

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2012 NOV 20 AM 8:50

IN THE MATTER OF:

Maralex Disposal, LLC,

Respondent.

)  
)  
)  
)  
)  
)

Docket No. SDWA-08-2011-0079

**JOINT MOTION FOR EXTENSION OF  
TIME TO FILE POST-HEARING BRIEF**

FILED  
EPA REGION VIII  
HEARING CLERK

COMES NOW, Amy Swanson, Enforcement Attorney for Complainant United States Environmental Protection Agency, Region 8, and William Zimsky of Abadie & Schill, Attorney for Respondent Maralex Disposal, LLC, and move jointly on behalf of the Complainant and the Respondent for a two week extension of time to file the parties' post-hearing briefs in the above-referenced matter. Pursuant to the Briefing Schedule issued by the Regional Judicial Officer on October 30, 2012, the parties have until November 30, 2012 to file a post-hearing brief setting forth proposed findings of fact, conclusions of law and a proposed order. The parties respectively request an extension to file the briefs until the end of business on December 14, 2012. The parties offer the following in support of their joint motion:

1. The hearing transcript integral to writing the post-hearing brief was transmitted on October 29, 2012. Absent the requested extension, the parties would only have 30 calendar days including weekends to prepare and submit the post-hearing briefs using the transcript.
2. The Veterans Day and Thanksgiving Holidays further reduce the number of working days to prepare the briefs.
3. Respondent's counsel currently has a brief due in a different tribunal in a different matter on November 30, 2012.
4. The briefs are being written for both parties by an individual attorney as opposed to a legal team.
5. This joint motion does not unduly prejudice either party.

WHEREFORE, the parties jointly request a two-week extension of time for filing post-hearing briefs in this matter until and through December 14, 2012

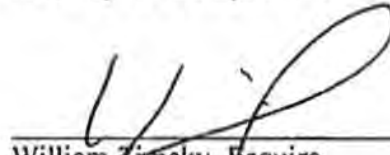
Respectfully submitted,

Date: 11-20-12



Amy Swanson,  
Enforcement Attorney  
U.S. EPA, Region 8  
1595 Wynkoop Street (8ENF-L)  
Denver, CO 80202-1129  
Telephone: (303) 312-6906  
Facsimile: (303) 312-6953  
Attorney for Complainant

Date: 11-19-12



William Zimsky, Esquire  
Abadie & Schill, PC  
1099 Main Avenue, Suite 315  
Durango, CO 81301  
Telephone: (970) 385-4401  
Email: wez@durangolaw.biz  
Attorney for Respondent Maralex Disposal, LLC

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the original and one copy of the JOINT MOTION FOR EXTENSION OF TIME TO FILE POST-HEARING BRIEF were hand-carried to the Regional Hearing Clerk, EPA Region 8, 1595 Wynkoop Street, Denver, Colorado, and that a true copy of the same was sent as follows:

Via hand-delivery to:

The Honorable Elyana R. Sutin  
Regional Judicial Officer  
U.S. EPA Region 8  
1595 Wynkoop Street (8RC)  
Denver, CO 80202-1129

Via electronic and regular mail to:

Willaim E. Zimsky, Esq.  
Abadie Schill  
1099 Main Street, Suite 315  
Durango, CO 81301  
wez@oilgaslaw.net

Dated: 11-20-12

By:  \_\_\_\_\_