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BEFORE THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

In the Matter of:)	DOCKET NO. CWA-10-2005-0081
LANDSING DEVELOPMENT)	COMPLAINANT'S MOTION TO
GROUP, LLC)	CHANGE HEARING DATE
Boise, Idaho)	
Respondent.)	

Pursuant to 40 C.F.R. Section 22.16 of the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits," Complainant U.S. Environmental Protection Agency Region 10 ("EPA") moves for a change in the hearing date set forth in the Presiding Officer's Order dated December 7, 2005 ("Order").

As established in the Order, the hearing dates for the above-captioned case are March 13-16, 2006. On December 13, 2005, EPA's attorney was notified that, due to a scheduling conflict, Mr. Robert Grandinetti, one of EPA's principal witnesses would be unable to appear at the hearing as currently scheduled. See Declaration of Courtney Hamamoto at ¶ 4. EPA notified Landsing Development Group, LLC ("Landsing") of this scheduling conflict, and proposed two alternative hearing dates to Landsing: the week of April 17, 2006, and the week of April 24,

1 2006. *Id.* at ¶ 5. Landsing confirmed via electronic mail that it is available during these two
2 weeks. *Id.* at ¶ 6. Therefore, EPA respectfully requests the Presiding Officer to change the
3 hearing date and proposes that the hearing date be moved to either the week of April 17, 2006, or
4 the week of April 24, 2006, pursuant to the Presiding Officer's availability.

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6 DATED: December 28, 2006

Respectfully Submitted,

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9 _____
10 Courtney J. Hamamoto
11 Assistant Regional Counsel
12 U.S. EPA Region 10
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1 **CERTIFICATE OF SERVICE**

2 I certify that the foregoing "Complainant's Motion to Change Hearing Date" and
3 "Declaration of Courtney Hamamoto Supporting Complainant's Motion to Change Hearing
Date" was sent to the following persons, in the manner specified, on the date below:

4 Original plus one copy, by hand delivery:

5 Carol Kennedy
6 Regional Hearing Clerk
7 U.S. EPA Region 10
1200 Sixth Avenue, ORC-158
8 Seattle, WA 98101

9 A true and correct copy, by U.S. Mail:

10 Judge Carl C. Charneski
11 U.S. EPA
Office of Administrative Law Judges
12 Mail Code 1900L
Ariel Rios Building
13 1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

14 Bruce Hessing
15 Landsing Development Group, LLC
5800 South Cole Road
16 Boise, ID 83709

17 DATED: December 28, 2005

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19 Melissa Whitaker
20 U.S. EPA, Region 10
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