



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, DC 20460

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FILED
EPA REGION VIII
OFFICE OF
HEARING OF THE ADMINISTRATIVE
LAW JUDGES

March 25, 2011

Tina Artemis, Regional Hearing Clerk
U. S. Environmental Protection Agency
Region 8 SRC
1595 Wyncoop Street
Denver, CO 80202-8917

Dear Tina,

On March 16, 2011, our office received from you a Complaint and associated filings in the Matter of *Nova Energy, Inc.*, Docket No, CWA-08-2010-0024. The Respondent's response to the Complaint is a letter dated March 11, 2011, merely stating that Respondent requests the right to a hearing in the matter, without any denials of allegations, defenses, assertions or explanations. Such a response does not constitute an "answer" to a complaint under 40 C.F.R. § 22.15. To date I have not received any response to an email that I sent to Respondent on March 15. Ms. Swanson, counsel for Region 8, reports that the parties are close to a settlement of the matter, and that the Respondent has not filed any other document in response to the Complaint.

Because no answer to the Complaint has been filed, pursuant to 40 C.F.R. § 22.16(c) this case is being returned to you for further processing by the Regional Judicial Officer.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Knight".

M. Lisa Knight
Senior Staff Attorney