



Cristina Stummer  
Phone: (609) 452-5023  
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CStummer@saul.com  
www.saul.com  
Our File: 356610.00004

November 7, 2011

*Sent via telefax (212-637-3115) and Federal Express Overnight 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

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG. II  
2011 NOV -8 P 4: 04  
REGIONAL HEARING  
CLERK

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

Dear Ms. Maples:

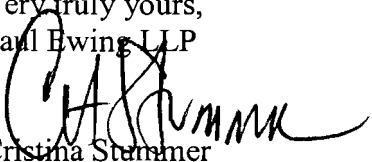
On behalf of Lawes Coal Company, Inc. (“Lawes”), I have enclosed herewith the following documents for filing in the above-referenced matter:

- (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.

I have also enclosed an additional copy of this packet and ask that you please mark it “Received” and return it to me in the enclosed self-addressed reply envelope.

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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*Sent via Federal Express Overnight Mail*

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

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2011 NOV -8 P 4: 04  
REGIONAL HEARING  
CLERK

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

Dear The Honorable Helen Ferrara, RJO:

On behalf of the Respondent Lawes Coal Company, Inc., kindly accept this letter as Respondent's motion to request an extension of time until March 7, 2012 for the Respondent to file its Answer to the USEPA's Complaint in the above-referenced matter. The purpose of the extension is to allow the parties to continue to engage in settlement communications.

Without waiving any defenses and without admitting to any of Petitioner's allegations in its Complaint, Respondent has been addressing matters so as to limit the number of items that may otherwise have to be included in a compliance plan that may have to be incorporated into any Consent Decree reached with Petitioner. Counsel for the Petitioner and Respondent have been in frequent communication with each other regarding the progress.

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 Federal Express Overnight 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.*

U.S. ENVIRONMENTAL  
PROTECTION AGENCY-REG.11  
2011 NOV -8 P 4:01  
REGIONAL HEARING  
CLERK

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 attorney with the law firm of Saul Ewing LLP, a Delaware LLP, attorneys for Respondent Lawes Coal Company, Inc.

2. On November 7, 2011, I caused to be served via Federal Express Overnight Mail one (1) original and one (1) copy of Respondent's Request for Extension of Time to File an Answer pursuant to 40 C.F.R. 22.5 on:

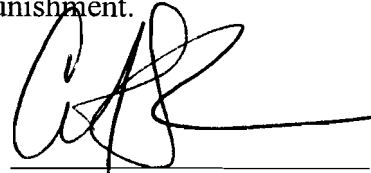
Ms. Karen Maples  
Regional Hearing Clerk  
U.S. Environmental Protection Agency, Region 2  
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New York, New York 10007

3. On November 7, 2011, I caused to be served via Federal Express Overnight 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: November 7, 2011



Cristina Stummer  
Phone: (609) 452-5023  
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PROTECTION AGENCY-REG.11  
2011 NOV -8 P 4 04  
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*Docket No.: CWA-02-2009-3802*

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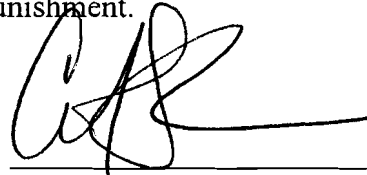
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Timothy Murphy, Esq.  
Assistant Regional Counsel  
United States Environmental Protection Agency  
290 Broadway, 16<sup>th</sup> Floor  
New York, New York 10007-1866

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.

A handwritten signature in black ink, appearing to read 'Cristina Stummer', written over a horizontal line.

Cristina Stummer

Dated: November 7, 2011