



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY BEFORE THE ADMINISTRATOR

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OCT 16 2012

REGIONAL HEARING CLERK U.S. ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:

Joseph L. Bollig and Sons, Inc.

Respondent.

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Docket No. CWA-05-2011-0008

Dated: October 10, 2012

ORDER GRANTING MOTION FOR EXTENSION OF TIME TO FILE FINAL CAFO

The hearing in this matter is currently scheduled to begin on November 13, 2012. The parties reported that Respondent signed a settlement agreement resolving this matter, and upon motion this matter was stayed until October 19, 2012. On October 3, 2012, Complainant filed a Motion for Extension of Time until November 9, 2012, for filing of the final, issued Consent Agreement and Final Order ("CAFO").

In the Motion, Complainant states that it signed the CAFO and "that settlements involving assessments of penalties must undergo Public Notice and comment periods. In the present matter, a thirty (30) day Public Notice period is required." Complainant believes that an extension of time until November 9, 2012 would allow for the proper completion of Public Notice period, any consideration and response to potential comments, and the final issuance of final CAFO.

Agency policy supports settlement, and it is in the interest of the parties and of judicial economy to resolve this dispute by mutual agreement. See 40 C.F.R. § 22.18(b).

Accordingly, the Motion is hereby GRANTED for good cause. Proceedings in this matter are hereby stayed until November 9, 2012. A fully-executed CAFO shall be filed no later than Friday, November 9, 2012.

SO ORDERED.


[Handwritten signature]

M. Lisa Buschmann Administrative Law Judge

**In the ADR Matter of *Joseph L. Bollig & Sons, Inc.*, Respondent.  
Docket No. CWA-05-2011-0008**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Order Granting Motion for Extension of Time**, dated October 10, 2012, was sent this day in the following manner to the addressees listed below.

  
Knolyn R. Jones  
Legal Staff Assistant

Original and One Copy by Regular Mail to:

LaDawn Whitehead  
Regional Hearing Clerk  
U.S. EPA, Region V, MC-E-19J  
77 West Jackson Blvd.,  
Chicago, IL 60604-3590

One Copy by Regular Mail to:

Thomas P. Turner, Esq.  
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One Copy by Regular Mail to:

William T. Curran, Esq.  
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**Dated: October 10, 2012  
Washington, D.C.**