

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION VIII**

2008 JUN -9 PM 3:00

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF: )  
)  
THREE AFFILIATED TRIBES ) Docket No. RCRA-08-2008-0003  
And Dave Williams, individually, )  
)  
(West Dakota Service )  
211 Main Street )  
New Town, ND 58775 )  
EPA ID Number 3010011) )  
)  
Respondents )

**MOTION FOR EXTENSION OF TIME FOR FILING  
OF PREHEARING EXCHANGE**

COMES NOW, the Respondents Three Affiliated Tribes (TAT) and Dave Williams, Individually, by and through its undersigned counsel respectfully requests an extension for filing of its pre-hearing exchange under this Court's Order dated March 28, 2008.

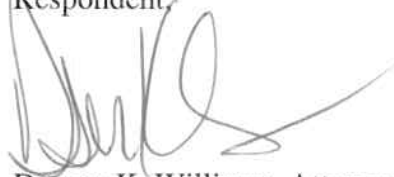
In support of its request, Respondent's state and allege the following:

1. The parties have been actively engaged in settlement negotiations and have agreed to a settlement in principle.
2. Unforeseen technical issues have arisen that have delayed finalizing the consent agreement between the parties.

The Respondents hereby respectfully request an extension of thirty (30) days to file with the Court the required prehearing exchange.

Respectfully submitted this 6<sup>th</sup> day of June 2008.

THREE AFFILIATED TRIBES  
Respondent,

A handwritten signature in black ink, appearing to read 'Damon K. Williams', written over the word 'Respondent'.

Damon K. Williams, Attorney  
Three Affiliated Tribes  
404 Frontage Road  
New Town, ND 58763  
Kansas Supreme Court No: 20943  
Telephone 701-627-8262  
Facsimile: 701-627-3626

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the MOTION FOR EXTENSION OF TIME FOR FILING OF PREHEARING EXCHANGE, dated June 6, 2008 were sent in the following manner to the addresses listed below.



Damon K. Williams, Esquire  
Attorney for Respondent  
Three Affiliated Tribes  
404 Frontage Road  
New Town, ND 58763  
Kansas Supreme Court No: 20943  
Telephone 701-627-8262  
Facsimile: 701-627-3626

Original and One Copy (by facsimile) to:

The Honorable Susan L. Biro, Chief Administrative Judge  
Office of Administrative Law Judges (Mail Code 1900L)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460  
Facsimile (202) 565-0044

Tina Artemis  
Regional Hearing Clerk  
U.S. EPA  
1595 Wynkoop Street  
Denver, CO 80202-1129  
Facsimile (303) 312-6765

Copy by Regular Mail and Facsimile

Amy Swanson, Esquire  
Enforcement Counsel (8ENV-L)  
US EPA  
1595 Wynkoop Street  
Denver, CO 80202-1129  
Facsimile (303) 312-6953

Three Affiliated Tribes  
Mandan, Hidatsa, and Arikara Nation  
LEGAL DEPARTMENT

Tribal Administration Building  
404 Frontage Road  
New Town, North Dakota 58763

Tel.: (701) 627-4781  
Fax: (701) 627-3626  
E-mail: tatlegal@mhanation.com

Date June 6, 2008

**TO:** Honorable Susan L. Biro, Chief Admn. Judge  
Name \_\_\_\_\_

Dept. Office of Admin. Law Judge

Fax Number# 202 565-0044

City, State Washington, DC 20460

Telephone \_\_\_\_\_

**Three Affiliated Tribes Legal Department**

**From:**

- Damon K. Williams
- Danile J.W. Henry
- Jennifer Fyten
- Phyliss Wells
- Tyra Wilkinson

Fax No # (701) 627- 3626

Telephone (701) 627-4781

City, State: New Town, North Dakota 58763

Number of pages 13 pages

Remarks \_\_\_\_\_

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION VIII

2008 JUN -6 PM 2:43

FILED  
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HEARING CLERK

IN THE MATTER OF: )  
)  
THREE AFFILIATED TRIBES )  
And Dave Williams, individually, )  
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(West Dakota Service )  
211 Main Street )  
New Town, ND 58775 )  
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) Docket No. RCRA-08-2008-0003

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2. Unforeseen technical issues have arisen that have delayed finalizing the consent agreement between the parties.

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Respectfully submitted this 6<sup>th</sup> day of June 2008.

THREE AFFILIATED TRIBES  
Respondent.



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New Town, ND 58763  
Kansas Supreme Court No: 20943  
Telephone 701-627-8262  
Facsimile: 701-627-3626

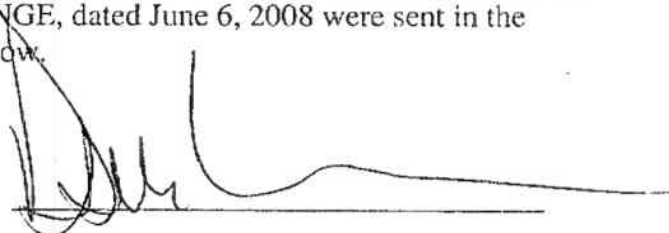
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Amy Swanson, Esquire  
Enforcement Counsel (8ENV-L)  
US EPA  
1595 Wynkoop Street  
Denver, CO 80202-1129  
Facsimile (303) 312-6953



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Three Affiliated Tribes  
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LEGAL DEPARTMENT

2008 JUN -6 PM 2:43

Tribal Administration Building  
404 Frontage Road  
New Town, North Dakota 58763

EPA REGIONAL HEARING  
Tel.: (701) 627-4781  
Fax: (701) 627-3626  
E-mail: tatlegal@mhanation.com

Date June 6, 2008

**TO:**

Name Tina Artemis, Regional Hearing Clerk

Dept. US EPA

Fax Number# 303 312-5765 4857

City, State Denver, CO

Telephone \_\_\_\_\_

**Three Affiliated Tribes Legal Department**

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