



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

2011 NOV -1 AM 11:26

FILED
EPA REGION VIII
HEARING CLERK

DOCKET NO.: CWA-08-2011-0039

GOWAN CONSTRUCTION, INC.
P. O. Box 228
Oslo, MN 56744

ORDER GRANTING
EXTENSION OF TIME
TO FILE ANSWER

And

NORTH DAKOTA DEPT. OF
TRANSPORTATION
608 E. Boulevard Avenue
Bismarck, ND 58505

RESPONDENTS

By Motion filed, October 31, 2011, the Respondents, through their attorneys, DeWayne Johnston and Michael C. Waller, have requested a **JOINT MOTION FOR EXTENSION OF TIME** for Respondents to File Answer to and including December 2, 2011 to respond to the **ADMINISTRATIVE COMPLAINT AND NOTICE OF OPPORTUNITY FOR HEARING** dated September 30, 2011. Respondents state they need additional time to evaluate the complaint but they do believe settlement is likely.

Accordingly, the Joint Motion for Extension of Time is hereby granted to December 2, 2011 pursuant to Section 22.16 of the Consolidated Rules of Practice.

SO ORDERED THIS 1st of November, 2011.

Elyana R. Sutin
Regional Judicial Officer

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER GRANTING EXTENSION OF TIME TO FILE ANSWER**, in the matter of **GOWAN CONSTRUCTIN, INC., and NORTH DAKOTA DEPARTMENT OF TRANSPORTION; DOCKET NO.: CWA-08-2011-0039** was filed with the Regional Hearing Clerk on November 1, 2011.


Further, the undersigned certifies that a true and correct copy of the documents were delivered to Sheldon Muller, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned documents were placed in the United States mail certified/return receipt requested on November 1, 2011, to:

Respondent's Attorney's:

Michael C. Waller
Crowley, Fleck PLLP
400 East Broadway, Suite 600
Bismarck, ND 58502-2798

DeWayne Johnston
Johnston Law Office
221 S. 4th Street
Grand Forks, ND 58201

November 1, 2011


Tina Artemis
Paralegal/Regional Hearing Clerk