

2007 DEC 19 PM 2:37

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

IN THE MATTER OF: )  
 )  
City of Flandreau )  
1005 W. Elm Avenue )  
Flandreau, SD 57028-0343 )  
 )  
Respondent. )  
 )  
 )

Docket No. TSCA-08-2007-0016

**JOINT MOTION TO EXTEND ALTERNATIVE DISPUTE RESOLUTION**

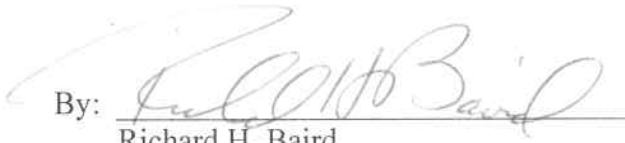
The City of Flandreau, Respondent, and the Environmental Protection Agency (EPA), Complainant, (jointly, the Parties) hereby jointly request a thirty (30) day extension of the Alternative Dispute Resolution (ADR) period in this matter, until February 4, 2008. As support for requesting this extension, the Parties state as follows:

1. the Parties have used the ADR period to date to exchange information, with the Respondent providing EPA with financial information so that EPA can conduct an ability to pay analysis;
2. the Parties have discussed EPA's Supplemental Environmental Projects policy and potential projects; and,
3. the Parties believe that progress towards settling this matter is being achieved and that the extension, if granted, will further the possibility of a settlement without a hearing.

The Respondent's attorney in this matter, James A. Billion, has authorized EPA to file this Joint Motion for the Parties.

Respectfully submitted,

Date: 12/19/07

By: 

Richard H. Baird  
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Legal Enforcement Program  
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**CERTIFICATE OF SERVICE**

I hereby certify that the attached JOINT MOTION TO EXTEND ALTERNATAIVE DISUPTE RESOLUTION, dated December 19, 2007, was served as follows:

The original and one copy was hand carried to:

Regional Hearing Clerk  
U.S. EPA, Region 8 (8RC)  
1595 Wynkoop Street  
Denver, CO 80202-1129

A copy was sent by pouch mail to:

The Honorable Spencer T. Nissen  
U.S. Environmental Protection Agency  
Office of Administrative Law Judges, MC 1900L  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460-2001

A copy was sent by regular mail to:

James A. Billion  
Ellingson Law Office  
P.O. Box 324  
Flandreau, SD 57028-0324

12-19-07  
Date

  
Barbara Hanna