

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8  
DOCKET NO.: SDWA-08-2011-0079

2012 DEC 13 AM 8:24

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF: )  
 )  
Maralex Disposal, LLC )  
 )  
 )  
Respondent. )  
\_\_\_\_\_ )

Proceeding under Section 1423  
of the Safe Drinking Water Act,  
42 U.S.C. § 300h-2

**ORDER**

On November 15, 2012, Complainant filed a Motion to Conform the Transcript pursuant to 40 C.F.R. § 22.25 of the Consolidated Rules of Practice. Complainant requests that the transcript conform to the actual testimony presented at the hearing. Complainant attached a table listing, by page and line, the corrections necessary to conform the transcript.

Pursuant to 40 C.F.R. § 22.16(b) of the Consolidated Rules of Practice, Respondent had 15 days to file a response after service of the motion. Assuming Respondent received the motion within 5 days of it being filed, or November 20, 2012, a response to the motion was due on or before December 6, 2012. No such response has been filed. Therefore, it is appropriate to rule on Complainant's motion at this time.

After reading the transcript and reviewing the corrections submitted by Complainant in its table, I GRANT the Motion.

It is so ORDERED this 13<sup>th</sup> day of December, 2012.



Elyana R. Sutin  
Regional Judicial Officer  
Region 8

## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER** in the matter of **MARALEX DISPOSAL, LLC., DOCKET NO.: SDWA-08-2011-0079** was filed with the Regional Hearing Clerk on December 13, 2012.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to, Amy Swanson, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested and e-mailed on December 13, 2012, to:

William E. Zimsky, Esq.  
Abadie Schill  
1099 Main Street, Suite 315  
Durango, CO 81301

E-mailed to:

Honorable Elyana R. Sutin  
Regional Judicial Officer  
U. S. Environmental Protection Agency  
1595 Wynkoop Street (8RC)  
Denver, CO 80202

December 13, 2012



Tina Artemis  
Paralegal/Regional Hearing Clerk

