

**BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

**RECEIVED**

**2015 APR 27 PM 5: 32**

**REGIONAL HEARING OFFICE  
EPA REGION III, PHILADELPHIA**

In The Matter of	)	
	)	
WCS Construction, LLC	)	
William C. Smith & Co., and	)	
880 New Jersey Avenue, LLC,	)	Proceeding to Assess Class II Penalty
1100 New Jersey Avenue, SE	)	Under Section 309(g) of the Clean Water
Suite 1000	)	Act, 33 U.S.C. § 1319(g)
Washington, D.C. 20003,	)	
	)	
Respondents,	)	Docket No.: CWA-03-2015-0112
	)	
Property Located at:	)	
880 New Jersey Avenue, SE	)	
Washington, D.C. 20003	)	
	)	

**CONSENT MOTION OF RESPONDENTS TO EXTEND THE TIME TO FILE ANSWER  
AND REQUEST FOR HEARING**

Respondents WCS Construction, LLC, William C. Smith & Co., and 880 New Jersey Avenue, LLC (collectively, Respondents) respectfully request that the United States Environmental Protection Agency extend the time for Respondents to file their Answer, Request for Hearing, and any other responsive pleading(s) by thirty (30) days to allow Parties to continue ongoing settlement negotiations. The United States Environmental Protection Agency, Region III, by and through Ms. Stefanie D. Shamet, Esq., has consented to this time extension.

1. The Certificate of Service appended to the above-captioned Administrative Penalty Complaint and Notice of Opportunity Request a Hearing is dated March 30, 2015.

2. Pursuant to the Administrative Penalty Complaint and Notice of Opportunity to request a Hearing, Respondents are required to file an Answer and Request for Hearing within thirty (30) days after service, exclusive of the day of service.

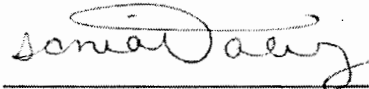
3. The original deadline for Respondents' Answer and Request for Hearing was April 29, 2015.

4. The new deadline for Respondents' Answer, Request for Hearing, and any other responsive pleading(s) is May 29, 2015.

WHEREFORE, Respondents request that the United States Environmental Protection Agency enter an Order, in the form attached hereto, extending the time for Respondents to file their Answer, Request for Hearing, and any other responsive pleading(s) to May 29, 2015.

Dated: April 27, 2015

Respectfully submitted,



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Reginald M. Jones, Esq.  
Sonia Tabriz, Esq.

**Fox Rothschild LLP**

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Suite 380 East

Washington, DC 20005

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*Attorneys for Respondents*

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	)	
Property Located at:	)	
880 New Jersey Avenue, SE	)	
Washington, D.C. 20003	)	
	)	

**[PROPOSED] ORDER**

Having considered the Consent Motion of Respondents to Extend the Time to File Answer and Request for Hearing in the above-captioned matter by thirty (30) days, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT Respondents WCS Construction, LLC, William C. Smith & Co., and 880 New Jersey Avenue, LLC shall have up to and including May 29, 2015 to file their Answer, Request for Hearing, and any other responsive pleading(s) to the above-captioned Administrative Penalty Complaint and Notice of Opportunity Request a Hearing.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Consent Motion of Respondents to Extend the Time to File Answer and Request for Hearing and [Proposed] Order has been delivered on April 27, 2015 via electronic mail and overnight delivery to:

Stefanie D. Shamet, Esq. (3RC20)  
Senior Assistant Regional Counsel  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

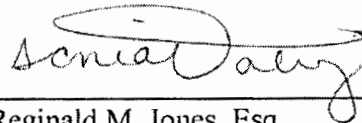
And, via overnight mail to:

Regional Hearing Clerk (3RC00)  
U.S. EPA, Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

REGIONAL HEARING CLERK  
EPA REGION III, PHILA. PA

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Dated: \_\_\_\_\_

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Judge