

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

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In the Matter of:)
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PRM Concrete Corporation)
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Docket No. CWA-01-2010-0050

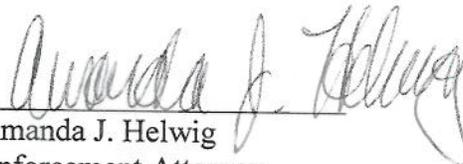
**COMPLAINANT'S UNOPPOSED MOTION TO EXTEND THE
ALTERNATIVE DISPUTE RESOLUTION PERIOD**

The U.S. Environmental Protection Agency ("EPA" or "Complainant") moves in the above-captioned matter for a sixty (60) day extension of the Alternative Dispute Resolution ("ADR") period, until March 31, 2011, to facilitate continued settlement discussions between Respondent PRM Concrete Corporation and EPA (collectively, "the Parties"). As grounds for this motion, Complainant states as follows:

1. On November 30, 2010, Honorable Susan L. Biro, Chief Administrative Law Judge, initiated the ADR process in this matter and appointed Judge Spencer T. Nissen to conduct this process to facilitate settlement of this proceeding.
2. On December 17, 2010 and January 19, 2011, the Parties spoke with Judge Nissen regarding this matter in an attempt to reach a settlement agreement.
3. While the Parties have not reached a settlement agreement to date, Complainant and Respondent continue to discuss settlement terms.

4. Complainant completed its ability to pay analysis in this matter on January 12, 2011. As a result, the Parties have had limited opportunity to discuss settlement options since the conclusion of this analysis.
5. An extension of the ADR period for sixty (60) days will afford the Parties an opportunity to fully explore potential settlement options.
6. On January 19, 2011, Jennifer R. Cervenka, counsel for PRM Concrete Corporation, indicated that Respondent does not oppose this motion to extend the ADR period. Complainant further asserts that an extension will not prejudice Respondent.
7. In the absence of any prejudice to Respondent, and for good cause shown, Complainant respectfully requests an extension of the ADR period, until March 31, 2011, to facilitate continued settlement discussions between the Parties.

Respectfully submitted by EPA,



Amanda J. Helwig
Enforcement Attorney
U.S. Environmental Protection Agency
Office of Civil Enforcement
Water Enforcement Division
1200 Pennsylvania Avenue, NW
Mail Code 2243-A
Room Number 4118-A
Washington, DC 20460
Tel: (202) 564-3713
Fax: (202) 564-0024
helwig.amanda@epa.gov

Dated: January 26, 2011

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Unopposed Motion to Extend the Alternative Dispute Resolution Process, in connection with Docket No. CWA-01-2010-0050, was sent to the following persons in the manner indicated:

By Pouch Mail:

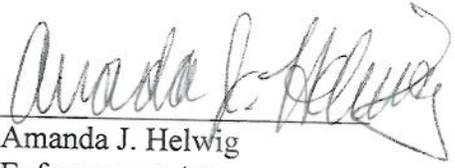
Honorable Spencer T. Nissen
Office of Administrative Law Judges
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Code: 1900 L
Washington, DC 20460

By First Class U.S. Mail:

Jennifer R. Cervenka, Esq.
Partridge, Snow, & Hahn LLP
180 South Main Street
Providence, RI 02903

Wanda Santiago
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Mail Code: ORA18-1
Boston, MA 02109-3912

Dated: January 26, 2011


Amanda J. Helwig
Enforcement Attorney
U.S. Environmental Protection Agency
Office of Civil Enforcement
Water Enforcement Division
1200 Pennsylvania Avenue, NW
Mail Code 2243-A
Room Number 4118-A
Washington, DC 20460
Tel: (202) 564-3713
Fax: (202) 564-0024
helwig.amanda@epa.gov