



REGION 3

PHILADELPHIA, PA 19103

VIA ELECTRONIC MAIL

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Re: **In the Matter of: Red Hill Utility, LLC**
Docket No. CWA-03-2022-0018DN
Response to Request to Extend the Corrective Action Plan Deadline

Dear Mr. Beard, Ms. Guy and Mr. Gill:

The United States Environmental Protection Agency, Region 3 ("EPA") is in receipt of your letters, dated December 11, 2024, and January 17, 2025, on behalf of Red Hill Utility, LLC ("Respondent"), regarding the above-referenced Administrative Order for Compliance on Consent ("AOC"), and implementation of the Corrective Action Plan ("CAP") required by the AOC. The parties entered into this AOC under Section 309 of the Clean Water Act, 33 U.S.C. § 1319. It was originally filed on June 1, 2022, and later amended on May 25, 2023.

Paragraph 60 of the Amended AOC states, "The schedule to implement the remaining corrective actions identified in the CAP shall not exceed 18 months from the approval of the CAP." Accordingly, the current deadline for completion of the project is March 28, 2025.

In your January 17, 2025 letter, you stated:

Due to circumstances outside of Red Hill's control, Red Hill and its engineering consultant, Koontz Bryant Johnson Williams ("KBJW"), have determined that it is not possible for Red Hill to complete the work required under the approved Corrective Action Plan ("CAP") by the deadline required under the Amendment to Administrative Order for Compliance on Consent (CWA-03-2022-0018DN) issued by EPA and filed on May 25, 2023. Accordingly, Red Hill requests an extension of the completion deadline to October 31, 2025.

In your letters and in several meetings with EPA staff, you explained in further detail that Red Hill's consultant has had challenges obtaining information, obtaining feedback, and securing plan approval from Prince George County and the City of Petersburg. Recently, Prince George County requested replacing the planned 8" line with a 12" line. You also explained that it is taking longer than anticipated to resolve access issues with the Virginia Department of Transportation.

Paragraph 70 of the Consent Agreement provides, "Any request to modify the terms of, or parties to, this AOC shall be submitted, in writing, by Respondent to EPA and shall be subject to review and approval by EPA, in its sole and unreviewable discretion."

By this letter, the EPA is extending the deadline for completion of the project detailed in the CAP until October 31, 2025. This letter modifies the deadline set forth in Paragraph 60 of the Amended AOC, and my staff will file this letter with EPA's Regional Hearing Clerk.

Please do not hesitate to contact Natalie Katz, Senior Assistant Regional Counsel, at 215-814-2615, or by email at katz.natalie@epa.gov, if you have any questions regarding this matter.

Sincerely,

Karen Melvin
Director
Enforcement and Compliance Assurance Division

Enclosure

cc: Regional Hearing Clerk, Region 3 (R3_Hearing_Clerk@epa.gov)
Steven Maslowski, EPA (maslowski.steven@epa.gov)
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