

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

2013 MAR 22 AM 11:33

IN THE MATTER OF:)	Docket No. SDWA-08-2012-0025
)	
Mountain Village Parks, Inc.)	MOTION FOR EXTENSION OF TIME
Big Piney, WY)	TO FILE COMPLAINANT'S
PWS ID#WY5600221,)	SUPPLEMENTAL PENALTY
)	INFORMATION

FILED
EPA REGION VIII
RECORDS CLERK

COMES NOW, Amy Swanson, Enforcement Attorney for Complainant United States Environmental Protection Agency Region 8 (EPA), and moves on behalf of the Complainant for a one week extension of time to file Complainant's Supplemental Penalty Information. Pursuant to the Regional Judicial Officer's Order to Supplement the Record of May 11, 2013, the Complainant currently is ordered to file its supplemental penalty information on or before April 5, 2013. The Complainant requests this deadline be extended by one week to April 12, 2013, for good cause shown below.

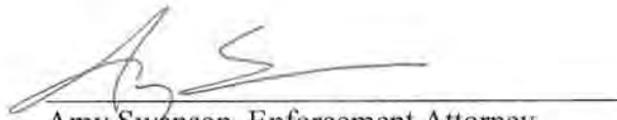
1. The undersigned attorney will be out of town the entire week of March 25, 2013.
2. Complainant's Supplemental Penalty Information requires coordination with multiple Regional and National EPA staff and managers to ensure that the information is responsive to the Regional Judicial Officer's Order and consistent with the methodologies used by other EPA Regions and Headquarters in calculating drinking water penalties. The Complainant plans to provide in its supplemental penalty information an alternative explanation of how the proposed penalty amount of \$5,000 is fair and reasonable taking into account solely the statutory factors set forth in section 1414(b) of the Safe Drinking Water Act, 42 U.S.C. § 300g-3(b), following the Environmental Appeals Board's interpretation of how the Agency and presiding officers may use the New Public Water System Supervision Program Settlement Penalty Policy in its Order Remanding to Presiding Officer in this matter dated February 26, 2013.

3. Respondent will not be unduly prejudiced by Complainant's request for a one week extension for Complainant to file supplemental penalty information. Respondent has not despite notice and instruction responded to or participated in any of the administrative proceedings in this matter as allowed by the Consolidate Rules of Practice Governing the Administrative Assessment of Civil Penalties, and the Revocation or Suspension of Permits. Respondent elected not to file an answer to the complaint, a response motion to Complainant's default motion, and/or an appeal of the Default Initial Decision and Order issued by the Regional Judicial Officer.

WHEREFORE, Complainant requests that the Regional Judicial Officer extend Complainant's deadline for filing supplemental penalty information until April 12, 2013.

Respectfully submitted this 22nd day of March, 2013.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8,**
Complainant.



Amy Swanson, Enforcement Attorney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 22, 2013, the original and one copy of the MOTION FOR EXTENSION OF TIME TO FILE COMPLAINANT'S SUPPLEMENTAL PENALTY INFORMATION were hand-carried to the Regional Hearing Clerk, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado, and that a true copy of the same was sent as follows:

Via hand-delivery to:

The Honorable Elyana R. Sutin
Regional Judicial Officer
U.S. EPA Region 8
1595 Wynkoop Street (8RC)
Denver, CO 80202-1129

Via electronic and regular mail to:

Diana Alexander, Registered Agent
Mountain Village Parks, Inc.
P.O. Box 1226
Big Piney, WY 83113

Dated: 3/22/2013

By:  _____