## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

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IN THE MATTER OF	)	Docket No. CWA-08-2014-0018/G CLERK
	ć	200 Ret 110. C 1111 00 2011 0010
Robert Gregg Sease	j	COMPLAINANT'S
	)	MOTION TO AMEND
Respondent.	)	CONSENT AGREEMENT
	)	
	)	

The United States Environmental Protection Agency, Region 8 (EPA or Complainant) requests approval of the accompanying Addendum to Consent Agreement which amends the penalty installment dates found in paragraph 35(a) of the Consent Agreement entered into between the EPA and Robert Gregg Sease on March 27, 2014, and approved by the Regional Judicial Officer in the Final Order issued on May 13, 2014. This Motion and the Addendum to Consent Agreement have been concurred upon by counsel for Mr. Sease, Roger Cohen. All other terms and conditions of the Consent Agreement remain unchanged and in full effect.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 8

Complainant

James H. Eppers

Supervisory Attorney

Legal Enforcement Program

Office of Enforcement, Compliance

and Environmental Justice

U.S EPA Region 8

1595 Wynkoop Street

Denver, Colorado 80202

Telephone Number: (303) 312-6893 Facsimile Number: (303) 312-7202

## Certificate of Service

The undersigned certifies that on the date indicated below, this Complainant's Motion to Amend Consent Agreement was distributed as follows:

One copy to via U.S. mail to:

Roger C. Cohen Snell & Wilmer L.L.P. 1200 Seventeenth Street, Suite 1900 Denver, CO 80202-5854

Original and one copy hand delivered to:

Tina Artemis Regional Hearing Clerk U.S. EPA Region 8 1595 Wynkoop Street Denver, CO 80202

One copy hand delivered to:

Hon. Elyana R. Sutin Regional Judicial Officer U.S. EPA Region 8 1595 Wynkoop Street Denver, CO 80202

Dated:

Layle Aldinger

## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8 2014 DEC 18 PM 1: 48

IN THE MATTER OF	)	Docket No. CWA-08-2014-0018.
Robert Gregg Sease	}	ADDENDUM TO UF A PUNC OF FRE
Respondent.	)	CONSENT AGREEMENT

The United States Environmental Protection Agency (EPA), with the concurrence of Roger Cohen, counsel for Robert Gregg Sease (Respondent), requests that the Regional Judicial Officer approve the following amendment to paragraph 35(a) of the Consent Agreement entered into between the EPA and Respondent on March 27, 2014, and approved by the Regional Judicial Officer in the Final Order issued on May 13, 2014. The amendment only changes two of the three dates of when installments of the penalty are due. The amended paragraph 35(a) of the Consent Agreement shall now read:

- "35. Respondent consents and agrees to pay a civil penalty in the amount of \$100,000 in the manner described below:
  - a. The payment of the civil penalty shall be made in three installments. Payment of \$50,000 is due on or before December 29, 2014; \$25,000 is due on or before January 16, 2015; and final payment of \$25,000 is due on or before March 31, 2015. If the due date falls on a weekend or legal federal holiday, then the due date becomes the next business day. The date the payment is made is considered to be the date processed by US Bank described below. Payments received by 11:00 A.M. EST are processed on the same day, those received after 11:00 A.M. are processed on the next business day."

All other terms and conditions of the Consent Agreement remain unchanged and in full effect.

Respectfully submitted this  $18^{th}$  day of December, 2014.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 8

Complainant

-James H. Eppers

Supervisory Attorney

Legal Enforcement Program

Office of Enforcement, Compliance

and Environmental Justice

U.S EPA Region 8

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Denver, Colorado 80202

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Dated: DEC 1 8 2014

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