



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

**In the Matter of:** )  
 )  
**Portsmouth Boating Center, Inc.** ) **Docket No. CWA-03-2011-0099**  
 )  
**Respondent.** )

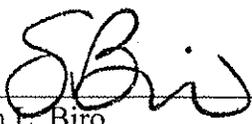
**ORDER ON JOINT MOTION FOR EXTENSION**

This action was initiated on March 23, 2011, when Complainant filed an Administrative Complaint and Opportunity to Request Hearing and Conference with the Office of the Regional Hearing Clerk. A Prehearing Order was issued in this matter on November 3, 2011, establishing a series of deadlines by which prehearing exchanges of information were to occur. On December 9, 2011, Complainant filed a Joint Motion requesting that the deadline for filing Complainant's Initial Prehearing Exchange, or in the alternative, a Consent Agreement and Final Order ("CAFO"), be extended by seven days. Complainant also requests that the deadline for filing Respondent's Prehearing Exchange be extended by seven days.

Complainant states that there is good cause to grant its request because on December 9, 2011, Complainant proffered a CAFO to Respondent with the expectation that the Regional Judicial Officer for EPA Region III would be available during the week of December 12 through 16, 2011. After proffering the CAFO, Complainant learned that the Regional Judicial Officer would only be available one day during that week, Tuesday December 13, 2011. Complainant argues that the requested extension is necessary to provide Respondent with reasonable time to review the CAFO, sign it, and deliver the signed original to Complainant for presentation to the Regional Judicial Officer. *See* 40 C.F.R. § 22.18(b). Complainant states that Respondent joins this Motion.

For good cause shown, the Joint Motion is hereby **GRANTED** in accordance with 40 C.F.R. § 22.7(b). Complainant's Initial Prehearing Exchange shall be filed no later than **December 23, 2011**, unless a fully-executed CAFO is filed on or before that date. Respondent's Prehearing Exchange shall be filed no later than **January 13, 2011**.

**So ordered.**

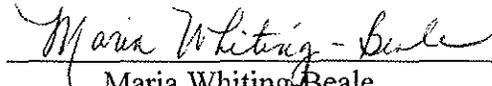
  
\_\_\_\_\_  
Susan E. Biro  
Chief Administrative Law Judge

Dated: December 12, 2011  
Washington, D.C.

In the Matter of Portsmouth Boating Center, Inc., Respondent  
Docket No. CWA-03-2011-0099

CERTIFICATE OF SERVICE

I certify that the foregoing **Order On Joint Motion For Extension**, dated December 12, 2011, was sent this day in the following manner to the addressees listed below:

  
\_\_\_\_\_  
Maria Whiting-Beale  
Staff Assistant

Dated: December 12, 2011

Original And One Copy By Regular Mail To:

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

Copy By Regular Mail and E-Mail To:

Suzanne M. Parent, Esquire  
Assistant Regional Counsel (3RC42)  
U.S. EPA  
1650 Arch Street  
Philadelphia, PA 19103-2029  
[parent.suzanne@epa.gov](mailto:parent.suzanne@epa.gov)

Daniel J. Van Orman, Esquire  
1028 Naval Avenue  
Portsmouth, VA 23704  
[danielvanorman@gmail.com](mailto:danielvanorman@gmail.com)