

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6
Dallas, Texas

FILED
2011 MAR 17 AM 10:25
REGIONAL HEARING CLERK
EPA REGION VI

In the Matter of §
§
Centennial Contractors Enterprises, Inc. § Docket No. CWA-06-2010-1921
§
Respondent §
§

UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO FILE AN ANSWER

Comes now Complainant, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency (EPA), Region 6, by and through its attorney, in accordance with the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, 40 C.F.R. § 22.1 *et seq.*, hereby moves the Presiding Officer to grant an extension of time upon which Respondent may file an Answer. In accordance with 40 C.F.R. § 22.7(b), a party may request from the Presiding Judicial Officer an extension of time for filing any document. Pursuant to 40 C.F.R. § 22.15(a), any answer to a complaint must be filed within thirty (30) days after service of the complaint.

On February 18, 2011, the Parties (Respondent and Complainant) requested an extension of time to file any Answer to the Administrative Complaint filed on January 20, 2011. The Regional Judicial Officer granted this extension on February 28, 2011, and stated that if a Consent Agreement and Final Order (CAFO) has not been filed by March 21, 2011, Respondent could only seek a further extension of this deadline by filing a timely motion showing good cause for why such an extension should be granted.

On March 15, 2011, the Parties were able to mutually agree upon settlement terms and conditions; therefore, a settlement in principle has been reached. The Parties intend to enter into a CAFO issued pursuant to 40 C.F.R. § 22.18(b) to fully resolve the matter. Complainant drafted a CAFO on March 16, 2011, and expects that the proposed CAFO should be sent to Respondent by the end of this week. Once the executed CAFO is received by EPA Region 6, Complainant will route the CAFO through EPA's internal final concurrence process and file the approved CAFO with the Regional Hearing Clerk. A copy of the CAFO shall be issued to Respondent once final concurrence and filing is complete.

For the reasons stated above, both parties respectfully request that the Presiding Officer grant an extension of ten (10) days for Respondent to file an Answer.

Respectfully submitted,



Shannon Vallance Griffo
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Certificate of Service

I certify that the original of the foregoing Unopposed Motion for Extension of Time was hand-delivered to and filed with the **Regional Hearing Clerk**, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and a true and correct copy was sent to the following on this 17th day of March, 2011, in the following manner:

Via First Class U.S. Mail:

Mr. Tracy A. Kerns
Centennial Contractors Enterprises, Inc.
P.O. Box 467
Dupont, WA 98327

Sharon Vallone Griffio