

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2**

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In the Matter of :
 :
New Jersey Department of : MOTION FOR EXTENSION OF TIME TO
Corrections, : FILE PREHEARING EXCHANGES
 :
Respondent. : Docket No. RCRA-02-2014-7102
 :
Proceeding Under Section 3008 :
of the Solid Waste Disposal Act, :
as amended :
-----X

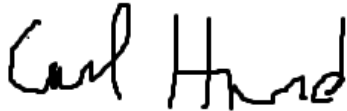
MOTION FOR EXTENSION OF TIME TO FILE PREHEARING EXCHANGES

Counsel for Complainant and counsel for Respondent have conferred on this Motion and counsel for Respondent has authorized the under-signed to submit this Motion For Extension Of Time To File Prehearing Exchanges for the parties.

As per your Honor's Order On Motion For Extension Of Time To File Prehearing Exchanges dated October 17, 2014, Complainant's Pre-hearing Exchange (PHE) is due November 19, 2014. Please be informed that the parties continue to make significant progress toward settlement. Therefore, the parties have agreed to respectfully request the grant of an additional thirty (30) days to resolve this matter. The parties believe a final grant of thirty days should suffice as Complainant has sent to Respondent a draft Consent Agreement and Final Order, Respondent has reviewed it and has sent EPA its comments, EPA has reviewed and accepted Respondent's proposed changes and this revised draft is being reviewed by EPA senior management. Once EPA's senior management has approved the revised CAFO, Respondent will be asked to sign it and the executed Agreement will be filed with the Regional Hearing Clerk.

Based on the above, and the parties' wishes to avoid unnecessary costs preparing and reviewing pre-hearing exchanges, on behalf of the parties, Complainant respectfully requests the aforementioned grant of additional time for the parties to file PHEs. The parties believe that the grant of an additional thirty (30) days will enable us to finally resolve this matter. Respondent's attorney joins in this request.

Respectfully submitted,



November 12, 2014

Dated: Carl R. Howard
Assistant Regional Counsel
Environmental Protection Agency - Region 2
290 Broadway
New York, New York 10007-1866
(212) 637-3216

In the Matter of New Jersey Department of Corrections
Docket No. RCRA-02-2014-7102

CERTIFICATE OF SERVICE

I certify that I have this day caused (or am causing) to be sent the foregoing Motion For Extension of Time to File Prehearing Exchanges to the following addressees listed herein in the manner listed below:

Copy by
Electronic mail to:

Honorable M. Lisa Buschmann
Administrative Law Judge
U. S. Environmental Protection Agency

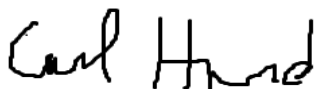
And,

Headquarters Hearing Clerk

Sent via OALJfiling@epa.gov,

Copy by Regular Mail
courtesy copy via
Electronic mail to
Attorney for Respondent:

Melinda S. Haley, Esquire
Special Legal Advisor
Office of the Commissioner
State of New Jersey
Department of Corrections
P.O. Box 863
Trenton, NJ 08625-0863
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Carl Howard
November 12, 2014