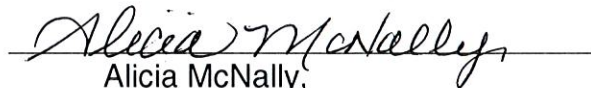


**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR**

In the Matter of: )  
 )  
New York State ) Docket No. CWA-02-2016-3403  
Department of Transportation )  
 )  
Respondent. )

**MOTION FOR EXTENSION OF TIME**

Pursuant to 40 C.F.R § 22.7, the Respondent moves this tribunal for an adjournment of the current hearing dates of February 13, 2018 through February 16, 2018. The Complainant's attorneys, Chris Saporita and Jason Garelick, have advised that they do not object to this request. Specifically, Respondent moves for an adjournment of the hearing and proposes the following mutually agreed upon dates for rescheduling in preferential order: April 3, 2018 through April 6, 2018 or March 27, 2018 through March 30, 2018. The cause for the requested adjournment and rescheduling is the unforeseen reduction in staff that has been working closely on this case necessitating reassignment and familiarization with the complex and voluminous record in this matter. Therefore, the Respondent respectfully moves for the above adjournment and rescheduling of the February 13, 2018 through February 16, 2018 hearing.



Alicia McNally,  
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Dated: January 30, 2018  
Albany, NY

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

IN THE MATTER OF:

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New York State Department of Transportation  
50 Wolf Road  
Albany, NY 12232  
SPDES Permit No. NYRA20A288

PROCEEDING TO ASSESS CLASS II  
CIVIL PENALTY

Respondent

DOCKET NO. CWA-02-2016-3403

Proceeding pursuant to Section 309 (g)  
Of the Clean Water Act, 33 U.S.C. 1319(g)  
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**RESPONDENT'S CERTIFICATION OF SERVICE**

I CERTIFY that I served the foregoing Respondent's Motion for Extension of Time, bearing the above referenced docket number, on the person(s) listed below, in the following manner(s):

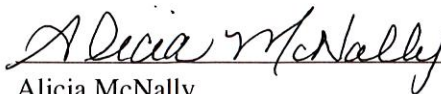
On January 30, 2018 via Electronic Filing to:

U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1200 Pennsylvania Avenue, N.W.,  
Mail Code 1900R  
Washington, DC 20460

On January 30, 2018 via E-mail and Regular Mail to:

Chris Saporita  
Assistant Regional Counsel  
United States Environmental Protection Agency – Region 2  
290 Broadway  
New York, NY 10007

Dated: 1/30/18



Alicia McNally  
Assistant Counsel  
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