

**Saul Ewing**  
LLP

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December 4, 2009

*Sent via telefax (212-637-3115) and U.S. Priority Mail*

Ms. Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> Floor  
New York, New York 10007

Re: *In the Matter of Lawes Coal Company, Inc.*  
*Docket No. CWA 02-2009-3802*

U.S. ENVIRONMENTAL  
PROTECTION AGENCY  
2009 DEC -9 PM 3:55  
REGIONAL HEARING  
CLERK

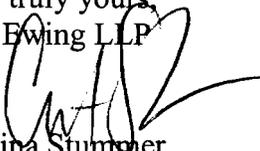
Dear Ms. Maples:

On behalf of Lawes Coal Company, Inc. (Lawes), I have enclosed herewith the following documents for filing in the above-referenced matter:

- (1) an original and one (1) copy of a letter to the Regional Judicial Officer requesting an extension of time for Lawes to file an Answer to the USEPA's Complaint; and
- (2) a Certification of Service.

Thank you very much for your courtesies. If you have any questions, please do not hesitate to contact me.

Very truly yours,  
Saul Ewing LLP

  
Cristina Stummer  
Encls.



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December 4, 2009

*Sent via U.S. Priority Mail*

The Honorable Helen Ferrara, RJO  
United States Environmental Protection Agency  
290 Broadway, 17th Floor  
New York, NY 10007-1866

Re: *In the Matter of Lawes Coal Company*  
*Docket No.: CWA-02-2009-3802*

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REGIONAL  
2009 DEC -9 PM 3:55  
REGIONAL HEARING  
OFFICE

Dear The Honorable Helen Ferrara, RJO:

On behalf of the Respondent Lawes Coal Company, Inc., the purpose of this letter is to request an extension of time until March 1, 2010 for the Respondent to file its Answer to the USEPA's Complaint in the above-referenced matter. Mr. Timothy Murphy, Esq., the Regional Counsel representing the USEPA in the matter, has so graciously granted the USEPA's consent for the extension. The purpose of the extension is for the parties to engage in settlement communications.

Thank you very much for your consideration of this matter.

Very truly yours,  
Saul Ewing LLP

  
Cristina Stummer

c Timothy Murphy, Esq. (via email and U.S. Priority Mail)

**SAUL EWING LLP**

A Delaware LLP

750 College Road East, Suite 100

Princeton, New Jersey 08540

(609) 452-3100

*Attorneys for Respondent Lawes Coal Company, Inc.*

IN THE MATTER OF:

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 2,

v.

LAWES COAL CO. INC.,

Respondent.

Proceeding to Assess Class I Civil Penalty  
Under Section 311(b)(6) of the Clean Water  
Act.

Docket No.: CWA-02-2009-3802

**CERTIFICATION OF SERVICE**

I, Cristina Stummer, being of full age, hereby certify:

1. I am an associate with the law firm of Saul Ewing LLP, a Delaware LLP, attorneys for Respondent Lawes Coal Company, Inc.

2. On December 4, 2009, I caused to be served via U.S. Priority Mail one (1) original and one (1) copy of Respondent's Request for Extension of Time to File an Answer on pursuant to 40 C.F.R. 22.5 on:

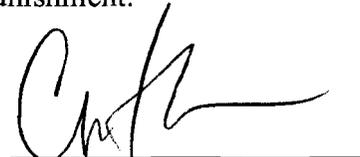
Ms. Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> Floor  
New York, New York 10007

3. On December 4, 2009, I caused to be served via U.S. Priority Mail one (1) copy of Respondent's Request for Extension of Time to File an Answer pursuant to 40 C.F.R. 22.5 on:

The Honorable Helen Ferrara, RJO  
United States Environmental Protection Agency  
290 Broadway, 17th Floor  
New York, NY 10007-1866

Timothy Murphy, Esq.  
Assistant Regional Counsel  
United States Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the statements made by me are willfully false, I am subject to punishment.



Cristina Stummer

Dated: December 4, 2009