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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

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IN THE MATTER OF:

BP America Production Company,

Respondent.

Docket No. CWA-08-2014-0037

RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANT'S MOTION FOR PARTIAL ACCELERATED DECISION ON LIABILITY AND <u>REQUEST FOR EXPEDITED</u> <u>RULING</u>

Pursuant to 40 C.F.R. § 22.7(b), Respondent, BP America Production Company ("hereinafter "Respondent"), through its attorneys, Davis Graham & Stubbs LLP, hereby submits this Motion Requesting an Extension of Time to Respond to Complainant's Motion for Partial Accelerated Decision on Liability as follows:

<u>Unopposed Motion For Extension of Time to Respond to Complainant's Motion for Partial</u> <u>Accelerated Decision on Liability and Request for Expedited Ruling</u>

Undersigned counsel has conferred with EPA's counsel regarding the relief sought by this motion. EPA's counsel indicated that EPA does not object to the relief sought herein provided that BP does not object to a reasonable extension of time for EPA to supplement its initial disclosures, if necessary, based on BP's response.

The United States Environmental Protection Agency ("EPA"), Region 8 served, via U.S. mail, a Motion for Partial Accelerated Decision on Liability on December 22, 2014. Respondent's response is currently due on January 12, 2015. Due to the intervening holidays and the complexity of the issues raised by the Motion, Respondent and undersigned counsel have not had a sufficient opportunity to prepare a response. Accordingly, Respondent respectfully requests a two-week extension of time through January 26, 2015 to file its response. This reasonable extension of time will not prejudice Complainant because this proceeding is at an early stage, disclosures have not yet been exchanged, and a hearing date has not been set.

WHEREFORE, for the reasons stated above, Respondent respectfully requests that its request for a two-week extension of time be GRANTED.

Dated: January 7, 2015

/s/ Nicole M. Abbott

Andrea Wang Nicole M. Abbott DAVIS GRAHAM & STUBBS LLP 1550 17th Street, Suite 500 Denver, CO 80202 Telephone: 303.892.9400 Facsimile: 303.893.1379 Email: <u>andrea.wang@dgslaw.com</u> <u>nicole.abbott@dgslaw.com</u> Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2015, one true and correct copy of the foregoing UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANT'S MOTION FOR PARTIAL ACCELERATED DECISION ON LIABLITY AND <u>REQUEST FOR EXPEDITED RULING</u> was served on the following via the EPA E-Filing System:

Sybil Anderson, Headquarters Hearing Clerk Office of Administrative Law Judges U.S. Environmental Protection Agency Ronald Reagan Building, Room M1200 1300 Pennsylvania Avenue, NW Washington, D.C. 20004

I further hereby certify that on this 7th day of January, 2015, one true and correct copy of the foregoing UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINANT'S MOTION FOR PARTIAL ACCELERATED DECISION ON LIABLITY AND <u>REQUEST FOR EXPEDITED RULING</u> was served on the following by electronic mail and Federal Express overnight service:

Margaret J. (Peggy) Livingston Enforcement Attorney Office of Enforcement, Compliance and Environmental Justice U.S. Environmental Protection Agency (8ENF-L) 1595 Wynkoop Street Denver, CO 80202-1129

/s/ Tamara A. Stires

Tamara A. Stires