

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

2009 DEC -8 PM 12:51

In the Matter of:

FILED  
EPA REGION VIII  
HEARING CLERK

Meridian Commercial Construction, LLC,

Docket No. CWA-08-2009-0015

Respondent.

UPDATE TO REQUEST FOR EXTENSION

On December 4, 2009, the Complainant United States Environmental Protection Agency (EPA) filed a request to extend its deadline for filing a Rebuttal Prehearing Exchange. At that time, counsel for the Complainant had not heard whether counsel for Respondent opposed that request.

On December 8, 2009, counsel for Respondent indicated that the Respondent does not oppose Complainant's request for an extension.

Respectfully submitted,

*Margaret J. (Peggy) Livingston*  
Margaret J. (Peggy) Livingston  
Enforcement Attorney  
EPA Region 8  
1595 Wynkoop St.  
Denver, CO 80202  
(303) 312-6858 - telephone  
(303) 312-7202 -- fax

Certificate of Service

I certify that the foregoing Update to Request for Extension and a proposed order granting the Complainant's Request for Extension were sent or delivered, as indicated below, to each of the following:

Original and one copy hand delivered to:

Tina Artemis  
Regional Hearing Clerk  
US EPA, Region 8  
1595 Wynkoop St.  
Denver, CO 80202

One copy mailed by certified mail, return receipt requested to:

James R. Bullis, Esq.  
Kyle G. Pender, Esq.  
Montgomery Goff & Bullis, PC  
4650 38<sup>th</sup> Avenue S., Suite 110  
Fargo, ND 58106-9199  
Certified Mail No. 7008 3230 0003 0130 5155

One copy by pouch mail to:

The Honorable Susan L. Biro  
Chief Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Mail Code 1900L  
1200 Pennsylvania Ave., N.W.  
Washington, D.C. 20460

One copy by facsimile transmission to:

The Honorable Susan L. Biro  
Chief Administrative Law Judge  
Office of Administrative Law Judges  
U.S. Environmental Protection Agency  
Facsimile number 202-565-0044.

Date: 12/8/09

By: Judith M. McTernan

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

In the Matter of:

Meridian Commercial Construction, LLC,

Respondent.

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Docket No. CWA-08-2009-0015

ORDER GRANTING EXTENSION

On December 4, 2009, the Complainant United States Environmental Protection Agency (EPA) filed a request to extend its deadline for filing a Rebuttal Prehearing Exchange. Counsel for Respondent does not oppose this request. Accordingly, the request is granted. The Complainant's Prehearing Exchange is due by January 15, 2010.

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Hon. Susan L. Biro  
Chief Administrative Law Judge

Certificate of Service

I certify that the foregoing Order Granting Extension was sent, as indicated below, to each of the following:

Original and one copy hand sent by pouch mail to:

Tina Artemis  
Regional Hearing Clerk  
US EPA, Region 8  
1595 Wynkoop St.  
Denver, CO 80202

One copy mailed by first class U.S. mail to:

James R. Bullis, Esq.  
Kyle G. Pender, Esq.  
Montgomery Goff & Bullis, PC  
4650 38<sup>th</sup> Avenue S., Suite 110  
Fargo, ND 58106-9199  
Certified Mail No. \_\_\_\_\_

One copy by sent pouch mail to:

Margaret J. (Peggy) Livingston, 8ENF-L  
Enforcement Attorney  
Region 8  
U.S. Environmental Protection Agency  
1595 Wynkoop Street  
Denver, CO 80202

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