

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6

FILED  
2011 JAN 20 AM 1:35  
REGIONAL HEARING CLERK  
EPA REGION VI

In the Matter of

Enerco Operating Corp.  
Respondent

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DOCKET NO. CWA-06-2010-1901

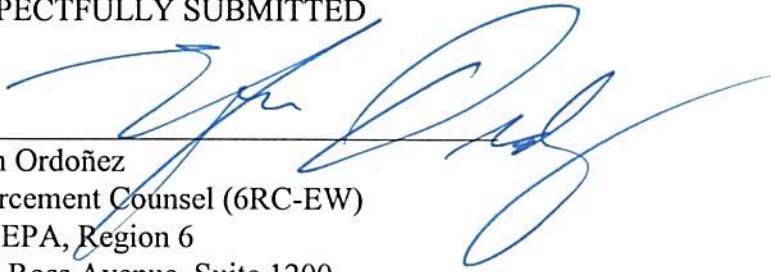
**COMPLAINANT'S MOTION FOR POSTPONEMENT  
OF SCHEDULING ORDER DEADLINES**

COMES NOW COMPLAINANT, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency (EPA), Region 6, by and through his attorney, and provides this Motion for Postponement of Scheduling Order Deadlines regarding the "NOTICE OF ASSIGNMENT AND INITIAL SCHEDULING ORDER" issued by the Regional Judicial Officer, Michael Barra, on December 2, 2010 that required the Parties to comply with specified deadlines. The Parties have complied as ordered with the requirements due by the date of this Motion. Specifically, the parties have engaged in negotiations, and Complainant has filed a Status Report. However, for the reasons specified below, Complainant requests a forty-five (45) extension of all deadlines starting with the date of the prehearing exchange deadline for the following reasons:

1. The Parties are actively negotiating regarding the alleged violations and are exchanging documents in an attempt to reach a settlement. Additional time is needed to fully discuss the facts of the case and to review documents being exchanged by the Parties. After the proposed 45 day extension, Complaint believes that the Parties will be in a better position to determine if a settlement is possible.
2. This Motion has been discussed with Respondent's attorney, and Respondent concurs

with the 45 day extension request.

RESPECTFULLY SUBMITTED



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Efred Ordoñez  
Enforcement Counsel (6RC-EW)  
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Dallas, Texas 75202-2733  
Tel.: (214) 665-2181

CERTIFICATE OF SERVICE

I certify that the original of the foregoing COMPLAINANT'S MOTION FOR POSTPONEMENT OF SCHEDULING ORDER DEADLINES was hand-delivered to and filed with the Regional Hearing Clerk, U.S. Environmental Protection Agency, Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, and true and correct copies were sent to the following on this the 19<sup>th</sup> of January, 2011 in the following manner:

VIA FIRST CLASS U.S. MAIL:

John F. Peiserich  
Perkins & Trotter, P.L.L.C.  
P.O. Box 251618  
Little Rock, Arkansas 72225-1618

