

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2011 OCT 11 PM 3:37

IN THE MATTER OF:)
)
Holcim (US), Inc.)
3500 Highway 120)
Florence, CO 81226)
Respondent.)
_____)

UNOPPOSED MOTION FOR
EXTENSION OF TIME TO ANSWER
AND REQUEST HEARING
Proceeding to Assess Class II
Administrative Penalty Under
Clean Water Act, Section 309(g)
Docket No. CWA-08-2011-0035

Pursuant to 40 C.F.R. § 22.7(b), Respondent, Holcim (US), Inc. ("Holcim"), hereby requests a 60-day extension of time, until December 28, 2011, to file its Answer and Request for Hearing to the Administrative Complaint served by United States Environmental Protection Agency ("EPA") Region 8 on September 28, 2011, in the above-referenced matter. This extension of time will facilitate settlement discussions between the parties (which are being scheduled for the week of October 24th), enable Holcim the time needed to review the relevant facts and documents, and promote fruitful settlement negotiations. Counsel for Complainant, Wendy Silver, has been consulted and has indicated that she does not oppose this request.

A proposed Order has been provided.

Dated: October 11, 2011.

Respectfully submitted,



Paul D. Phillips (#8433)
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ATTORNEYS FOR HOLCIM (US), INC.

CERTIFICATE OF SERVICE

I certify that on the 11th day of October, 2011, the original and one copy of the foregoing MOTION FOR EXTENSION OF TIME TO ANSWER AND REQUEST HEARING was hand delivered to:

Elyana Sutin
Regional Judicial Officer
U.S. EPA, Region 8
1595 Wynkoop Street
Mail Code: 8RC
Denver, CO 80202-1129

I further certify that on the 11th day of October, 2011, a true and correct copy of the foregoing MOTION FOR EXTENSION OF TIME TO ANSWER AND REQUEST HEARING was served via United States Mail, First Class, postage prepaid, to the following:

Wendy Silver
Senior Attorney
U.S. EPA, Region 8
1595 Wynkoop Street
Mail Code: 8ENF-L
Denver, CO 80202-1129

A handwritten signature in cursive script, reading "Debra C. Lewis", written over a horizontal line.

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Holcim (US), Inc.
3500 Highway 120
Florence, CO 81226

Respondent.

) [Proposed] ORDER

)
)
) Proceeding to Assess Class II
) Administrative Penalty Under
) Clean Water Act, Section 309(g)

) Docket No. CWA-08-2011-0035

FILED
EPA REGION VIII
HEARING ROOM

On October 11, 2011, Holcim (US), Inc. ("Holcim") filed an Unopposed Motion for Extension of Time to Answer and Request Hearing in connection with the Administrative Complaint served by the U.S. Environmental Protection Agency ("EPA") Region 8 on September 28, 2011. Holcim's Motion is hereby granted. Holcim shall file its Answer on or before December 28, 2011.

Dated this _____ day of October, 2011.
