

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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In the Matter of:

Docket No. CAA-08-2010-0026

CHS, Inc. Garretson
601 Depot Avenue
Garretson, South Dakota 57030-0379,

**MOTION FOR EXTENSION
OF RESPONSE DEADLINE
FOR 45 DAYS**

Respondent.

Pursuant to § 22.7(b) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties ("Part 22"), Respondent requests a 45 day extension of the response deadline in this matter. Complainant and Respondent have reached a tentative agreement regarding the overall structure of a settlement and are currently working out the remaining details required to finalize the settlement. Therefore, Respondent requests, with the concurrence of Complainant's counsel, Marc Wiener, that Respondent be allowed an additional 45 days from the January 7, 2011 deadline until February 14, 2011 to respond to the Complaint. This extension is anticipated to allow sufficient time for the final settlement to be approved by both parties and would then render moot the need for Respondent to answer the Complaint.

Dated: January 5, 2011

DORSEY & WHITNEY LLP

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Attorneys for Respondent CHS, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Respondent's Motion for Extension of Response Deadline for 45 Days was delivered in the following manner to:

BY MESSENGER TO:	BY FACSIMILE AND U.S. MAIL TO:
Ms. Tina Artemis Regional Hearing Clerk U.S. Environmental Protection Agency Region 8 1595 Wynkoop Street Denver, CO 80202-1129	Marc Weiner Enforcement Attorney U.S. Environmental Protection Agency Region 8 1595 Wynkoop Street Denver, CO 80202-1129 Facsimile No. 303-312-9653

Dated: January 5, 2011


Renee P. Christensen