

**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 Prehearing Order dated August 7, 2014, Complainant's Pre-hearing Exchange (PHE) is due September 19, 2014. As noted in Complainant's Status Report, dated September 4, the parties met for settlement discussions and those discussions are on-going. In addition, the parties discussed the possibility of a Supplemental Environmental Project. The parties will continue to discuss whether or not such a SEP is feasible.

Based on the above, and the parties' wishes to avoid unnecessary costs preparing and reviewing pre-hearing exchanges, Complainant respectfully requests the grant of additional time for the parties to file PHEs. The grant of an additional sixty (60) days should be sufficient for the parties to determine whether or not this matter can be settled and to negotiate a settlement agreement. Respondent's attorney joins in this request.

Respectfully submitted,

September 9, 2014 /S/
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 Correctins
P.O. Boc 863
Trenton, NJ 08625-0863
Melinda.haley@doc.state.nj.us

September 9, 2014
Dated:

/S/ Carl R.Howard