

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 6

FILED

In the Matter of § Docket No. SDWA-06-2021-1297
§
Leroy Tours Gerald Water Supply §
Corporation §
Respondent § Proceeding to Assess a Civil Penalty
§ Under Section 1414g-3(g)(3) of The
§ Safe Drinking Water Act
§
PWS ID# TX1550027 §

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REGIONAL HEARING CLERK
EPA REGION VI

**RESPONDENT LEROY TOURS GERALD WATER SUPPLY CORPORATION'S
SECOND AGREED MOTION FOR EXTENSION TO ANSWER AND REQUEST A
HEARING**

TO THE REGIONAL HEARING CLERK (6RC-D):

Comes Now, Respondent Leroy Tours Gerald Water Supply Corporation ("LTG WSC"), P.O. Box 22, Leroy, Texas 76654, and files this Second Agreed Motion for Extension to Answer and Request a Hearing to the Administrative Complaint filed by the Director of the Enforcement and Compliance Assurance Division of EPA, Region 6 ("Complainant"), and in support thereof shows the following:

I.

The above referenced Administrative Complaint was served in the President of the LTG WSC by certified mail on September 22, 2021; therefore, LTG WSC's original Answer and deadline to Request a Hearing was October 22, 2021. This deadline was extended 30 days to November 22, 2021 by Order dated October 20, 2021.

II.

LTG WSC conferred informally with EPA on October 13, 2021 regarding the alleged violations. During the informal conference, the parties discussed the possibility of settlement through informal meetings with EPA and agreed on action to be taken toward resolution of the issues raised in the Complaint. LTG WSC has taken the first steps toward resolution but is still

working toward the goal of having the USDA-RD approve its loan application. The expectation is that the loan application will be resubmitted for consideration by February 1, 2022, but approval is not expected until March of 2022. For this reason, LTG WSC requests a four-month extension of time to file its Answer and Request for Hearing until March 22, 2022.

III.

The undersigned consulted with counsel for the EPA regarding this request. As a result of that consultation, LTG WSC agreed to provide EPA with a courtesy copy of the KSA Engineering Report once it is finalized in January of 2022, and LTG WSC also agreed to notify EPA once the USDA-RD funding application is submitted for review. In exchange, EPA agreed to Respondent's second extension request as set forth herein.

IV.

~~For these reasons, Respondent respectfully requests that the second request for extension~~
of time to answer and request a hearing be granted, and Respondent be given until March 22, 2022 to file an Answer and Request a Hearing, and for such other relief to which it shows itself to be entitled.

Respectfully submitted,

BY: 

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ATTORNEY FOR RESPONDENT LTG WSC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Respondent's Second Agreed Motion for Extension to Answer and Request a Hearing has been served upon Complainant, as indicated below, on this the **16th** day of **November 2021**, as follows:

Regional Hearing Clerk (6RC-D)
U.S. EPA, Region 6
1201 Elm Street, Suite 500
Dallas, Texas 75270-2102

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