



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of:)
)
Chesterfield County, Virginia,) Docket No. CWA-03-2011-0151
)
Respondent.)

**ORDER ON MOTION FOR POSTPONEMENT
OF PREHEARING EXCHANGE**

A Prehearing Order was issued in this matter on October 26, 2011, ordering the parties to engage in a settlement conference by November 10, 2011, and file a status report by November 18, 2011. Complainant was to file a Consent Agreement and Final Order (“CAFO”) on December 9, 2011, or if no settlement was reached, its Initial Prehearing Exchange by December 16, 2011.

On November 14, 2011, Complainant filed a Motion for Postponement of Prehearing Exchange (“Motion”). In the Motion, Complainant states that it will provide a draft of a proposed CAFO to Respondent by November 23, 2011, and believes that a settlement in this matter is in the best interest of both parties. To this end, Complainant requests that the Prehearing Exchange requirements be postponed “for a sufficient time to allow the parties to review, execute and file a CAFO and resolve this matter.” Motion at 1. Complainant states that Respondent supports the Motion.

In accordance with 40 C.F.R. § 22.7(b), the unopposed Motion is hereby **GRANTED** for good cause shown, and the Prehearing Exchange deadlines set forth in the Prehearing Order are enlarged by three weeks. Should the case settle, the fully-executed CAFO shall be filed no later than **December 30, 2011**, with a copy sent to the undersigned.

Should a fully-executed CAFO not be filed on or before that date, the parties must prepare for hearing and shall strictly comply with the prehearing requirements of the Prehearing Order issued October 26, 2011, in accordance with the revised deadlines set forth herein:

January 6, 2012

Complainant's Initial Prehearing Exchange

January 27, 2012

Respondent's Prehearing Exchange

February 10, 2012

Complainant's Rebuttal Prehearing Exchange

So ordered.



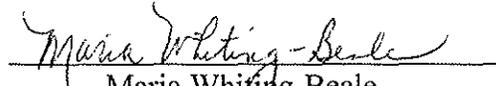
Susan L. Biro
Chief Administrative Law Judge

Dated: November 17, 2011
Washington, D.C.

In the Matter of Chesterfield County, VA, Respondent
Docket No. CWA-03-2011-0151

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Motion For Postponement Of Prehearing Exchange**, dated November 17, 2011, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: November 17, 2011

Original And One Copy By Pouch Mail To:

Lydia A. Guy
Regional Hearing Clerk (3RC00)
U.S. EPA
1650 Arch Street
Philadelphia, PA 19103-2029

Copy By Pouch Mail And Facsimile To:

Andrew Duchovnay, Esquire
Assistant Regional Counsel (3RC20)
U.S. EPA
1650 Arch Street
Philadelphia, PA 19103-2029

Copy By Regular Mail And Facsimile To:

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9901 Lori Road, Suite 300
Chesterfield, VA 23832-0040