



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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DENVER, CO 80202-2466

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http://www.epa.gov/region08

2007 JUL 31 PM 1:31

EPA REGION VIII  
HEARING CLERK

DOCKET NO.: CWA-08-2007-0011

FLANNERY OIL COMPANY, INC. )  
 BLACK HILLS MARKETERS, INC. )  
 SHANNON CAPITAL, INC. )  
 M. G. OIL COMPANY, INC. )  
 1012 E. Centre Street )  
 Rapid City, SD 57709 )  
 AND )  
 KELLY FLANNERY, INDIVIDUALLY )  
 KEVIN FLANNER, INDIVIDUALLY )  
 4931 Ireland Place )  
 Rapid City, SD 57702-8333 )  
 )  
 Respondents )

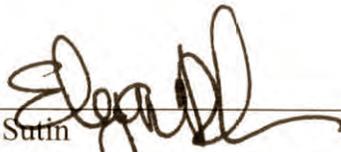
**ORDER GRANTING  
 MOTION FOR EXTENSION  
 OF TIME FOR RESPONDENTS  
 TO FILE ANSWER**

By **MOTION** dated, July 26, 2007, Complaint, through their attorney, Brenda L. Morris, has requested an **EXTENSION OF TIME**, on behalf of the Respondents to and including September 17, 2007 to respond the **Administrative Complaint and Notice of Opportunity for Hearing**, filed on June 29, 2007. The complainant has expressed that a settlement negotiation has already taken place and the parties will be diligently pursuing negotiations during this extension.

Pursuant to Section 22.5(a), "the original and one copy of each document intended to part of the record shall be filed with the Regional Hearing Clerk..." including all parties and the Presiding Officer.

According, for reasons stated above the Motion for Extension of Time is hereby granted pursuant to Section 22.16 of the Consolidated Rules of Practice.

Dated this 31<sup>st</sup> day of July, 2007.

  
 Elyana R. Sutin  
 Regional Judicial Officer

**CERTIFICATE OF SERVICE**

The undersigned certifies that the original of the attached **ORDER GRANTING EXTENSION OF TIME** in the matter of **FLANNERY OIL COMPANY, INC., BLACK HILLS MARKETERS, INC., SHANNON CAPITAL, INC., M. G. OIL COMPANY, INC. AND KELLY FLANNERY, INDIVIDUALLY, KEVIN FLANNER, INDIVIDUALLY, DOCKET NO.: CWA-08-2007-00115**, was filed with the Regional Hearing Clerk on July 31, 2007.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Brenda L. Morris, Enforcement Attorney, U. S. EPA – Region 8, 1595 Wynkoop Street, Denver, CO 80202-1129. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt requested on July 31, 2007, to:

Registered Agent for Flannery Oil Co., Inc., Black Hills Marketers, Inc. and Shannon Capital, Inc.

Mr. Kelly Flannery  
4931 Ireland Place  
Rapid City, SD 57702-8333

And

Attorney for M. G. Oil Company

Mr. Edward Carpenter  
Costello, Porter, Hill, Heisterkamp, Bushnell & Carpenter  
P. O. Box 290  
Rapid City, SD 57709

July 31, 2007

  
Tina Artemis  
Paralegal/Regional Hearing Clerk