



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

In the Matter of:)
)
HENRICO COUNTY, VIRGINIA,) Docket No. CWA-03-2011-0139
)
Respondent)

ORDER ON MOTION FOR EXTENSION OF TIME
AND AMENDING PREHEARING ORDER

A Prehearing Order was issued in this matter on June 6, 2011, ordering the parties to engage in a settlement conference by July 8, 2011, and file a status report by July 15, 2011. Complainant was to file either a Consent Agreement and Final Order or its Initial Prehearing Exchange by August 5, 2011, and Respondent was to file its Prehearing Exchange by August 26, 2011. Complainant then had to file its Rebuttal Prehearing Exchange by September 9, 2011.

On July 7, 2011, Respondent filed a Motion for Extension of Time ("Motion"), requesting that the prehearing deadlines be extended by eight weeks. Respondent indicates that it is "engaged in productive settlement negotiations" with Complainant and that the parties require additional time to prepare and evaluate offers of settlement. Respondent also states that counsel for both parties will be unavailable during the last half of August. Respondent notes that Complainant's counsel "agrees with and supports" the Motion.

The unopposed Motion is hereby **GRANTED** for good cause in accordance with 40 C.F.R. § 22.7(b). Accordingly, the parties are directed to continue their settlement discussions, with at least one conference being held on or before **September 2, 2011**. Complainant shall file a status report regarding settlement on or before **September 9, 2011**. If the case is settled, the fully-executed Consent Agreement and Final Order should be filed no later than **September 30, 2011**, with a copy sent to the undersigned.

Should a Consent Agreement not be finalized on or before the latter date, the parties must prepare for hearing and shall strictly comply with the prehearing requirements of the Prehearing Order issued June 6, 2011, in accordance with the revised deadlines set forth herein:

September 30, 2011

Complainant's Initial Prehearing Exchange

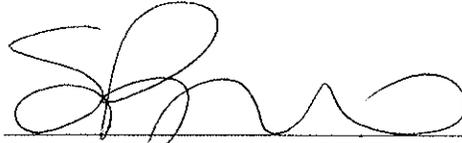
October 21, 2011

Respondent's Prehearing Exchange

November 4, 2011

Complainant's Rebuttal Prehearing Exchange

So ordered.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

Susan L. Bfro
Chief Administrative Law Judge

Dated: July 11, 2011
Washington, D.C.

In the Matter of Henrico County, Virginia, Respondent.
Docket No. CWA-03-2011-0139

CERTIFICATE OF SERVICE

I certify that the foregoing **Order on Motion for Extension of Time and Amending Prehearing Order**, dated July 11, 2011, was sent this day in the following manner to the addressees listed below.



Mary Angeles
Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Lydia Guy
Regional Hearing Clerk
U.S. EPA / Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Fx: 215.814.2603

Copy by Facsimile and Pouch Mail to:

Pamela J. Lazos, Esq.
Assistant Regional Counsel
U.S. EPA / Region III / MC 3RC20
1650 Arch Street
Philadelphia, PA 19103-2029
Fx: 215.814.2603

Copy by Facsimile and Regular Mail to:

Benjamin A. Thorp (VSB No. 45931)
Assistant County Attorney
P.O. Box 90775
Henrico, VA 23273-0775
Fx: 804.501.4140

Dated: July 11, 2011
Washington, DC