

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE ADMINISTRATOR

2010 NOV 18 AM 8:46

Docket No. CAA-08-2010-0020

FILED  
EPA REGION VIII  
HEARING OFFICE

IN THE MATTER OF

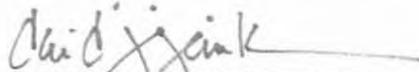
Encana Oil & Gas (USA) Inc.

MOTION TO WITHDRAW  
ATTACHMENT TO COMPLAINT AND  
CONSENT AGREEMENT

Respondent.

Complainant, United States Environmental Protection Agency, Region 8, by its undersigned attorney, hereby moves to withdraw the "Determination of the Gravity Component" document that was attached to the settlement document filed in this matter, so that it is no longer part of the case and/or final order. The Parties intend that the settlement and final order otherwise remain the same. This motion is authorized by the Rules of Practice. 40 CFR § 22.4. Counsel for the parties did not intend that the document be included in the filing. Counsel for Complainant apologizes for this inconvenience, and counsel for Respondent agrees with this motion.

Respectfully Submitted this 18<sup>th</sup> day of February, 2010



David J. Janik, Counsel for Complainant.  
Legal Enforcement Program  
EPA Region 8

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that the original and one true copy of the Motion to Withdraw Attachment to the Complaint and Consent Agreement, was hand-carried to the Regional Hearing Clerk, EPA Region 8, Denver, Colorado, and that a true copy of the same was sent via first class U.S. mail, to:

Matthew H. Baskind  
Counsel for Respondent  
Encana Oil & Gas (USA) Inc.  
370 17th Street, Suite 1700  
Denver, CO 80202

Date: 11/18/2010

By: Judith M. McTernan