



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 90 DAY EXTENSION OF TIME
AND AMENDING PREHEARING ORDER**

This action was initiated on April 6, 2011, when Complainant filed an Administrative Penalty Complaint and Notice of Opportunity to Request Hearing with the Office of the Regional Hearing Clerk. A Prehearing Order was issued in this matter on June 6, 2011, establishing a series of deadlines by which prehearing exchanges of information were to occur. On July 7, 2011, Respondent filed an unopposed motion requesting that the prehearing deadlines be extended by eight weeks to provide the parties with additional time in which to discuss a settlement. The undersigned issued an order on July 11, 2011, granting the motion and extending the deadlines.

On or about October 17, 2011, Respondent filed a Motion for 90 Day Extension of Time (“Motion”). Respondent requests that the current prehearing deadlines be enlarged by 90 days. Respondent states that the parties have engaged in productive settlement negotiations and have reached an agreement in principle, but require additional time to finalize that agreement. Respondent states that a “settlement of this matter is very likely to be finalized within 90 days or less.” Motion at 1. Respondent indicates that Complainant agrees that the parties have reached an agreement in principle and supports the Motion.

For good cause shown, the unopposed Motion is hereby **GRANTED** in accordance with 40 C.F.R. § 22.7(b). The revised deadlines set forth herein:

- January 20, 2012 Respondent’s Prehearing Exchange
- February 3, 2012 Complainant’s Rebuttal Prehearing Exchange

So ordered.



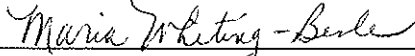
Susan E. Biro
Chief Administrative Law Judge

Dated: October 17, 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 90 Day Extension Of Time And Amending Prehearing Order**, dated October 17, 2011, was sent this day in the following manner to the addressees listed below:



Maria Whiting-Beale
Staff Assistant

Dated: October 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:

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

Copy By Regular Mail And Facsimile To:

Benjamin A. Thorp, Esquire
Assistant County Attorney
P.O. Box 90775
Henrico, VA 23273-0775