

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

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FILED  
EPA REGION VIII  
CLERK

IN THE MATTER OF )  
)  
)  
)  
Gilco Transportation, Inc. )  
23899 Highway 6 )  
Rifle, CO 81650-8909 )  
)  
Respondent. )

**RESPONDENT'S UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

(Proceeding to Assess Class II Civil Penalty Under Section 311 of the Clean Water Act)

**Docket No.: CWA-08-2013-0001**

Gilco Transportation, Inc. (hereinafter "Respondent"), through its attorneys, Davis Graham & Stubbs LLP, hereby submits this Unopposed Second Motion for Extension of Time to Respond to Complaint pursuant to 40 C.F.R. § 22.16 as follows:

**Unopposed Second Motion for Extension of Time to Respond to Complaint**

The United States Environmental Protection Agency ("EPA") Region 8 served a Complaint on Respondent on October 4, 2012. Respondent's Answer is currently due on Monday, November 26, 2012. The parties are actively engaged in settlement discussions, and Respondent expects to receive a draft settlement agreement shortly. Accordingly, Respondent requests an extension of time until December 21, 2012 to respond to the Complaint. Counsel for Respondent has consulted with Brenda Morris, Enforcement Attorney for EPA Region 8, who advises that she does not oppose the relief requested in this motion.

WHEREFORE, for the reasons stated above, Respondent respectfully requests an extension of time until December 21, 2012 to respond to the Complaint.

RESPECTFULLY SUBMITTED this 26th day of November, 2012.

DAVIS GRAHAM & STUBBS LLP



Laura J. Riese, #18935  
Nicole M. Abbott, #35897  
Davis Graham & Stubbs LLP  
1550 17<sup>th</sup> Street, Suite 500  
Denver, Colorado 80202  
(303) 892-7454

*Attorneys for Gilco Transportation, Inc.*

## CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of November, 2012, an original and one true and correct copy of the foregoing **UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT** were served on the following by hand delivery:

Tina Artemis  
Regional Hearing Clerk  
U.S. Environmental Protection Agency (8RC)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

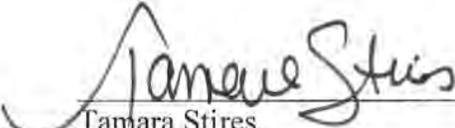
I further hereby certify that on this 26th day of November, 2012, one true and correct copy of the foregoing **UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT** was served on each of the following by hand delivery:

Brenda Morris  
Legal Enforcement Program  
U.S. Environmental Protection Agency, Region 8 (8ENF-L)  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

Andrew M. Gaydosh  
Assistant Regional Administrator  
Office of Enforcement, Compliance, and Environmental Justice  
Region 8  
U.S. Environmental Protection Agency  
1595 Wynkoop Street  
Denver, Colorado 80202

I further hereby certify that on this 26th day of November, 2012, one true and correct copy of the foregoing **UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT** was served on each of the following by Regular Mail:

Keith Gilstrap and Cliff Archambo  
Gilco Transportation, Inc.  
23899 Highway 6  
Rifle, Colorado 81650-8909

  
Tamara Stires

**UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

<b>IN THE MATTER OF</b>	)	<b>Order on Respondent's Unopposed Second</b>
	)	<b>Motion for Extension of Time to Respond</b>
	)	<b>to Complaint</b>
Gilco Transportation, Inc.	)	
23899 Highway 6	)	(Proceeding to Assess Class II Civil Penalty
Rifle, CO 81650-8909	)	Under Section 311 of the Clean Water Act)
	)	
Respondent.	)	<b>Docket No.: CWA-08-2013-0001</b>

Respondent, Gilco Transportation, Inc., filed an Unopposed Second Motion for Extension of Time to Respond to Complaint to allow time for the parties to complete active settlement discussions. Respondent's Motion for Extension of Time to Respond to the Complaint is GRANTED. Respondent's Answer is due on December 21, 2012.

SO ORDERED on this \_\_\_\_ day of \_\_\_\_\_, 2012.

By: \_\_\_\_\_  
Presiding Officer