

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7  
901 NORTH 5<sup>TH</sup> STREET  
KANSAS CITY, KANSAS 66101

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IN THE MATTER OF: ) )  
Collis, Inc. ) )  
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 ) )  
EPA ID Number IAD047303771 ) )  
 ) )  
Respondent ) )  
 ) )  
Proceeding under Section 3008(a) and (g) of ) )  
the Resource Conservation and Recovery Act ) )  
as amended, 42 U.S.C. § 6928(a) and (g). ) )  
\_\_\_\_\_ ) )

UNOPPOSED MOTION FOR  
EXTENSION OF TIME FOR  
RESPONDENT'S  
PREHEARING EXCHANGE

Docket No. RCRA-07-2012-0014

NOW COMES Collis, Inc. ("Respondent"), by and through its undersigned counsel, and hereby files its unopposed Motion in the above-captioned action, and states as follows:

Based upon a settlement agreement in principle between the parties, Respondent brings this Motion for Extension of Time pursuant to 40 C.F.R. §§ 22.16 and 22.17 seeking an extension of time for Respondent to file its prehearing exchange until February 28, 2013. Complainant does not oppose this Motion as the Parties have reached an agreement to fully and finally settle the matters alleged in the Complaint.

All substantive provisions of the Consent Agreement and Final Order (CAFO) to confirm the Parties' settlement have been negotiated and agreed to by the Parties. The CAFO includes and incorporates, as Appendices, Supplemental Environmental Project (SEP) Work Plans and a

Sampling Work Plan (collectively "Work Plans"). The scope of the Work Plans has been agreed to by the Parties, but the documentation of the Work Plans has not been finalized by the Respondent nor approved by the Complainant.

Therefore, Respondent proposes the deadline to file its prehearing exchange be extended until February 28, 2013, and all subsequent pre-hearing deadlines would be similarly extended. This extension provides time for finalizing the documentation of the Work Plans and an appropriate amount of time for internal EPA review and approval, followed by the submittal of the full CAFO. If for some unforeseen circumstance the Parties do not agree on finalized Work Plans and do not submit a CAFO on or before February 28, 2013, then Respondent shall file its prehearing exchange by that date.

For the reasons stated above and good cause having been shown, Respondent hereby respectfully requests that this unopposed Motion for an Extension of its deadline to file its prehearing exchange until February 28, 2013 be granted, together with such further and other relief as may be warranted under the circumstances.

Respectfully submitted,

BARNES & THORNBURG LLP  
Attorneys for Respondent Collis, Inc.

Date: December 6, 2012

By: 

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Docket No. RCRA-07-2012-0014

**CERTIFICATE OF SERVICE**

Documents Served: ***Respondent's Unopposed Motion for Extension of Time  
for Respondent's PreHearing Exchange***

Person served: *Sybil Anderson  
Headquarters Hearing Clerk  
Office of the Hearing Clerk  
U.S. Environmental Protection Agency  
Office of the Administrative Law Judges  
1099 – 14<sup>th</sup> Street, N.W.  
Suite 350, Franklin Court  
Washington, D.C. 20005*

*The Honorable Susan L. Biro  
Chief Administrative Law Judge  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges  
1099 – 14<sup>th</sup> Street, N.W.  
Suite 350, Franklin Court  
Washington, D.C. 20005*

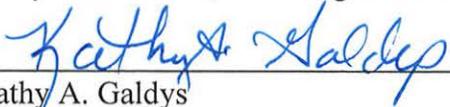
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The undersigned certifies that a copy of the document listed above was served upon the parties listed above at the referenced addresses by overnight mail, Federal Express, with postage prepaid, on the date indicated below. This document was also served today by e-mail upon the Office of Administrative Law Judges by sending a copy to [oaaljfilng@epa.gov](mailto:oaaljfilng@epa.gov).

Date of Service: December 6, 2012

I declare that the statement above is true to the best of my information, knowledge and belief.

  
\_\_\_\_\_  
Kathy A. Galdys  
Barnes & Thornburg LLP