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Ronald B. MacDonald [1946-2002]

✦ Also admitted in Washington  
▲ Also admitted in Massachusetts

October 17, 2012

Tina Artemis  
Regional Hearing Clerk  
U.S. EPA Region 8 (8RC)  
1595 Wynkoop Street  
Denver, CO 80202-1129

Re: Nelcon, Inc. – CWA-08-2012-0025

Dear Ms. Artemis:

Enclosed please find for filing and consideration, the following documents regarding the above matter:

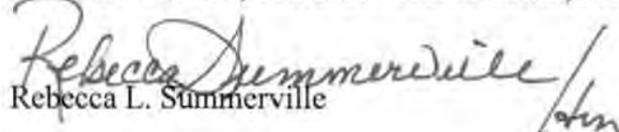
1. Motion for Extension of Time and proposed Order.

Please contact me should you have any questions or concerns regarding the above.

Thank you.

Very truly yours,

DATSOPOULOS, MacDONALD & LIND, P.C.

  
Rebecca L. Summerville

RLS/dm

Enclosures: As stated

cc: Charles L. Figur, Senior Enforcement Attorney

Rebecca L. Summerville  
Datsopoulos, MacDonald & Lind, P.C.  
201 West Main - Central Square Bldg.  
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Attorneys for Nelcon, Inc.

2012 OCT 19 PM 12: 50

FILED  
EPA REGION VIII  
HAWAII

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

Docket CWA-08-2012-0025

IN THE MATTER OF:	)	
	)	
Nelcon, Inc.	)	UNOPPOSED MOTION FOR
304 Jellison Road	)	EXTENSION OF TIME
Kalispell, MT 59903	)	
	)	
Respondent.	)	
_____	)	

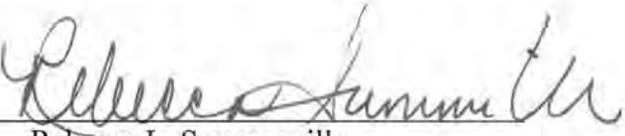
COMES NOW Nelcon, Inc. by and through its counsel, Datsopoulos, MacDonald & Lind, P.C., and pursuant to Section 22.07 of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. Part 22, respectfully moves for an extension of time for the date by which an Answer and Request for Hearing must be filed from October 26, 2012 to November 30, 2012.

The basis for this request is that counsel has recently been retained to represent Respondent and needs the additional time to become familiar with the facts and issues raised by the Administrative Complaint.

Counsel for Respondent has contacted EPA counsel concerning this request and has been advised that EPA counsel has no objection.

Respectfully submitted this 17 day of October, 2012.

DATSOPOULOS, MacDONALD & LIND, P.C.

By:   
Rebecca L. Summerville

2012 OCT 19 PM 12: 50

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

FILED  
EPA REGION 8  
DENVER, COLORADO

Docket CWA-08-2012-0025

IN THE MATTER OF:	)	
	)	ORDER GRANTING
Nelcon, Inc.	)	EXTENSION OF TIME TO
304 Jellison Road	)	FILE ANSWER AND
Kalispell, MT 59903	)	REQUEST FOR HEARING
	)	
Respondent.	)	
_____	)	

Having considered the Motion for Extension of Time to File an Answer and Request for Hearing and good cause appearing,

IT IS HEREBY ORDERED that Respondent shall have up to November 30, 2012, to file an Answer and Request for Hearing in this case.

DATED this \_\_\_\_ day of October, 2012.

\_\_\_\_\_  
Regional Administrator

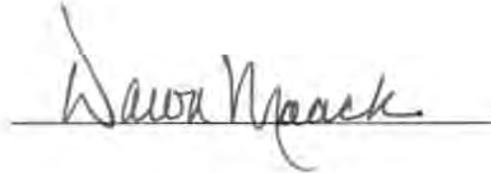
cc: Charles L. Figur  
Senior Enforcement Attorney  
U.S. EPA Region 8 (8ENF-L)  
1595 Wynkoop Street  
Denver, CO 80202-1129

Rebecca L. Summerville  
Datsopoulos, MacDonald & Lind, P.C.  
201 West Main - Central Square Bldg.  
Missoula, MT 59802  
Attorneys for Nelcon, Inc.

**CERTIFICATE OF SERVICE**

I, the undersigned, an employee of Datsopoulos, MacDonald & Lind, P.C., hereby certify that a true and correct copy of the foregoing document was mailed, postage prepaid, this 17<sup>th</sup> day of October, 2012, to the following:

Charles L. Figur  
Senior Enforcement Attorney  
U.S. EPA Region 8 (8ENF-L)  
1595 Wynkoop Street  
Denver, CO 80202-1129

A handwritten signature in cursive script, appearing to read "Dawn Mack", is written over a horizontal line.

