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**BOGUE &
BOGUE, LLP**
LAW OFFICES

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EPA REGION VIII
HEARING CLERK

Cheryl Laurenz-Bogue
Eric H. Bogue

Respond to Faith Office

November 3, 2011

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

Re: In Re City of Dupree, NPDES Permit No. SDG589116
Docket No. CWA-08-2011-0040
Respondent's Motion for Extension of Time to File Answer
Notice of Appearance

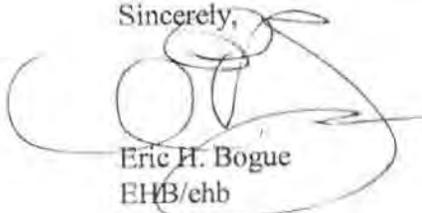
Dear Ms. Artemis:

Enclosed please find for filing in your office the original Respondent's Motion for Extension of Time to File Answer with a proposed Order, a Notice of Appearance, and a Certificate of Service on the above referenced matter. These same documents have also been sent via electronic mail to your office at artemis.tina@epa.gov.

I have also enclosed a conforming copy of each document for your convenience to return to my office in the enclosed SASE. I have served a copy of these documents and this letter upon Amy Swanson, Enforcement Attorney for the EPA by both regular mail and via electronic mail at swanson.amy@epamail.epa.gov.

Thank you in advance for your time and consideration on this matter. If you have any questions or concerns, please don't hesitate to contact me at your earliest convenience.

Sincerely,



Eric H. Bogue
EHB/ehb

en:

cc: Client

DUPREE
Ziebach County Courthouse
200 Main St.
P.O. Box 400
Dupree, SD 57623-0400

605.365.5171 (tele)
605.365.5717 (fax)

FAITH
Butler Insurance Building, Suite 2
104 West 1st St.
P.O. Box 250
Faith, SD 57626-0250

605.967.2529 (tele)
605.967.2527 (fax)

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UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

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EPA REGION VIII
FAITH SD

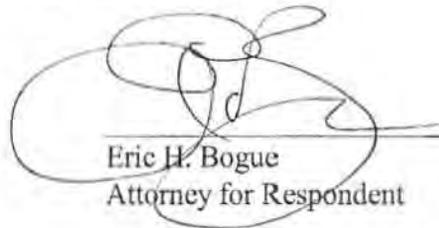
In the Matter of:)
)
The City of Dupree, South Dakota)
Dupree, South Dakota)
NPDES Permit No. SDG589116)
)
Respondent)

Docket No. CWA-08-2011-0040

NOTICE OF APPEARANCE

Eric H. Bogue, Attorney at Law, of P.O. Box 250, Faith, South Dakota 57626, hereby notes his appearance on behalf of Respondent in the above-entitled matter.

Dated at Faith, South Dakota, this 2nd day of November, 2011.


Eric H. Bogue
Attorney for Respondent

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

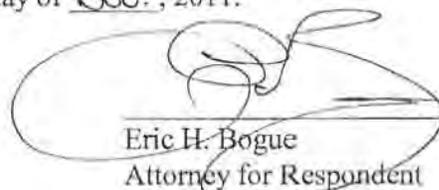
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EPA REGION VIII
WASHINGTON FIELD

In the Matter of:) Docket No. CWA-08-2011-0040
)
)
The City of Dupree, South Dakota)
Dupree, South Dakota) **MOTION FOR EXTENSION OF TIME**
NPDES Permit No. SDG589116) **FOR RESPONDENT TO FILE**
) **ANSWER**
)
Respondent)

Comes now Eric H. Bogue, Attorney for Respondent City of Dupree, and pursuant to 40 CFR Part 22, §22.7 hereby makes and files this Motion for Extension of Time for Respondent to file its Answer in the above entitled matter. Respondent accepted by United States Postal Service Certified Mail and service was completed on the 4th day of October, 2011. Pursuant to 40 CFR Part 22, §22.15, Respondent's time to file an Answer expires on November 3, 2011. The undersigned has contacted Amy Swanson, Senior Attorney, Legal Enforcement Program, for the U.S. Environmental Protection Agency, Region 8, regarding such an extension and Ms. Swanson has expressed that she has no objection to Respondents request for an Extension. Respondent and EPA are in discussions regarding a mutually satisfactory settlement of the underlying issues herein and such discussions may have a direct relation upon the nature and extent of Respondent's Answer herein. Therefore, without objection from the EPA and for good cause shown, Respondent respectfully requests that the deadline for Respondent to file its Answer in the above entitled matter be extended until Friday, November 18, 2011.

Respectfully submitted this 2nd day of Nov., 2011.


Eric H. Bogue
Attorney for Respondent
P.O. Box 250
Faith, SD 57626
(605) 967-2529

ORDER

The Court having considered this Motion for Extension of Time for Respondent to File Answer, it is hereby Granted.

Dated this _____ day of _____, 20.

BY THE COURT:

Presiding Officer

ATTEST:

_____, Clerk

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

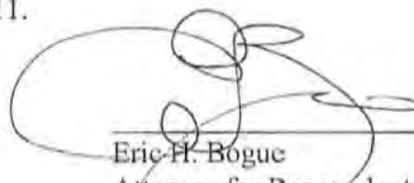
In the Matter of:) Docket No. CWA-08-2011-0040
)
The City of Dupree, South Dakota)
Dupree, South Dakota) CERTIFICATE OF SERVICE
NPDES Permit No. SDG589116)
)
Respondent)

The undersigned hereby certifies that true and correct copies of the Respondent's Motion for Extension of Time to File Answer and Notice of Appearance in the above entitled matter was served upon the following by electronic mail and by first-class mail, postage pre-paid:

Amy Swanson
Enforcement Attorney (8ENF-L)
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
swanson.amy@epamail.epa.gov

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

on this 2nd day of November, 2011.


Eric H. Bogue
Attorney for Respondent
P.O. Box 250
Faith, South Dakota 57626
(605) 967-2529