

**UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

2009 NOV 24 AM 8: 23

IN THE MATTER OF:

Petroleum Development Corporation,

Respondent.

) Docket No: CWA-08-2009-0034
)
)
) RESPONDENT'S SECOND UNOPPOSED
) MOTION FOR EXTENSION OF TIME TO
) ANSWER COMPLAINT
)
)
) Proceeding to Assess Class I Civil Penalty
) Under Sections 309 and 311
) of the Clean Water Act
)
)

FILED
EPA REGION VIII
HEARING CLERK

Petroleum Development Corporation ("PDC"), by and through its counsel, for its Second Unopposed Motion for Extension of Time to Answer Administrative Penalty Complaint, hereby requests up to and including January 11, 2010, within which to answer or otherwise respond to the Complaint. In support of this Motion, PDC states as follows:

1. PDC filed an Unopposed Motion for Extension of Time to Answer Complaint on October 26, 2009. This motion was granted by Order dated October 30, 2009.
2. The parties remain in active discussion regarding settlement, building from the Settlement Conference held on October 23, 2009. Extending the due date of the Answer would continue to provide both parties with an opportunity to focus their resources on completing these settlement discussions and drafting any necessary settlement documents. The requested period of the extension to January 11, 2010 accounts for the upcoming holidays. No further extensions are anticipated.
3. PDC has conferred with counsel for EPA's Office of Enforcement, Compliance and Environmental Justice representing EPA on this matter, and EPA's counsel does not have any objection to this request for extension of time.

WHEREFORE, PDC respectfully requests an extension of time up to and including January 11, 2010 in which to answer, or otherwise respond to the Administrative Penalty Complaint.

Dated: November 20, 2009.

**PETROLEUM DEVELOPMENT
CORPORATION**

A handwritten signature in cursive script, appearing to read 'Roger Freeman', written over a horizontal line.


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*Attorney for Petroleum Development
Corporation*

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of November, 2009, I served the foregoing Respondents' Second Unopposed Motion for Extension of Time to Answer, via U.S. Mail, postage pre-paid as follows:

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

Peggy Livingston, Enforcement Attorney (8ENF-L)
U.S. EPA Region 8, Legal Enforcement Program
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Paige Finnell