



6. Respondent's request for an extension of time will preserve judicial resources and the administrative and fiscal resources of the parties by allowing the parties to fully pursue settlement discussions prior to Respondent being required to answer the Complaint.

7. Counsel for Respondent has conferred with counsel for EPA, who has authorized counsel for Respondent to represent that EPA does not oppose Respondent's request for an extension of time to answer or otherwise respond and to request a hearing.

8. Pursuant to 40 C.F.R. Section 22.5(b)(4), undersigned counsel states that he is authorized to receive service of pleadings and other materials relating to this proceeding.

WHEREFORE, Respondent requests an extension of time up to and including April 26, 2010, to answer or otherwise respond to the Complaint and to request a hearing

Respectfully submitted March 18, 2010.

SHERMAN & HOWARD L.L.C.

By: 

Ronald M. Eddy, #40899  
633 Seventeenth Street, Suite 3000  
Denver, CO 80202  
Telephone: (303) 297-2900  
Fax: (303) 29800940  
E-mail: [reddy@shermanhoward.com](mailto:reddy@shermanhoward.com)

Attorneys for Kiewit Building Group, Inc.

**CERTIFICATE OF SERVICE**


I hereby certify that on the date noted below, the original and one copy of the foregoing Motion for Extension of Time to Answer and to Request a Hearing was hand-delivered, addressed to the following:

Tina Artemis  
Regional Hearing Clerk  
U.S. Environmental Protection Agency (8RC)  
1595 Wynkoop Street  
Denver, Co 80202-1129

and a copy was also hand-delivered to:

Wendy Silver, Esq.  
Legal Enforcement Program  
U.S. Environmental Protection Agency, Region 8  
Office of Enforcement, Compliance and Environmental Justice  
1595 Wynkoop Street  
Denver, CO 80202-1129

Date: March 18, 2010

  
Diane M. Collier