

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

**In the Matter of:** )  
 )  
**DANA TRANSPORT,** ) **Docket No. RCRA-02-2010-7112**  
 )  
**Respondent.** )

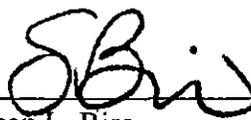
**ORDER GRANTING REQUEST FOR EXTENSION OF TIME**

A Prehearing Order was issued in this matter setting a due date of March 11, 2011 for the parties to file a Consent Agreement and Final Order (CAFO) or for Complainant to file its Initial Prehearing Exchange, and a due date of April 1, 2011 for Respondent's Prehearing Exchange. Complainant submitted a Motion Informing Agreement In Principle Reached by the Parties and Request for Extension of Time to File Executed Consent Agreement and Final Order ("Motion"), dated March 9, 2011, requesting a 60-day extension of time, until May 9, 2011, to file the CAFO.

The Motion states that the parties have reached a settlement in principle and need sufficient time to finalized the CAFO and obtain all necessary signatures and approvals. The Motion refers to the complexity of the review and concurrence process, and indicates that Respondent agreed to the filing of the Motion.

A sixty day extension of time is generally not granted unless the parties had demonstrated a need for such a lengthy period of time. However, there is a need for extra time in cases arising in Puerto Rico due to the additional complexity of the review and concurrence process for those cases.

The Motion is hereby **GRANTED** for good cause. Where the parties have reached a settlement, it is appropriate to set the due date for the CAFO to be filed or for both parties to file their prehearing exchanges simultaneously in the event the CAFO is not filed by that date. Accordingly, the parties shall file the fully executed Consent Agreement and Consent Order (CAFO), or their prehearing exchanges, on or before **May 9, 2011.**

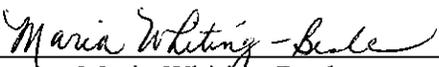
  
\_\_\_\_\_  
Susan L. Biro  
Chief Administrative Law Judge

Date: March 10, 2011  
Washington, D.C.

In the Matter of Dana Transport, Respondent  
Docket No. RCRA-02-2010-7112

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Request For Extension Of Time**, dated March 10, 2011, was sent this day in the following manner to the addressees listed below.

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: March 10, 2011

Original And One Copy By Pouch Mail To:

Karen Maples  
Regional Hearing Clerk  
U.S. EPA  
290 Broadway, 16<sup>th</sup> Floor  
New York, NY 10007-1866

Copy By Regular Mail To:

Hector Velez Cruz, Esquire  
Office of Regional Counsel  
U.S. EPA  
Centro Europa Building, Suite 417  
1492 Ponce de Leon Avenue  
San Juan, PR 00907-4127

Ronald B. Dana, President  
Dana Container  
210 East Essex Avenue  
Avenel, NJ 07001