



Cristina Stummer  
 Phone: (609) 452-5023  
 Fax: (609) 452-6107  
 cstummer@saule.com  
 www.saul.com  
 Our File: 356610.00004

January 17, 2013

*Sent via telefax (212-637-3115) and Federal Express Overnight Mail*

Ms. Karen Maples  
 Regional Hearing Clerk  
 U.S. Environmental Protection Agency, Region 2  
 290 Broadway, 17<sup>th</sup> Floor  
 New York, New York 10007

U.S. ENVIRONMENTAL  
 PROTECTION AGENCY REGION  
 2  
 REGIONAL HEARING  
 CLERK  
 2013 JAN 22 A 8:37

Re: *In the Matter of Lawes Coal Company, Inc.*  
*Docket No. CWA 02-2009-3802*

Dear Ms. Maples:

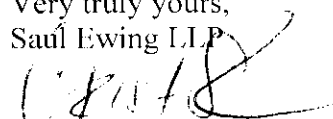
On behalf of Lawes Coal Company, Inc. (“Respondent”), I have enclosed herewith the following documents for filing in the above-referenced matter:

- (1) an original and one (1) copy of Respondent’s Motion requesting an extension of time for Respondent to file an Answer to the USEPA’s Complaint; and
- (2) a Certification of Service.

I have also enclosed an additional copy of this packet and ask that you please mark it “Received” and return it to me in the enclosed self-addressed reply envelope.

Thank you very much for your courtesies. If you have any questions, please do not hesitate to contact me.

Very truly yours,  
 Saul Ewing LLP



Cristina Stummer

Encls.

- c Lawes Coal Company, Inc. (via email)
- Timothy Murphy, Esq. (via Federal Express)



Cristina Stummer  
 Phone: (609) 452-5023  
 Fax: (609) 452-6107  
 cstummer@saul.com  
 www.saul.com  
 Our File: 356610.00004

January 17, 2013

*Sent via Fax (212-637-3115) and Federal Express Overnight Mail*

The Honorable Helen Ferrara, RJO  
 United States Environmental Protection Agency  
 290 Broadway, 17th Floor  
 New York, NY 10007-1866

U.S. ENVIRONMENTAL  
 PROTECTION AGENCY-REG. II  
 2013 JAN 22 A 8:37  
 REGIONAL HEARING  
 CLERK

Re: *In the Matter of Lawes Coal Company*  
*Docket No.: CWA-02-2009-3802*

Dear The Honorable Helen Ferrara, RJO:

On behalf of the Respondent Lawes Coal Company, Inc., kindly accept this letter as Respondent's motion to request an extension of time until May 19, 2013 for the Respondent to file its Answer to the Petitioner's Complaint in the above-referenced matter.

Without waiving any defenses and without admitting to any of Petitioner's allegations in its Complaint, Petitioner and Respondent are in the final stages of settlement negotiations. Specifically, the parties have agreed on a compliance schedule, and the on a monetary settlement amount. We are awaiting Petitioner's proposed Consent Decree, which should be forthcoming very soon. Counsel for the Petitioner and Respondent have been in frequent communication with each other regarding the progress.

Thank you very much for your prompt consideration of this matter.

Very truly yours,

Saul Ewing LLP

Cristina Stummer

c Timothy Murphy, Esq. (via email and Federal Express Overnight Mail)  
 Lawes Coal Company, Inc. (via U.S. Mail)

750 College Road East, Suite 100 • Princeton, NJ 08540-6617 • Phone: (609) 452-3100 • Fax: (609) 452-3122

Marc A. Citron - Princeton Managing Partner

DELAWARE MARYLAND MASSACHUSETTS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC

A DELAWARE LIMITED LIABILITY PARTNERSHIP

**SAUL EWING LLP**

A Delaware L.L.P.

750 College Road East, Suite 100

Princeton, New Jersey 08540

(609) 452-3100

*Attorneys for Respondent Lawes Coal Company, Inc.*

IN THE MATTER OF:

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 2,

Petitioner,

v.

LAWES COAL CO. INC.,

Respondent.

Proceeding to Assess Class I Civil Penalty  
Under Section 311(b)(6) of the Clean Water  
Act.

Docket No.: CWA-02-2009-3802

**CERTIFICATION OF SERVICE**

I, Cristina Stummer, being of full age, hereby certify:

1. I am an attorney with the law firm of Saul Ewing LLP, a Delaware LLP, attorneys for Respondent Lawes Coal Company, Inc.

2. On January 17, 2013, I caused to be served via Federal Express Overnight Mail one (1) original and one (1) copy of Respondent's Motion for an Extension of Time to File an Answer to Petitioner's Complaint, pursuant to 40 C.F.R. 22.5 on:

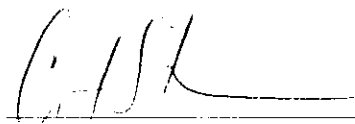
Ms. Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> Floor  
New York, New York 10007

3. On January 17, 2013, I caused to be served via Federal Express Overnight Mail one (1) copy of Respondent's Motion for an Extension of Time to File an Answer to Petitioner's Complaint, pursuant to 40 C.F.R. 22.5 on:

The Honorable Helen Ferrara, RJO  
United States Environmental Protection Agency  
290 Broadway, 17th Floor  
New York, NY 10007-1866

Timothy Murphy, Esq.  
Assistant Regional Counsel  
United States Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the statements made by me are willfully false, I am subject to punishment.



Cristina Stummer

Dated: January 17, 2013