

BEFORE THE UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103

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REG. JUDGE HEARING CLERK
EPA REGION III PHILA. PA

In The Matter of:)
)
) Proceeding Under Class II
) Section 309(g) of the
) Clean Water Act
)
Vico Construction Corporation)
4001 S. Military Highway)
Chesapeake, VA 23323-2905) Docket No. CWA-03-2011-0083
)
Project known as)
Joliffe Landing Commercial Center)
)
Joliffe Road and Portsmouth Blvd.)
Chesapeake, VA 23321)
)
Respondent)
_____)

MOTION FOR EXTENSION OF TIME

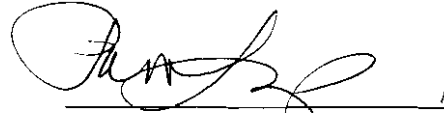
Complainant, US Environmental Protection Agency, by counsel, hereby moves this court for an extension of time of the Alternative Dispute Resolution (ADR) process to allow the parties to complete a settlement of the above-captioned matter, and in support thereof, states the following:

1. Complainant filed an Administrative Complaint in this matter on April 4, 2011.
2. On, May 12, 2011, the Respondent filed an Answer.
3. On September 14, 2011, the parties received an offer to participate in ADR. The parties accepted the offer and on September 20, 2011, a scheduling order was issued initiating ADR with a termination date of November 22, 2011.
4. The parties have been engaged in active settlement discussions during the ADR process and on November 17, 2011, advised Judge Nissen that an agreement in principle had been reached and requesting an additional 60 days of ADR to allow for the parties to complete the settlement and file the appropriate documents with the Regional Hearing Clerk.

5. The parties agree that an extension of the ADR schedule will be in the parties' best interest and request that a 60-day extension be granted until January 20, 2012.

Therefore, for the reasons set forth above, EPA respectfully requests that the Presiding Officer grant EPA's Motion to Extend ADR in this matter, and allow the parties 60 days, until January 20, 2012, to complete settlement in this matter.

Respectfully submitted,

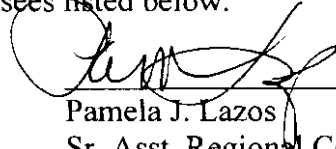
A handwritten signature in black ink, appearing to read 'P. Lazos', written over a horizontal line.

Pamela J. Lazos
Sr. Asst. Region Counsel
US EPA Region III

CERTIFICATE OF SERVICE

I certify that the foregoing Motion for Extension of Time, dated November 22, 2011, was sent this day, in the manner noted, to the addressees listed below.

Dated: November 22, 2011



Pamela J. Lazos
Sr. Asst. Regional Counsel

Original and One Copy, Hand-delivered to:

Lydia Guy (3RC00)
Regional Hearing Clerk
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Copy By Pouch Mail and Electronically to:

Judge Spencer T. Nissen
Administrative Law Judge
U.S. EPA
Office of the Administrative Law Judges
1200 Pennsylvania Avenue, N.W. Mail Code 1900L
Washington, D.C. 20460

Copy Electronically and by regular mail to:

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Kaufman and Canoles, P.C.
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