UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

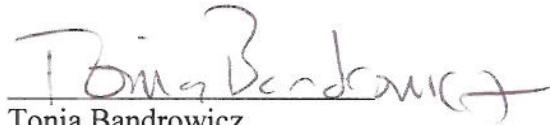|		
In the Matter of:	)	
	)	
North Providence, Rhode Island	)	Docket No. CWA 01-2009-0093
Respondent.	)	
	)	
	)	

STATUS REPORT

Complainant, U.S. Environmental Protection Agency, Region I, submits this status report pursuant to the Presiding Officer's October 7, 2009 Prehearing Order. The parties have had one settlement conference and several phone conferences regarding this matter and are in the process of exploring a possible informal resolution of this matter. However, Complainant is also filing, concurrently today, a Motion to Amend the Complaint. The purpose of the amendment is to add a count relating to an unauthorized discharge which Complainant alleges is a violation of the Clean Water Act, 33 U.S.C. § 1251 et seq. This unauthorized discharge occurred on or about September 22, 2009, after Complainant had filed the original Complaint. Respondent is aware that Complainant is filing this motion, and the parties are discussing this alleged violation, as well as the reporting violations alleged in the original Complaint in their settlement negotiations.

In light of this additional alleged violation and the parties on-going negotiations, the Complainant requests, with Respondent concurrence, that, in setting a schedule for submission of the prehearing exchanges, the parties be given an additional time in which to conclude negotiations on both alleged violations. Therefore, Complainant requests that a status report on negotiations be due no earlier than January 15, 2010. Complainant is also agreeable to an

extension of time for Respondent to file an Answer to the Amended Complainant until January

30, 2010. Complainant also requests that its prehearing exchange be due no earlier than February

30, 2010.

Respectfully submitted,

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Dated 11/4/09