



consideration of prejudice to other parties, or upon its own initiative. Any motion for an

extension of time must be filed sufficiently in advance of the due date so as to allow other parties reasonable opportunity to respond and to allow the Presiding Officer reasonable opportunity to

issue an order. 40 C.F.R. § 22.7(b).

2. The complaint in this matter was filed on March 5, 2008 and received by

Respondent on March 8, 2008. Pursuant to the Consolidate Rules, Respondent has until

April 14, 2008 to file its answer.

3. On March 19, 2008, counsel for the parties spoke on the phone to explore the

possibility of reaching an amicable settlement of the issues contained in the complaint filed

herein.

4. Although the parties have not yet discussed specific terms of a settlement, counsel

for Respondent expressed his client's desire to resolve this matter without the need to proceed to

a hearing. Counsel for Respondent also indicated that his client has an inability to pay the

penalty proposed in the Complaint.

5. Based on the discussion of counsel for the parties, Complainant has provided

Respondent with a detailed description of the financial information that Complainant will need in

order to evaluate Respondent's claim of inability to pay the proposed penalty. Counsel for

Respondent has indicated that the requested information can be provided within the next 10 days.

6. In order to facilitate the settlement discussions alluded to above, the parties respectfully request that the deadline for Respondent to file an answer be extended until May 23, 2008.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, REGION 8

Complainant.

Date: March 27, 2008 By: Sheldon H. Muller  
Sheldon H. Muller  
Enforcement Attorney  
Office of Enforcement, Compliance, and  
Environmental Justice  
1595 Wynkoop St.  
Denver, CO 80202-1129  
Phone: (303) 312-6916  
Fax: (303) 312-6916  
muller.sheldon@epa.gov

NORTHEAST RIDGE DEVELOPMENT COMPANY

Respondent.

Date: 3-22-08 By: [Signature]  
Fred Strege, Esq.  
Smith, Strege & Fredericksen, Ltd.  
321 Dakota Avenue, Box 38  
Wahpeton, ND 58074-0038  
Phone: (701) 642-2668  
Fax: (701) 642-4729  
fredstrege@smithstrege.com

CERTIFICATE OF SERVICE

I certify that on the date noted below, I sent a copy of the foregoing JOINT MOTION FOR EXTENSION OF TIME FOR RESPONDENT TO FILE ITS ANSWER to:

Fred Strege, Esq.  
Smith, Strege & Fredericksen, Ltd.  
321 Dakota Ave., Box 38  
Wahpeton, ND 58074-0038

I further certify that on the same date below the original and one copy were hand-delivered to:

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

Date: 3/27/08  
Judith M. M. Terman