waiting to receive and evaluate final cost information from potential vendors. Attached to the motions were letters from the mediator summarizing the progress of settlement. The latest letter states that the settlement now constitutes a global settlement of all mines operated by Barrick Gold Corporation in the nation, that the mediation participants have been working diligently to finalize the agreement, and that the mediator is reasonably confident that the parties will finish all their work in January.

The parties are commended for taking the initiative to engage in mediation in an effort to resolve this matter informally and expeditiously. A further stay is warranted, on the basis of the grounds stated in the Motion and reflected in the mediator's letter. The parties are expected to work diligently to bring this matter to a conclusion in a timely manner, particularly considering that this matter has been pending for over a year.

Accordingly, this proceeding is STAYED until January 25, 2012, on which date Complainant shall file a status report as to the progress of settlement. If the parties have not filed

a fully executed Consent Agreement and Final Order settling this matter beforehand, Complainant shall file its prehearing exchange on or before **February 1, 2013**, Respondent shall file its prehearing exchange on or before **March 1, 2013**, and Complainant shall file a rebuttal prehearing exchange on or before **March 14, 2013**.

SO ORDERED.



M. Lisa Buschmann
Administrative Law Judge

**In the Matter of *Barrick Cortez, Inc.*, Respondent.
Docket No. EPCRA-09-2011-0004**

CERTIFICATE OF SERVICE

I hereby certify that true copies of this **Order on Sixth Joint Motion for Stay**, issued by M. Lisa Buschmann, Administrative Law Judge, were sent to the following parties on this 21st day of December 2012, in the manner indicated:


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