

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR**

2015 MAR -4 P.M. 12:01

In the Matter of:)	
)	
BP America Production Company,)	Docket No. CWA-08-2014-0037
)	
Respondent.)	
)	

**ORDER ON JOINT REQUEST FOR EXTENSION
OF STAY OF ALL CASE DEADLINES**

On September 30, 2014, the U.S. Environmental Protection Agency (“Agency”), Region 8 (“Complainant”), initiated this proceeding by filing a Complaint and Notice of Opportunity for Hearing (“Complaint”) against BP America Production Company (“Respondent”). The Complaint alleges that Respondent violated Section 301(a) of the Clean Water Act, 33 U.S.C. § 1311(a), and proposes the assessment of a civil administrative penalty in the amount of \$100,000 for the alleged violation. Through counsel, Respondent filed an Answer and Request for Hearing on November 12, 2014.

By Prehearing Order dated December 4, 2014, the undersigned established deadlines for a number of prehearing procedures in this matter, including a prehearing exchange of information by the parties. On January 30, 2015, following the filing of Complainant’s Prehearing Exchange, the parties filed a Joint Notice of Settlement, Request for Stay of All Case Deadlines, and Request for Expedited Ruling (“Joint Request for Stay”), in which the parties requested a 30-day stay of the remaining case deadlines based upon their representation that they had reached a settlement in principle. The undersigned granted the Joint Request for Stay by Order dated February 2, 2015. On March 3, 2015, the parties filed a Joint Request for Extension of Stay of All Case Deadlines and Request for Expedited Ruling (“Joint Request for Extension”). Therein, the parties assert that their settlement in principle “includes a supplemental environmental project” about which the parties “have been in consultation with the Southern Ute Indian Tribe to finalize a plan.” The parties also assert that they do not yet agree on the language to use in their consent agreement but that they “expect to reach agreement in the near future.” For those reasons, the parties request a 15-day extension of all case deadlines. They also represent that they will provide notice when their settlement has been finalized.

Upon consideration, the undersigned finds that a 15-day extension of the stay is reasonable. As noted in the Prehearing Order, Agency policy strongly supports settlement of a proceeding without the necessity of a formal hearing. 40 C.F.R. § 22.18(b)(1). Undoubtedly, the interests of the parties and judicial economy are best served by the parties resolving this matter informally and expeditiously. Accordingly, the Joint Request for Extension is hereby **GRANTED**. Once the case is settled, a fully-executed Consent Agreement and Final Order shall be filed with the Regional Hearing Clerk, with a copy submitted to the undersigned.

SO ORDERED.

Christine Donelian Coughlin

Christine Donelian Coughlin
Administrative Law Judge

Dated: March 4, 2015
Washington, D.C.

In the Matter of *BP America Production Company*, Respondent.
Docket No. CWA-08-2014-0037

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order on Joint Request for Extension of Stay of all Case Deadlines, dated March 4, 2015, issued by Administrative Law Judge Christine Coughlin, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Hand Delivery to:

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Dated: March 4, 2015
Washington, D.C