

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8
DOCKET NO.: SDWA-08-2011-0079

2012 FEB 29 AM 9:05

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:)
)
Maralex Disposal, LLC)
)
)
)
)
Respondent.)
)

Proceeding under Section 1423
of the Safe Drinking Water Act,
42 U.S.C. § 300h-2


**ORDER ON MOTION TO REMOVE AND
REPLACE TWO PRE-HEARING EXCHANGE
EXHIBITS**

On February 24, 2012, Complainant filed a Motion to Remove and Replace Two Pre-Hearing Exchange Exhibits. The Motion states that Complainant's Exhibits 6 and 7 are resumes for two witnesses that contain personal, private information. Complainant filed its Prehearing Exchange on February 15, 2012, with the Regional Hearing Clerk, and inadvertently included the original Exhibits 6 and 7 with the personal information.

Complainant requests that the original exhibits be removed and replaced with the new resumes attached to the Motion. Complainant states in its Motion that Counsel for Respondent was made aware of the situation. Counsel for Respondent does not oppose this Motion and has agreed to shred the original exhibits. The new Exhibits 6 and 7 do not contain the personal information and will become part of Complainant's Prehearing Exchange. The entire Prehearing Exchange will be posted on EPA's public website.

Accordingly, Complainant's Motion to Remove and Replace Two Pre-Hearing Exchange Exhibits is **GRANTED**.

It is so ORDERED this 29th day of February, 2012.


Elyana R. Sutin
Regional Judicial Officer
Region 8

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached, **ORDER ON MOTION TO REMOVE AND REPLACE TWO PRE-HEARING EXCHANGE EXHIBITS** in the matter of **MARALEX DISPOSAL, LLC.; DOCKET NO.: SDWA-08-2011-0079** was filed with the Regional Hearing Clerk on February 29, 2012.

Further, the undersigned certifies that a true and correct copy of the documents were delivered to, James H. Eppers, Senior Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested and e-mail on February 29, 2012 to:

William E. Zimsky (#25318)
Abadie, Schill
1099 Main Avenue, Suite 315
Durango, CO 81301
E-mail: oilgaslaw.net

E-mailed to:

Honorable Elyana R. Sutin
Regional Judicial Officer
U. S. EPA Region 8 (8RC)
1595 Wynkoop Street
Denver, CO 80202-2466

February 29, 2012



Tina Artemis
Paralegal/Regional Hearing Clerk

