

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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HEARING CLERK

IN THE MATTER OF:)
)
SANDERS SQUARE, LLC.,) DOCKET No. CWA-04-2006-4533
)
Respondent)

ORDER GRANTING MOTION FOR EXTENSION OF TIME

On March 29, 2007, an Initial Prehearing Order was issued in this proceeding, stating that the Consent Agreement and Final Order (CAFO) must be filed no later than June 30, 2007. By Motion dated June 14, 2007, the Complainant moved for a 30 day extension of time to file the CAFO.

The Motion indicates that the Respondent does not oppose the extension of time. The Motion states that the parties have signed the Consent Agreement, and includes a copy of the CAFO signed by the parties. The Motion also states that on June 11, 2007, EPA issued a public notice inviting comment on the proposed CAFO, and includes a copy of the notice, establishing a thirty day comment period. Therefore, the Complainant seeks an extension until after the public comment period expires to file the CAFO.

It is noted that Section 309(g)(4)(A) and (C) of the Clean Water Act states that, before issuing an order assessing a civil administrative penalty, EPA "must provide public notice of and reasonable opportunity to comment on the proposed issuance of such order," and that if no hearing is held before issuance of an order assessing a penalty, "any person who commented on the proposed assessment may petition, within 30 days after the issuance of such order, the Administrator . . . to set aside such order and to provide a hearing on the penalty."

The Motion is hereby, **GRANTED**, as set forth below:

Good cause exists for the granting of the Motion in that it is in the interest of the parties and judicial economy for the parties to settle this matter on mutually agreeable terms. In that a hearing in this case has not been scheduled, no prejudice will result from a brief delay. Therefore

the parties shall have until July 31, 2007 to file the fully executed Consent Agreement and Final Order.

A handwritten signature in black ink, appearing to read 'S. Biro', is positioned above a horizontal line.

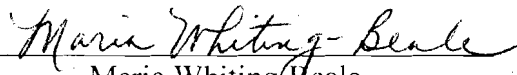
Susan L. Biro
Chief Administrative Law Judge

Dated: June 22, 2007
Washington, D.C.

In the Matter of Sanders Square, LLC, Respondent
Docket No. CWA-04-2006-4537

CERTIFICATE OF SERVICE

I certify that the foregoing **Order Granting Motion For Extension Of Time** dated June 22, 2007, was sent this day in the following manner to the addressees listed below:



Maria Whiting Beale
Legal Staff Assistant

Dated: June 22, 2007

Original and One Copy by Pouch Mail to:

Patricia Bullock
Regional Hearing Clerk
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Atlanta, GA 30303-8960

Copy by Pouch Mail to:

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