

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2011 SEP 13 PM 12: 38

IN THE MATTER OF:)	Docket No. CWA-08-2010-0024
)	
Nova Energy, Inc.)	Proceeding to Assess Class II Civil Penalty under
401 E. 1 st Street)	Clean Water Act Sections 309 and 311
Casper, WY 82601-2558)	
)	
Respondent.)	

FILED
EPA REGION VIII
RECEIVED
SEP 13 2011

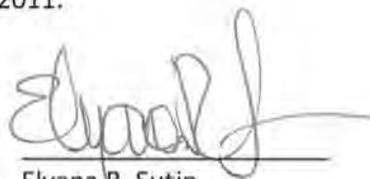
ORDER GRANTING EXTENSION OF TIME TO FILE CONSENT AGREEMENT

On September 9, 2011, Complainant filed a Second Settlement Report indicating that the parties have been working diligently on settlement. An agreement in principal was reached on July 18, 2011. The report indicates that, as a part of settlement, Respondent is working with a contractor to ensure the necessary injunctive relief is being taken care of in an appropriate manner. At the time of this settlement report, the status of the contractor's work was not known.

The Parties seek an extension until October 14, 2011 to finalize the Consent Agreement. This will ensure the injunctive relief has either been completed or will be completed by certain dates. Pursuant to 40 C.F.R. § 22.7, and upon good cause shown, the request for an extension of time until October 14, 2011 to file a Consent Agreement is **GRANTED**.

If a Consent Agreement is not filed by October 14, 2011, Respondent shall file an answer pursuant to the Consolidated Rules set forth at 40 C.F.R. § 22.15. If an answer is not filed, Respondent could be subject to a default action set forth at 40 C.F.R. § 22.17.

It is so ORDERED this 13th day of September, 2011.



Elyana R. Sutin
Regional Judicial Officer
Region 8

CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **ORDER GRANTING EXTENSION OF TIME TO FILE CONSENT AGREEMENT** in the matter of **NOVA ENERGY, INC.; DOCKET NO.: CWA-08-2010-0024** was filed with the Regional Hearing Clerk on September 13, 2011.

Further, the undersigned certifies that a true and correct copy of the documents were delivered Amy Swanson, Senior 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 September 13, 2011, to:

John Scherlin
Nova Energy, Inc.
400 E. 1st Street, Suite 301
Casper, WY 82601
scherlin@bresnan.net

e-mailed to:

Honorable Elyana R. Sutin, Regional Judicial Officer
U. S. Environmental Protection Agency, Region 8
1595 Wynkoop Street (8RC)
Denver, CO 80202-1129
Sutin.elyana@epa.gov

September 13, 2011



Tina Artemis
Paralegal/Regional Hearing Clerk

