

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2012 OCT 15 AM 10:26

EPA REGION 8

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

Docket No. SDWA-8-2011-0079

SUPPLEMENTAL STIPULATIONS OF EXHIBITS

Pursuant to the Pretrial Conference Call on October 1, 2012, wherein the Regional Judicial Officer Elyana R. Sutin directed the parties to file any additional exhibits on or before October 5, 2012, the parties hereby stipulate to the following exhibits in addition to those facts, exhibits and testimony previously stipulated to on August 20, 2012:

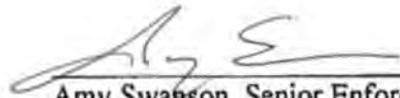
EXHIBITS

1. Complainant's Exhibit 7, Nathan Wiser's updated Curriculum Vitae (2nd revision).
2. Complainant's Exhibit 2, A2, Enlargement of Permit No. CO21011-06908, Dara Ferguson WD#1 Injection Schematic (for use as a demonstrative exhibit).
3. Complainant's Exhibit 24, Ground Water Based Public Drinking Water Wells in Vicinity of Maralex Dara Ferguson #1 SWD Well (for use as a demonstrative exhibit);
4. Complainant's Exhibit 25, Statement of Basis, Maralex Disposal, LLC., Dara Ferguson Injection Well No. 1, La Plata County, CO, EPA Permit No. CO21011-06908;
5. Complainant's Exhibit 26, EPA Ground Water Section Guidance No. 35;
6. Respondent's Exhibit, 18 inch long piece of 3.5 inch tubing (outside diameter) and a 12 inch long piece of 7 inch casing (for use as a demonstrative exhibit).
7. Respondent's Exhibit, Maralex Injection Well Dara Ferguson Inj. #1 Cut Out (for use as a demonstrative exhibit).

8. Respondent's Exhibit, Dara Ferguson Injection Well #1 Cut Out (for use as a demonstrative exhibit).

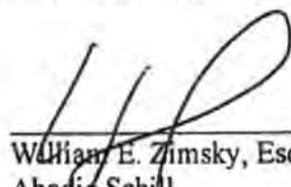
These exhibits, in addition to those include in the previous stipulations, will be renumbered in Stipulation Notebooks to be provided to the court and opposing counsel prior to the administrative hearing in this matter commencing on October 10, 2012. The undersigned submit that the foregoing stipulations of exhibits portray that which they describe in an accurate and truthful manner, and are relevant and admissible as evidence at the hearing in this matter.

FOR COMPLAINANT:
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, REGION 8



Amy Swanson, Senior Enforcement Attorney
Legal Enforcement Program
EPA Region 8
1595 Wynkoop Street (8ENF-L)
Denver, Colorado 80202-1129

FOR RESPONDENT:
MARALEX DISPOSAL, LLC



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

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October ¹⁴~~5~~, 2012, the original and one true copy of the SUPPLEMENTAL STIPULATIONS OF EXHIBITS 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 (8RC)
1595 Wynkoop Street
Denver, CO 80202-1129

Via electronic and regular mail to:

Mr. William E. Zimsky, Esq.
Abadie Schill
1099 Main Street, Suite 315
Durango, CO 81301
wez@oilgaslaw.net

Date: 10/14/2012

By: 