UNITED STATES ENVIRONMENTAL PROTECTION AGENCY -3 AM 8: 26

BEFORE THE ADMINISTRATOR

EPA REGION VIII HEARING CLERK

In the Matter of) Docket Number:
47th Street Townhomes, LLC) CWA-08-2009-0021
Jordahl Custom Homes, Inc.)
and)
Master Construction Co., Inc.)
Respondents)
)

ORDER TERMINATING ALTERNATIVE DISPUTE RESOLUTION PROCESS AND RETURNING PROCEEDINGS TO THE CHIEF ADMINISTRATIVE LAW JUDGE

The parties have reached an agreement in principle and a proposed Consent Agreement has been exchanged, but has not been finalized. The ADR process expired on August 2, 2010. Accordingly, the ADR process is terminated and these proceedings are returned to the Chief Administrative Law Judge.

Dated this 29 day of October 2010

So Ordered.

Spencer T. Nissen

Administrative Law Judge

In the ADR Matter of 47th Street Townhomes, LLC, Jordahl Custom Homes, Inc. Docket No. CWA-08-2009-0021

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Order Terminating Alternative Dispute Resolution, dated October 29, 2010, was sent this day in the following manner to the addressees listed below.

Knolyn Jones

Legal Staff Assistant

Original and One Copy by Facsimile and Pouch Mail to:

Tina Artemis Regional Hearing Clerk U.S. EPA / Region VIII 1595 Wynkoop Street Denver, CO 80202-1129

Fx: 303.312.6859

One Copy by Facsimile and Pouch Mail to:

Peggy Livingston, Esq. Enforcement Attorney Office of Enforcement, Compliance and Environmental Justice U.S. EPA / Region VIII 1595 Wynkoop Street Denver, CO 80202-1129 Fx: 303.312.7202

One Copy by Facsimile and Regular Mail to:

Kyle Pender, Esq. Montgomery, Goff and Bullis 4650 38th Avenue S., Suite 110 Fargo, ND 58102 Fx: 701.281.8007