

February 23, 2015

Regional Hearing Clerk (3RC00)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: In the Matter of Forest City SEFC, LLC
Docket No. CWA-03-2015-0007

Dear Sir/Madam:

In connection with the above referenced matter, enclosed for filing please find Forest City SEFC, LLC's and Forest City Washington, Inc.'s ("Respondents") Second Unopposed Motion for Extension of Time to file an answer to U.S. EPA's Administrative Complaint. I am copying Regional Judicial Officer, Ms. Heather Gray, in the interest of expediting consideration of this motion, as the current answer date in this matter is March 6, 2015.

Please let me know if you have any questions.

Sincerely,



Devin A. Barry

Enclosure

cc: (w/enclosure)
Ms. Heather Gray
Ms. Deane Bartlett
Mr. David Allen, Forest City

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
1650 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19103-2039**

In the Matter of:	:	Proceeding Under Class II
	:	Section 309(g) of the Clean Water Act
	:	
Forest City SEFC, LLC	:	Docket No. CWA-03-2015-0007
1615 L Street, NW	:	
Suite 400	:	
Washington, D.C. 20036	:	
	:	
Forest City Washington, Inc.	:	
1615 L Street, NW	:	
Suite 400	:	
Washington, DC 20036	:	
	:	
<hr/>		
Property known as:	:	
	:	
The Yards	:	
Tingey Street, S.E. and Fourth Street S.E.	:	
Washington, D.C. 20003	:	
	:	
<hr/>		

REGIONAL HEARINGS OFFICE
EPA REGION III PHILADELPHIA

2015 FEB 27 PM 4:51

RECEIVED

SECOND UNOPPOSED MOTION FOR EXTENSION OF TIME

Now comes Forest City SEFC, LLC and Forest City Washington, Inc. (together, the “Respondents”) by and through their counsel pursuant to Rule 22.7(b) of the Consolidated Rules of Practice (40 CFR §22.7(b)) and respectfully requests an additional extension of time through April 30, 2015 to finalize a settlement with U.S. EPA or otherwise file an Answer or otherwise plead in response to U.S. EPA’s Administrative Complaint in the captioned matter, and as good cause state as follows:

Respondents were served with the Administrative Complaint in this matter on January 5, 2015, which required Respondents to Answer or otherwise plead by February 4, 2015.

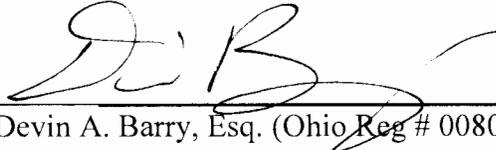
Respondents instead elected to pursue an informal settlement conference with U.S. EPA to resolve the same. Inclement weather, however, delayed this conference and Respondents filed an Unopposed Motion for Extension of Time to answer the Complaint on January 29, 2015 requesting an additional thirty (30) days to answer or otherwise plead to permit time for settlement discussions. This Motion was granted by the Court on February 2, 2015 requiring Respondents to answer or otherwise plead by March 6, 2015.

Respondents participated in an informal settlement conference with U.S. EPA on February 18, 2015 and reached an agreement in principle to settle U.S. EPA's claims. The Parties are now drafting a Consent Agreement and Final Order ("CAFO") incorporating the terms of the settlement for review and approval. U.S. EPA also issued public notice of the Administrative Complaint on February 18, 2015, which will be subject to public comment for forty (40) days.

As Respondents Answer to the Administrative Complaint is currently due March 6, 2015, Respondents request an additional extension of time to April 30, 2015 to file an Answer or otherwise plead (if the matter does not settle) in order to provide the Parties time to finalize the CAFO and complete the public comment period. The Parties fully expect that the CAFO will be approved and no public comments will be received objecting to the settlement during this time period. This extension will enable both Parties to conserve resources in litigation in the interest of a quick informal resolution of the matter.

Prior to filing this Motion, Respondents contacted the Complainant as to the extension requested herein and the Complainant indicated that it does not oppose the Motion.

Respectfully Submitted,



Devin A. Barry, Esq. (Ohio Reg # 0080733)

Thompson Hine LLP

127 Public Square

3900 Key Tower

Cleveland, Ohio 44114

Phone: (216) 566-5500

Fax: (216) 566-5800

Devin.Barry@ThompsonHine.com

Attorney for Respondents

Forest City SEFC, LLC and

Forest City Washington, Inc.

Dated: February 23, 2015

CERTIFICATE OF SERVICE

I hereby certify that I have served the original and one copy of the foregoing upon the following parties, via first class mail, postage prepaid, as provided in 40 C.F.R. § 22.5, this 23rd day of February, 2015:

Regional Hearing Clerk (3RC00)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Ms. Heather Gray
Regional Judicial Officer/Presiding Officer (3RC41)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Ms. Deane Bartlett
Senior Assistant Regional Counsel (3RC20)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029


Devin A. Barry (Ohio Reg # 0080733)

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
1650 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19103-2039**

In the Matter of:	:	Proceeding Under Class II
	:	Section 309(g) of the Clean Water Act
	:	
	:	
Forest City SEFC, LLC	:	Docket No. CWA-03-2015-0007
1615 L Street, NW	:	
Suite 400	:	
Washington, D.C. 20036	:	
	:	[PROPOSED] ORDER GRANTING
Forest City Washington, Inc.	:	FOREST CITY SEFC, LLC'S AND
1615 L Street, NW	:	FOREST CITY WASHINGTON, INC.'S
Suite 400	:	SECOND UNOPPOSED MOTION FOR
Washington, DC 20036	:	EXTENSION OF TIME TO ANSWER
	:	THE COMPLAINT
	:	
	:	
Property known as:	:	
	:	
	:	
The Yards	:	
Tingey Street, S.E. and Fourth Street S.E.	:	
Washington, D.C. 20003	:	

Respondents', Forest City SEFC, LLC and Forest City Washington, Inc., Second Unopposed Motion for Extension of Time to Answer the Complaint (the "Motion") was timely submitted and no opposition was received. Having considered the Motion, and for good cause appearing therefore,

IT IS HEREBY ORDERED THAT Respondents' Motion is hereby granted and the date by which Respondents must answer the Complaint is Thursday, April 30, 2015.

IT IS SO ORDERED.

Dated March 03, 2015



REGIONAL JUDICIAL OFFICER