

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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In the Matter of:)	
Advanced Recovery, Inc.,)	Docket No. RCRA-02-2013-7106
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Respondent)	

ORDER ON COMPLAINANT'S MOTION FOR AN EXTENSION OF TIME

On April 11, 2014, Complainant filed a Motion for an Extension of Time to File Complainant's Prehearing Exchanges and Updated Status Report ("Motion"). Therein, Complainant states that since the parties met for a settlement conference on March 18, 2014, Respondent has not yet submitted all of the information that Complainant needs to complete an evaluation of its settlement position. Complainant argues that a two-week extension of time to file Complainant's Initial Prehearing Exchange would allow "EPA to receive the requested information . . . and determine whether Respondent intends to submit it." Further, Complainant seeks an extension because the current due date coincides with religious observances. The Motion does not state whether Respondent consents or objects to the granting of the extension.

The procedural rules that govern this proceeding, set forth at 40 C.F.R. Part 22 ("Rules of Practice"), 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; or upon its own initiative." 40 C.F.R. § 22.7(b). For good cause and because the brief extension sought would not appear to prejudice Respondent, in accordance with the Rules of Practice, the Motion is **GRANTED**. The deadlines set forth in the March 10, 2014 Prehearing Order issued in this matter are hereby revised as follows:

April 30, 2014 Complainant's Initial Prehearing Exchange

May 14, 2014 Respondent's Prehearing Exchange

May 21, 2014 Complainant's Rebuttal Prehearing Exchange

SO ORDERED.

Dated: April 14, 2014

Washington, D.C.

Christine D. Coughlin

Administrative Law Judge

In the Matter of Advanced Recovery, Inc., Respondent. Docket No. RCRA-02-2013-7106

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order On Complainant's Motion For Extension Of Time,** dated April 14, 2014, was sent this day in the following manner to the addressees listed below.

Mary Angeles

Lead Legal Staff Assistant

Original And One Copy To:

Sybil Anderson Headquarters Hearing Clerk U.S. EPA / Office of Administrative Law Judges Mail Code 1900R 1200 Pennsylvania Avenue, NW Washington, DC 20460-2001

One Copy By Electronic and Regular Mail To:

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Dated: April 14, 2014 Washington, D.C.