

Charles County Government  
Office of the County Attorney

Barbara Loveless Holtz  
County Attorney

Elizabeth D. Theobalds  
Deputy County Attorney

Matthew P. Clagett  
Associate County Attorney

Melody Miles-Haynes  
Associate County Attorney

Adam Storch  
Associate County Attorney

January 8, 2015

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

Re: In the Matter of Charles County, Maryland, CWA-03-2015-0013

To Whom It May Concern:

Enclosed please find a Joint Motion for Extension of Time to Submit an Answer and Request a Hearing on behalf of the above referenced matter to be filed with the U.S. Environmental Protection Agency.

Please do not hesitate to contact me should there arise any questions regarding this matter. Thank you.

Sincerely,

Matthew Clagett  
Associate County Attorney

MC/maw

cc: Andrew Duchovney, Senior Assistant Regional Counsel, USEPA  
Peter Alutto, Director, Planning and Growth Management  
Elizabeth Theobalds, Acting County Attorney

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
 REGION III  
 1650 ARCH STREET  
 PHILADELPHIA, PENNSYLVANIA 19103-2029

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 IN THE MATTER OF: )  
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 Charles County, Maryland )  
 P.O. Box 2150 )  
 200 Baltimore Street )  
 La Plata, Maryland 20646 )  
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 Respondent. )  
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 )  
 Proceeding To Assess Class II )  
 Administrative Penalty Under )  
 Section 309(g) of the Clean Water Act )  
 )  
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Docket No. CWA-03-2015-0013

JOINT MOTION FOR EXTENSION  
 OF TIME TO SUBMIT AN  
 ANSWER AND REQUEST  
 A HEARING

1. On October 10, 2014, EPA, Region III, issued an Administrative Penalty Complaint and Notice of Opportunity to Request Hearing (“Complaint”), naming Charles County, Maryland, as Respondent (“Respondent”). Said Complaint was received by Respondent on October 17, 2014.
2. On October 23, 2014, Respondent contacted EPA, Region III, to discuss an extension of time to submit its Answer and Request for a Hearing, based on the fact that EPA’s Charles County Municipal Separate Storm Sewer System Inspection Report (“Inspection Report”), provided to the Respondent and upon which the Complaint is based, was not complete as it did not contain all of its referenced appendices.
3. EPA provided the missing appendix, containing approximately 791 pages of information.

4. On November 14, 2014, the Regional Judicial Officer granted Respondent sixty (60) days to review this information before filing an Answer and Request for a Hearing.
5. The Respondent has recently completed its review of the information contained in the missing appendix.
6. The Respondent has now begun settlement discussions with EPA.
7. Therefore, in order to amicably resolve this matter, both parties mutually agree that it is in their best interests to extend the date for the Respondent to file its Answer and Request for a Hearing by an additional thirty (30) days, which will run from the date of the approval of this Joint Motion.
8. Pursuant to 40 C.F.R. § 22.7(b) extensions of time for filing of any document may be granted upon timely motion of a party to the proceeding for good cause shown.
9. EPA, Region III, has authorized the Respondent to represent its support for this Joint Motion on its behalf.

**WHEREFORE**, both parties respectfully request that the Respondent be granted a thirty-day (30) extension of time for the Respondent to file and Answer and Request for a Hearing, in order for the parties to amicably resolve this matter.

Respectfully submitted,



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Matthew P. Clagett  
Associate County Attorney  
Charles County, Maryland  
P.O. Box 2150  
200 Baltimore Street  
La Plata, Maryland 20646  
(301) 645-0555

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was emailed and mailed first class, postage prepaid, this 8<sup>th</sup> day of January, 2015, to:

Andrew Duchovnay  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency  
1650 Arch Street  
Philadelphia, PA 19103-2029  
Duchovnay.Andrew@epa.gov

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029


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IN THE MATTER OF:	:	Proceeding to Assess Class II
	:	Administrative Penalty Under
	:	Section 309(g) of the Clean Water
	:	Act
Charles County, Maryland	:	Docket No. CWA-03-2015-0013
Respondent	:	
	:	ADMINISTRATIVE PENALTY
	:	COMPLAINT AND NOTICE OF
	:	OPPORTUNITY TO
	:	REQUEST HEARING

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**ORDER**

AND NOW, this 13<sup>th</sup> day of January, 2015, upon consideration of the Motion for Extension of Time to Submit an Answer and Request a Hearing, it is HEREBY ORDERED THAT Respondent must file an Answer and Request for a Hearing within 30 (thirty) days of the issuance of this Order.

  
Heather Gray  
Regional Judicial Officer  
EPA, Region III

01-13-15  
Date