

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

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HEARINGS CLERK
EPA--REGION 10

IN THE MATTER OF:

GILBERT AGEE, individually,
and d/b/a

AGEE CONSTRUCTION CO.,

Respondent

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Docket No. CWA-10-2002-0070

**ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME
TO FILE CONSENT AGREEMENT AND FINAL ORDER**

On April 7, 2003, an Initial Prehearing Order issued in this matter required the parties to file a Consent Agreement and Final Order (CAFO) no later than May 7, 2003, based upon a report that the parties had reached a settlement pursuant to Alternative Dispute Resolution. By Motion dated May 1, 2003, Complainant and Respondent request a 30-day extension of time to file the CAFO, until June 6, 2003.

The Motion states that the parties have discussed the details of a proposed Supplemental Environmental Project (SEP), which is part of a larger wetland enhancement project involving, and requiring further detailed information from, the local soil and water conservation district. The parties request the extension to allow for Complainant to calculate the credit that can be given for the SEP and for further negotiations to reach final settlement.

The Motion is hereby **GRANTED**, for good cause. Accordingly, the parties shall file the fully executed Consent Agreement and Consent Order on or before **June 6, 2003**.

The parties are hereby reminded that failure to submit the CAFO in a timely manner may result in entry of an order of dismissal or default, as appropriate, without further notice.



Susan L. Biro
Chief Administrative Law Judge

Date: May 5, 2003
Washington, D.C.

In the Matter of Gilbert Agee, Individually & d/b/a Agee Construction Company, Respondent
Docket No. TSCA-10-2002-0070

Certificate of Service

I certify that the foregoing **Order Granting Joint Motion For Extension Of Time To File Consent Agreement And Final Order**, dated May 5, 2003, was sent this day in the following manner to the addressees listed below.



Maria Whiting-Beale
Legal Staff Assistant

Dated: May 5, 2003

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