## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8 2010 JUN 24 PM 3: 54

IN THE MATTER OF:	)	MOTION FOR AN EXTENSION OF
	)	TIME TO FILE PREHEARING! VIII
Parry Farms, LLC	)	EXCHANGE HEARING.CLERK
1257 Margaret View Circle	)	
Riverton, Utah 84065-4017	)	
	)	Docket No. CWA-08-2010-0002
Respondent.	)	
	)	

Complainant United States Environmental Protection Agency, Region 8 (Complainant), by its undersigned attorney, hereby submits its Motion for an Extension of Time to File Prehearing Exchange. Pursuant to the Prehearing Order issued in this matter, Complainant's prehearing exchange is due July 16, 2010. Complainant respectfully requests an extension of time up to and through July 30, 2010, to allow for a complete and thorough compilation of relevant and responsive materials.

As grounds for its Motion, Complainant states:

- The Prehearing Order was received by Complainant on June 22, 2010.
- Complainant's technical representative will be out of the office from June 25, 2010, through July 2, 2010, on previously scheduled National Pollutant Discharge Elimination System (NPDES) inspections. During this time, he will be unavailable to assist in the preparation of Complainant's prehearing exchange.
- Counsel for Complainant will be out of the office from June 29, 2010, through July 5, 2010, on previously scheduled annual leave. During this time, she will be unavailable to assist in preparation of Complainant's prehearing exchange.
- 4. Complainant's technical representative will be out of the office on July 6 and 7, 2010, on previously scheduled annual leave. During this time, he will be unavailable to assist in preparation of Complainant's prehearing exchange.
- 5. From July 13, 2010, through July 15, 2010, both Counsel for Complainant and Complainant's technical representatives will be on travel for a previously scheduled mediation in another matter and will, therefore, be unable to prepare Complainant's prehearing exchange during this time.
- Complainant does not oppose a commensurate extension for preparation of Respondent's prehearing exchange.

7. Counsel for Complainant has conferred with Respondent who has authorized Counsel for Complainant to represent that he does not oppose this Request for an Extension to File Prehearing Exchange.

WHEREFORE, Complainant requests and extension of time up to and including July 30, 2010, to file its prehearing exchange.

Respectfully submitted,

Date: 6/24/10

By:

Wendy I. Silver Senior Attorney EPA Region 8

1595 Wynkoop Street Denver, CO 80202 303-312-6637 (phone) 303-312-6953 (fax)

Mendy & Shoc

## CERTIFICATE OF SERVICE

I certify that on the date noted below, I sent or delivered, as indicated below, a copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE PREHEARING EXCHANGE to each of the following:

One copy mailed by certified mail, return receipt requested, to:

Timothy R. Pack, Esq. Neilsen Neilsen Webber & Pack 1441 West Ute Boulevard, Suite 240 Park City, UT 84098

(	ertified	Mail No.		
	CHILLICA	Man INO.		

One copy by pouch mail to:

The Honorable Susan L. Biro Chief Administrative Law Judge Office of Administrative Law Judges U.S. Environmental Protection Agency Mail Code 1900L 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460

Original and one copy hand-delivered to:

Tina Artemis
Regional Hearing Clerk
U.S. Environmental Protection Agency (8RC)
1595 Wynkoop Street
Denver, CO 80202-1129

Date: 6/24/10 By: Judith M. Mullerman